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Covenants and Covenanters in Scotland 1638–1679

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Abstract

This thesis investigates how Covenanting in Scotland was understood at local and grassroots level from the inception of the 1638 National Covenant to the suppression of Covenanting in the 1660s and 1670s. It explores the complexity of Covenanting ideas and the relationship between Covenanting, Royalism, Presbyterianism, and Episcopacy and assesses how local communities experienced Covenanting and acted on their beliefs from 1638 to 1679. At the heart of the analysis is an examination of extant kirk session and presbytery records at significant moments in the early and later Covenanting periods. This thesis advocates a departure from viewing Covenanting as a coherent movement. Rather moments, national and personal, corporate and individual, dictated the ways in which people interpreted their Covenants. The Covenant subscriptions of 1638 and 1643, the implementation of the *Directory for Public Worship* in 1645, the Engagement crisis of 1647–49, the Cromwellian invasion of 1650–52, and the Glencairn rising of 1653–55 are all assessed in the first part of this thesis as moments in which Covenanting ideas at grassroots level are evident. A broad spectrum of Covenanting emerged as what it meant to be a Covenanter was re-evaluated during these moments. People in the localities had an obligation to pursue the aims of the Covenants and the battle for ideological conformity saw wide social engagement, including individuals of low social status and women, in this national venture.

After the overturning of Covenanting legislation in 1662 individual moments, such as choosing whether or not to attend communion administered by a conformist minister, or choosing where to have a child baptised, brought Covenanting commitments to the fore. This is the main focus of the second part of this thesis. Those unwilling to participate in the most subversive aspects of Covenanting, attending conventicles in house and field, but unable to denounce their oaths by accepting the legality of the 1662 settlement found ways of negotiating their Covenanting commitments with the practicalities of living and worshiping in Restoration Scotland. This research concludes that Covenanting engendered a wide range of responses from 1638 to 1679 and was not the sole property of conventiclers after the Restoration of Charles II. Crucially, ordinary groups of people, including women, were engaged in Covenanting controversy from the outset through the imposition of oaths, fasts, and celebrations and took action independent of their social superiors when faced with an explicitly anti-Covenanting regime, thus marking a significant watershed in the history of political activism in Scotland.

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List of Abbreviations

Baillie, <i>Letters</i>	Baillie, Robert, <i>The Letters and Journals of Robert Baillie A.M. Principal of the University of Glasgow 1637-1662</i> , 3 volumes, ed. David Laing (Edinburgh, 1841-1842).
Brodie, <i>Diary</i>	<i>The Diary of Alexander Brodie of Brodie, 1652-1680. And of his son James Brodie of Brodie 1680-1685. Consisting of Extracts from the Existing Manuscripts, And a Republication of the Volume Printed at Edinburgh in the year 1740</i> (Aberdeen: Spalding Club, 1863).
<i>Fasti</i>	Hew Scott, <i>Fasti ecclesiae Scoticae: The succession of ministers in the church of Scotland from the reformation</i> , 7 vols. (Edinburgh: Oliver and Boyd, 1915 – 1928).
Firth, <i>S and C</i>	<i>Scotland and the Commonwealth: Letters and Papers relating to the Military Government of Scotland from August 1651 to December 1653</i> , ed. C.H. Firth (Edinburgh: T and A Constable, 1895).
Firth, <i>S and P</i>	<i>Scotland and the Protectorate: Letters and Papers relating to the Military Government of Scotland from January 1654 to June 1659</i> , ed. C.H. Firth (Edinburgh: T and A Constable, 1899).
Nicoll, <i>Diary</i>	<i>A Diary of Public Transactions and other Occurrences chiefly in Scotland, from January 1660 to June 1667 by John Nicoll</i> (Edinburgh: Bannatyne Club, 1836).
NLS	National Library of Scotland.
NRS	National Records of Scotland.
RCGA	<i>The Records of the Commissions of the General Assembly of the Church of Scotland</i> , 3 volumes (Edinburgh: Scottish History Society, 1892-1909).

Row, <i>Life of Blair</i>	<i>The Life of Mr Robert Blair, Minister of St Andrews, containing his autobiography from 1693 to 1636, with supplement to his life, and continuation of the history of the times to 1680 by his son-in-law William Row minister of Ceres</i> , ed. Thomas M'Crie (Edinburgh: Wodrow Society, 1848).
RPC	<i>Register of the Privy Council of Scotland</i> , series 1-3, ed. David Masson, P. Hume Brown, et al. (Edinburgh: General Register House, 1881-1933).
RPS	<i>The Records of the Parliaments of Scotland to 1707</i> , eds. K. M. Brown et al (St Andrews, 2007-2009) < www.rps.ac.uk >
SHR	Scottish Historical Review.
SHS	Scottish History Society.
Wariston, <i>Diary</i>	<i>Diary of Sir Archibald Johnston of Wariston</i> , 3 volumes, ed. George Morison Paul, David Hay Fleming, and James D. Ogilvie (Edinburgh: T and A Constable for SHS, 1919-1940).
Wodrow, <i>History</i>	Wodrow, Robert, <i>The History of the Sufferings of the Church of Scotland, from the Restauration to the Revolution</i> , 2 volumes (Edinburgh: James Watson, 1721-22).

Author's Declaration

I declare that, except where explicit reference is made to the contribution of others, this thesis is the result of my own work and has not been submitted for any other degree at the University of Glasgow or any other institution.

Signature:

Printed name: Jamie McDougall

Introduction

The widespread swearing and signing of the 1638 National Covenant and the 1643 Solemn League and Covenant by men and women of all social ranks marked a significant epoch in the history of Scotland. Drawn up by a group of nobles, lairds, burgesses, lawyers and ministers disaffected with Charles I's religious and political policies, the National Covenant sought to reassert the perceived authentic nature of the Scottish monarchy. This monarchy was limited by the laws of Scotland, ruled in conjunction with the Estates of the Scottish Parliament, and could not pursue religious policies which threatened the legally established Church of Scotland. Those who swore the National Covenant were labelled 'Covenanters' by contemporaries and the term is widely used by historians today. Five years later, the Covenanting regime had achieved a constitutional revolution and sought to export this into England. The English Parliament, being in the midst of civil war with Charles I's royalist forces, negotiated with the Covenanters and in return for military aid agreed on the six-point Solemn League and Covenant. The primary aim of this Covenant was the establishment of a uniform standard of Protestant worship in the three kingdoms. The following forty years witnessed civil wars throughout the three kingdoms, the abolition and restoration of the monarchy, and the eventual persecution of those who outwardly professed allegiance to the Covenants. The Covenanting martyrs of the Restoration period were subsequently upheld as principled freedom fighters by historians and writers of the eighteenth and nineteenth centuries.¹ Today, the Covenants and Covenanters sit amid a complex and wide-ranging historiography and have all but disappeared from popular memory aside from the occasional vilification or romanticisation in journalism.²

The purpose of this research is to investigate local reception of Covenanting ideas over a broad timescale: 1638 to 1679. This is based on the opportunities presented by the ways in which modern historians have approached the Covenanters. This thesis will nuance our understanding of Covenanting by departing from three historiographical stances: the periodisation of the Covenanting movement into 'early' (1638–1651) and 'later' (1661–1688), skipping over the Cromwellian interlude; the paucity of research into perceptions of Covenanting in local communities; and the lack of investigation into the

¹ Graeme Neil Forsyth, 'The Presbyterian Interpretation of Scottish History, 1800-1914' (unpublished PhD thesis: University of Stirling, 2003).

² For example, see Chris Bambery, 'Terrorism and fanaticism: Were the early Calvinists Scotland's Daesh?', *The National*, 8 December 2015; and 'Letters Special: Our readers respond to Chris Bambery's article A Caliphate... for Calvinists?', *The National*, 14 December 2015.

variety of Covenanting ideas, how they interacted with other ideas such as royalism and led to the formation of changeable opinion groups. What were Covenanting ideas? To what extent, how and why did positions change over time? How did ordinary people understand Covenanting and to what extent were local communities engaged in national debate? The current historiographical paradigm does not allow for these questions to be fully explored. This will be rectified through an examination of the under-utilised wealth of kirk session and presbytery record evidence in manuscript, alongside more traditional printed material in pamphlets, parliamentary proceedings, and the higher civil and ecclesiastical courts of the General Assembly and Privy Council. This chapter will explore the historiographical stances outlined above and highlight the aims of this research and the methodological approaches taken, before outlining the sources which will be used to answer the research questions.

Literature Review

Periodisation

Existing historiography on the Covenanters tends to be broken up into periods. The years from the creation of the National Covenant until the Cromwellian conquest of Scotland (1638–1651) marks the early Covenanting period; the English occupation (1651–1660) marks the Cromwellian period; and the Restoration of Charles II until the end of James VII's reign marks the later Covenanting period (1661–1688). Historians have dealt with each of these periods separately, and for good reasons. Prior to the 1970s, historical perceptions of Covenanting rested on hagiographical works produced by Presbyterian writers such as Robert Wodrow and Thomas M'Crie. Wodrow's work focused mainly on the Restoration period, but his analysis centred on the belief that the Covenanters were principled freedom fighters, defending civil liberties and a tradition which stretched back to the Reformation in 1560.³ Wodrow was heavily influenced by the writings of James Kirkton who set the scene of his *History* by asserting the extensive and popular nature of Scotland's Reformation and the Covenants in order to argue that God's most devoted and loyal people had been betrayed and persecuted by an arbitrary monarch who dragged the nation back towards Catholicism and Erastianism.⁴ The 1650s was also a decade subject to hagiography, as seen in James Beattie's *History of the Church of Scotland during the*

³ Robert Wodrow, *The History of the Sufferings of the Church of Scotland, from the Restauration to the Revolution*, 4 vols (Edinburgh: James Watson, 1721-22).

⁴ James Kirkton, *The Secret and True History of the Church of Scotland from the Restoration to the year 1678* (Edinburgh: James Bannatyne and Co. 1817). Kirkton died in 1699 yet his *History* was disseminated in manuscript format before being printed for the first time in 1817. See Ralph Stewart, 'Kirkton, James (d. 1699)', *Oxford Dictionary of National Biography* (Oxford: Oxford University Press, 2004).

Commonwealth (1842). The primary focus of Beattie's analysis was the 1650 split in the Presbyterian Church between Protestors and Resolutioners, and the attempted marginalisation of Presbyterianism through religious toleration, both of which deeply saddened the Presbyterian minister.⁵ In the early nineteenth century, Thomas M'Crie advanced the Presbyterian narrative by producing biographies of John Knox and Andrew Melville and a vindication of the Covenanters. He claimed that the Covenanters were defenders of religious and civil liberties which were violently and deplorably quashed during the Restoration period.⁶ Graeme Forsyth's 2003 PhD thesis, however, emphasises the importance of the context in which M'Crie was writing. As a member of a Presbyterian splinter church, the Anti-Burgher Seceders, M'Crie looked to the past in order to vindicate his beliefs on the correct form of church government. He believed that the Westminster Assembly (1643–53), which met as a result of the Solemn League and Covenant, outlined the perfect Covenanted church and form of worship. He also believed that the nineteenth-century church had diverged from its Covenanting past and should re-establish Covenanting imperatives contained in the Westminster *Directory for Public Worship* (1645) and *Confession of Faith* (1646). In addition, he was writing in response to Enlightenment works by David Hume and Malcolm Laing. These authors were critical of what they saw as a dogmatic Covenanting regime.⁷

In order to place Covenanting on firmly historical grounds and move the topic away from hagiography, it was necessary to explore the Covenanters in detail from an empirical historical perspective. This created the modern approach to Covenanting, epitomised by David Stevenson's seminal work. In 1973, Stevenson wrote *The Scottish Revolution* which covered the period 1637–44. This was followed by *Revolution and Counter-Revolution* in 1977, which covered the period 1644–51. Stevenson focused on the complex political wrangling leading up to the creation of the National Covenant in 1638, the significant transfer of power from the crown to the Estates of parliament in the following five years, the warfare which emerged from 1639, and the counter-revolution that followed as uneasy alliances between the church and parliament, and Scotland and England, broke down.⁸ In 1976, Ian Cowan attempted to produce a critical and unbiased assessment of the Covenanters during the Restoration period. Written at roughly the same

⁵ James Beattie, *History of the Church of Scotland during the Commonwealth* (Edinburgh: William Whyte and Company, 1842), pp. 186–248.

⁶ M'Crie, *The Works of Thomas M'Crie*, 4 vols (Edinburgh: William Blackwood and Sons, 1857).

⁷ Forsyth, 'The Presbyterian Interpretation of Scottish History, 1800–1914', pp. 64–70, 273.

⁸ David Stevenson, *The Scottish Revolution, 1637–44* (Newton Abbot: Davis & Charles, 1973); David Stevenson, *Revolution and Counter-Revolution in Scotland, 1644–1651* (London: Royal Historical Society, 1977).

time, the works of Cowan and Stevenson are the first modern academic studies of the early and later Covenanters. Cowan argued that the return of Charles II in 1660 was largely acceptable to the majority of the Scottish people, but that the later outlawing of Covenants and conventicles and the reintroduction of patronage created unified Presbyterian dissent.⁹ Frances Dow was the first historian to write a non-confessional history of the interregnum, published in 1979, demonstrating how the Cromwellian government exercised power through military strength and negotiation. Dow's study bridges the gap between Stevenson and Cowan's work. The chronological framework offered by these historians has remained largely intact and opened up spaces for the wide array of historical research into the Covenanters which historians enjoy today.

The works of John Young, Allan Macinnes, and Julia Buckroyd complemented and added further nuance to Stevenson and Cowan's pioneering research while generally following the same historiographical chronology. Young offers an extensive analysis of the machinations of the Scottish Parliament from 1639–61, including legislation passed by the early Covenanters of 1639–46, the ascendancy of the conservative faction of 1647–48, and the frequent and complex movement of positions thereafter.¹⁰ Macinnes' wide ranging body of work on the Scottish Covenanters offers perspectives on the constitutionalism of the early Covenanters, which had 'radical intent', the centralising agenda of the early Covenanted government, the complex interplay between Scottish, English and Irish politics which paved the way for the Solemn League and Covenant in 1643, and the often overlooked Highland dimension (discussed below).¹¹ Macinnes is one of the few historians to consider seriously the Solemn League and Covenant in the development of the Covenanted movement, with the historiographical focus being far too heavily weighted to the National Covenant. Julia Buckroyd's discussion of the reigns of Charles II and James VII was the first modern empirical account of the government in the Restoration period. Her focus on the changing approaches taken by the civil and ecclesiastical authorities in dealing with nonconformity complements Cowan's analysis of Presbyterian dissent, and mirrors the political approach taken by Young and Macinnes.

⁹ Ian B. Cowan, *The Scottish Covenanters 1660-1688* (London: Victor Gollancz, 1976), pp. 46-50.

¹⁰ John R. Young, *The Scottish Parliament 1639-1661: A Political and Constitutional Analysis* (Edinburgh: John Donald, 1996)

¹¹ Allan I. Macinnes, *Charles I and the Making of the Covenanted Movement* (Edinburgh: John Donald, 1991); Allan I. Macinnes, 'The Scottish Constitution: The Rise and Fall of Oligarchic Centralism', in *The Scottish National Covenant in its British Context*, ed. John Morrill (Edinburgh: Edinburgh University Press, 1990) pp. 106-133; Allan I. Macinnes, *The British Revolution, 1629-1660* (Basingstoke: Palgrave MacMillan, 2005), quote on p. 114; Allan I. Macinnes, *The British Confederate, Archibald Campbell, Marquess of Argyll, 1607-1661* (Edinburgh: John Donald, 2011).

Macinnes added a new mode of analysis to the Covenanters by being the first Scottish specialist to apply the 'New British History' approach to the civil war era in Scotland in his 2005 monograph *The British Revolution, 1629–1660*. First propagated by John Pocock in 1975, New British History sought to incorporate evidence from all three kingdoms to explain key moments of change in the history of the British Isles, particularly in the seventeenth century.¹² This approach was popular in the 1980s and 1990s and sparked a wide range of significant historical work on the three kingdoms in the seventeenth century, including (but by no means limited to): Tim Harris and Richard Greaves' large body of work on the Restoration and Revolution; John Morrill's attempt at placing the National Covenant in a wider British context (1991 and 1993); Jane Ohlmeyer's analysis of the career of Randall MacDonnell, first Marquis of Antrim, in the civil war and Restoration years (1993); and Conrad Russell's 1990 and 1991 monographs which explicitly used the events of 1637–1639 in Scotland to explain the outbreak of civil war in England.¹³ Russell's approach revived interest in the Scottish Revolution and has had a lasting impact on the historiography: recent studies of the civil war in England continue to place 1637 Scotland as the starting point for analysis and embrace a three-kingdom perspective, as seen in Michael Braddick's authoritative 2008 monograph *God's Fury, England's Fire*.¹⁴

The complexity of the three-kingdom approach generally encouraged shorter, rather than longer, chronological analyses. However, different chronologies were beginning to be used and the 1650s began to be integrated into histories of the early Covenanters. Macinnes broke the paradigm successfully to stretch the early Covenanting period to 1660, as well as beginning his analysis in 1629 in *The British Revolution*. This allowed him to set the civil war years and interregnum in their British and European context, revealing the roots of the crisis as being grounded on the ambitions of the Stuart monarchy for

¹² John Pocock, 'British History: A Plea for a New Subject', in *Journal of Modern History* 47 (1975), pp. 601–621

¹³ Tim Harris, *Restoration: Charles II and his Kingdoms 1660–1685* (London: Penguin, 2006); Tim Harris, *Revolution: The Crisis of the British Monarchy, 1685–1720* (London: Penguin, 2007); Richard L. Greaves, *Deliver Us from Evil: The Radical Underground in Britain, 1660–1663*, (Oxford: Oxford University Press, 1986); Richard L. Greaves, *Enemies Under His Feet: Radicals and Nonconformists in Britain, 1664–1677* (Stanford: Stanford University Press, 1990); Morrill, John (ed.), *The Scottish National Covenant in its British Context* (Edinburgh: Edinburgh University Press, 1990); John Morrill, 'The Britishness of the English Revolution', in *Three Nations—A Common History?: England, Scotland, Ireland and British History, c.1600–1920*, ed. in Ronald G. Asch (Bochum: Bockmeyer, 1993), pp. 83–116; Jane H. Ohlmeyer, *Civil War and Restoration in the Three Stuart Kingdoms: The Career of Randal MacDonnell, marquis of Antrim, 1609–1683* (Cambridge: Cambridge University Press, 1993); Conrad Russell, *The Causes of the English Civil War* (Oxford: Clarendon Press, 1990); Conrad Russell, *The Fall of the British Monarchies 1637–1642* (Oxford: Clarendon Press, 1991).

¹⁴ Michael Braddick, *God's Fury, England's Fire: A New History of the English Civil Wars* (London: Allen Lane, 2008).

hegemony over the three kingdoms. The settlement of 1660 was the result of negotiation between the English parliamentarian ('Gothic') and staunch royalist ('Britannic') camps which subordinated Scotland and Ireland: kingdoms which had previously played a pivotal role in British politics.¹⁵

Prior to Macinnes' work, the 1650s were generally dealt with separately. James Beattie's work (1842) has been nuanced by the growing amount of work in the interregnum in Scotland, such as Frances Dow's authoritative account mentioned above (1979), Scott Spurlock's work on the impact of toleration on religious discourse in Cromwellian Scotland (2007), and Kyle Holfelder's analysis of the schism in the Presbyterian church (1998).¹⁶ The doctoral theses of Kirsteen MacKenzie (2008) and Neil McIntyre (2016) incorporated the late 1640s into their discussions of three-kingdom Covenanting in the 1650s and the development of Covenanting ideology up to 1682 respectively.¹⁷ Chris Langley's 2016 monograph also amalgamates the interregnum with the 1640s in his examination of worship in the Scottish church.¹⁸ Discussion of the interregnum will be a central aspect of this thesis, particularly when examining the interaction between Covenanting and Royalism and the ideological backdrop for the Restoration settlement of 1661–1662. This will complement histories focusing solely on the 1650s while adding to the growing recognition of the importance of the interregnum in the broader history of Covenanting.

While existing chronological paradigms are being expanded, very few histories amalgamate the Restoration period with the interregnum and the early Covenanting period. The historiographical framework established in the 1970s of early and later Covenanters has greatly broadened our understanding of each time period but it does not allow for an examination of the long-term ramifications of Covenanting and thus oversimplifies or downplays divisions in the movement. This has produced a linear interpretation of the development of Covenanting opinion groups. For example, beginning analysis of religious controversy in 1660 and not engaging with the debates of the 1640s and 1650s led Alasdair

¹⁵ Macinnes, *The British Revolution*.

¹⁶ F.D. Dow, *Cromwellian Scotland 1651-1660* (Edinburgh: John Donald, 1979); Scott Spurlock, *Cromwell and Scotland: Conquest and Religion 1650-1660* (Edinburgh: John Donald, 2007); Kyle David Holfelder, 'Factionalism in the Kirk during the Cromwellian Invasion and Occupation of Scotland, 1650-1660: The Protestor-Resolutioner Controversy' (unpublished PhD thesis: University of Edinburgh, 1998).

¹⁷ Kirsteen MacKenzie, 'Presbyterian Church Government and the 'Covenanted Interest' in the Three Kingdoms 1649-1660' (unpublished PhD thesis: University of Aberdeen, 2008); Neil McIntyre, 'Saints and Subverters: The Later Covenanters in Scotland c. 1648-1682' (unpublished PhD thesis: University of Strathclyde, 2016).

¹⁸ Chris R. Langley, *Worship, Civil War and Community, 1638-1660* (Abingdon: Routledge, 2016); Chris R. Langley, 'Times of Trouble and Deliverance: Worship in the Kirk of Scotland, 1645-1658' (unpublished PhD thesis: University of Aberdeen, 2012).

Raffe to argue in his 2012 monograph that there was an ‘essential uniformity’ in religious culture prior to the Restoration period, after which separate Presbyterian and Episcopalian confessional cultures developed.¹⁹ The works of Spurlock, Holfelder, and Langley have convincingly shown that there was significant religious diversity and factionalism in the 1640s and 1650s and thus Raffe’s interpretation reflects the problem of compartmentalising this period. At the same time, Raffe’s work highlights the benefit of taking a broad chronological approach. Raffe broke the historiographical trend of using the 1688-90 Revolution as a caesura which allowed him to highlight the long-term development of Episcopalian and Presbyterian confessional cultures. Another recent seminal study on early modern Scotland is Laura Stewart’s 2016 monograph *Rethinking the Scottish Revolution*, which focuses on the 1640s and presents the National Covenant as a blueprint for a Presbyterian confessional state which sought to confessionalise the nation. This focus runs the risk of downplaying the range of interpretations the Covenant engendered, and makes it difficult to understand why two-thirds of the Scottish ministry and the majority of lay men and women conformed to Episcopacy in 1662.²⁰ Although Stewart’s and Raffe’s work offer ground-breaking and valuable insights into their respective periods of study, these two monographs highlight the problems of not integrating the early and later Covenanting periods.. This periodisation has been challenged by Neil McIntyre, whose 2016 thesis successfully charted the development of printed Covenanting thought from 1648 to 1682, arguing that the initial parliamentary constitutionalism of the Covenanters took on a much more radical tenor after 1648 which lost noble support and hinged ideologically on a reinterpretation of Samuel Rutherford’s work.²¹ What remains to be uncovered is the range of Covenanting ideas and how they were understood on the ground, especially among those who did not follow the hardline Presbyterian path.

The issues over timescale relate to a wider problem of viewing the Covenanters as making up a distinct movement. The implication in the historiography of the Covenanters is that 1638–52 represented the early Covenanting movement, while 1662 onwards represented the later Covenanting movement. The interregnum usually stands alone, although as highlighted above there have been moves to amalgamate the decade into

¹⁹ Alasdair Raffe, *The Culture of Controversy: Religious Arguments in Scotland, 1660-1714* (Woodbridge: Boydell, 2012), p. 45; see also Scott Spurlock, ‘Half the Story? A review of Alasdair Raffe, *The Culture of Controversy: Religious Arguments in Scotland, 1660-1714*’, *Journal of Irish and Scottish Studies*, online reviews section (2013) <http://www.abdn.ac.uk/riiss/content-images/Spurlock_half-the-story.pdf>.

²⁰ Laura Stewart, *Rethinking the Scottish Revolution: Covenanted Scotland, 1637-1651* (Oxford: Oxford University Press, 2016), pp. 11, 25-26.

²¹ Neil McIntyre, ‘Saints and Subverters: The Later Covenanters in Scotland c. 1648-1682’.

discussions of the early Covenanters. This thesis will investigate local evidence in the four decades following subscription to the National Covenant to uncover the full range of Covenanted ideas and opinions and explore how these changed over time in response to changing government policies. Approaches taken in the historiography of England in this period can be helpful in this respect. Rachel Foxley has highlighted how English Parliamentarianism in the 1640s was a broad coalition that did not always enjoy ideological unity, observing:

Alongside the war against the king's forces, the parliamentarians were engaged, from 1642 onwards, in a second war: a war of interpretation, in which they struggled among themselves to define the cause for which they fought, and the terms on which they would settle.²²

Foxley goes on to argue that there was significant cross-over between parliamentarian and royalist ideas, with political events dictating the formation of opinion groups. Covenanted in Scotland offers a near mirror-image of this. Circumstances caused the emergence of new, the revival of old, and the shifting in emphasis of strands of thought. Jonathan Scott has shown that English republican ideas largely stemmed from the creation of the Cromwellian republic, rather than the other way around, and that republican ideas lived on in the following centuries, being promoted by different people under different circumstances.²³ In a similar manner, the 1638 and 1643 Covenants in Scotland engendered ideas about Covenants and Covenanted that were formed and reformed by changing circumstances and interpreted differently by different groups in the ensuing four decades and beyond. This thesis will therefore provide an integrated analysis across the early and later Covenanted periods and the interregnum, investigating Covenanted ideas at pivotal moments between 1638 and 1679.

The focus in this study will be on the range and fluidity of ideas understood by the localities and people at grassroots level. This thesis will investigate how individuals and groups negotiated their obligations in the face of ever changing political circumstances, and the long-term ramifications of engaging the populace in nation-wide Covenanted.

The broad approach taken here is influenced by recent historiographical trends in world history to analyse ideas and structures across large periods of time. First propagated by the French *Annales* school in the mid twentieth century, this *long durée* approach has

²² Rachel Foxley, 'Varieties of Parliamentarianism', in *The Oxford Handbook of the English Revolution*, ed. Michael J. Braddick (Oxford Handbooks Online: Oxford University Press, 2014), p. 415.

²³ Jonathan Scott, 'The English Republican Imagination', in *Revolution and Restoration: England in the 1650s*, ed. John Morrill (London: Collins & Brown, 1992), pp. 35-54.

lately had a revival.²⁴ In 2014, Jo Guldi and David Armitage argued that ‘the world around us is hungry for long-term thinking’, claiming that the *long durée* approach could positively impact the way the world perceives the environment, the economy, and political systems.²⁵ While undoubtedly much narrower than Armitage’s *Civil Wars: A History in Ideas* and the works produced by the architects of the *long durée*, it is hoped that this thesis adds to the growing interest in research that cuts across established time periods of study.

Localities

The current historiography has robustly covered the political and religious issues which led to the creation of the Covenants, the changes to Scotland’s civil and ecclesiastical governance in the following forty years, and the main ideas debated by contemporary politicians and theologians. What remains to be explored fully is how Covenanting was understood by people in the Scottish localities and whether or not the Covenants were received with their intended meanings. The first social study of Covenanting was Walter Makey’s 1979 monograph *The Church of the Covenant 1637–1651* which focused on explaining the National Covenant through social change. According to Makey, Scotland in 1638 was a ‘society in turmoil’ due to the decline of feudalism, and the revolution was thus simply a power grab by landowners looking to consolidate their positions as local rulers. Central to Makey’s argument was heritable jurisdictions, whereby a feudal magnate had jurisdiction over everyone who lived on his estate. Charles I planned to abolish these heritable privileges and thus the nobility pursued a course of action centred on transferring power from the crown to parliament.²⁶ Despite being one of the only attempts at a social analysis of the Covenanters, Makey’s work has been largely ignored by historians due to its overtly Marxist nature. It also does not contain much local evidence, instead focusing on the social make-up of those who sat on the national governing bodies during the early Covenanting period. This is very helpful in understanding some of the motivations driving the nobility and gentry during this period but reveals little about how people on the ground understood Covenanting.

²⁴ The most significant works produced which encompass the *long durée* approach are those by Fernand Braudel, particularly *The Mediterranean and the Mediterranean world in the age of Philip II*, trans. by Sian Reynolds, 2 vols (London: Collins, 1972-73); and *A History of Civilisations*, trans. by Richard Mayne (London: Penguin, 1993).

²⁵ Jo Guldi and David Armitage, *The History Manifesto* (Cambridge: Cambridge University Press, 2014), p. 4. The drive towards this approach manifested itself in David Armitage, *Civil Wars: A History of Ideas* (New York: Alfred A. Knopf, 2017).

²⁶ Walter Makey, *The Church of the Covenant 1637-1651: Revolution and Social Change in Scotland* (Edinburgh: John Donald, 1979).

Over the past thirty years, politics at grassroots level in the early modern period has been a major area of investigation in English historiography. This is largely due to the legacy of Jürgen Habermas' 1962 analysis of the emergence of the public sphere in late seventeenth and early eighteenth century Europe. Habermas argued that the public sphere first emerged in Britain as a result of the interaction between an increasingly educated middle class and printed political discourse through the vehicle of the coffeehouse which created an institution where people of all social classes could read and discuss political pamphlets and newspapers. Defined by Habermas as bourgeois society, this class of people operated locally in towns across Britain and acted as a 'mouthpiece' for public opinion. At the turn of the eighteenth century, public opinion was used to legitimise appeals to the state indicating the rise of the public sphere.²⁷ Since his book was translated into English in 1989, a more nuanced view of the public sphere has been established. Bob Harris acknowledged both the important insights and limitations of Habermas' work in a 1997 historiographical review of scholarship embracing his theoretical model. Credit was given to Habermas for raising the issue of how people outside aristocratic circles engaged with politics and for encouraging discussion of the public sphere by historians across Europe. However, Harris questioned the validity of assuming that there could be one straightforward route to popular political engagement, suggesting that the growth of the public sphere was a 'sociologically complex phenomenon' with a variety of factors influencing the rise of popular politics.²⁸

There is now a wealth of material on the early modern public sphere in England. Central to this approach is an analysis of print culture. Joad Raymond is one of the pioneers, arguing that print culture and debate in social spaces allowed for a public sphere to develop in England, as the late sixteenth and early seventeenth centuries witnessed the beginning of pamphlets and books being written with a public in mind.²⁹ There is consensus among English historians that there was a printing revolution which reached fever pitch from the civil war years (1642 – 1651) onwards. However, there have been a number of different approaches applied to the study of this array of print material such as (but not limited to): news and the growth of popular politics; the role of religion in print

²⁷ Jürgen Habermas, *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society* translated by Thomas Burger (Cambridge: Polity Press, 1989), pp. 27-37, 57-58.

²⁸ Bob Harris, 'Historians, Public Opinion and the "Public Sphere"', *Journal of Early Modern History* 14 (1997), pp. 369-377.

²⁹ Joad Raymond, 'Introduction', in *The Oxford History of Popular Print Culture: Volume One: Cheap Print in Britain and Ireland to 1660*, ed. Joad Raymond (Oxford: Oxford University Press, 2011), pp. 6-8; Joad Raymond *Pamphlets and Pamphleteering in Early Modern Britain* (Cambridge: Cambridge University Press, 2002).

culture and public formation; literacy and oral culture; and the role of print in popular protest.³⁰ Jason Peacey has recently investigated the impact of the explosion of print material during the civil war years on political culture and the lives of ordinary people, concluding that by 1660 print had fostered the emergence of a ‘participatory political culture’.³¹ Sarah Waurechen’s 2009 article on Covenanter propaganda brings Scottish pamphlets into the discussion of public formation in England. Waurechen argues that the wealth of Scottish polemics produced during the Bishops Wars of 1639 and 1640 appealed to an English public and was thus a recognition of the public sphere in England.³² In short, recent historiography on England during the civil war has shown that a vibrant print culture existed and led to a radical change in the structure of society with the emergence of a public sphere.

Laura Stewart is the first Scottish historian to apply this public formation approach to the history of Covenanting. Taking inspiration from the work done on the public sphere in England, Stewart has attempted to assess how ordinary people engaged with Covenanting, arguing in a 2013 article that the National Covenant was a ‘potentially radical avowal of the popular lay spirituality’ because it affirmed the central place of the congregation in the church as a whole and provided an opportunity for ordinary people to consider the nature of spiritual authority.³³ Stewart’s 2016 monograph explicitly challenges the New British History approach as being too focused on high politics. Instead, Stewart argues for a broader definition of politics which encompasses those outwith the Estates of parliament. The National Covenant is central to Stewart’s analysis, as the widespread swearing and subscribing in 1638 ‘turned the people into a public’.³⁴ Regarding religion, Stewart argues that the National Covenant was essentially Presbyterian, and that the subscription process was an attempt at confessionalizing the nation.³⁵ Stewart is the only

³⁰ Richard Cust, ‘News and Politics in Seventeenth Century England’, in *Past & Present* 112 (1986), pp. 60-90; David Zaret, *The Origins of Democratic Culture: Printing, Petitions, and the Public Sphere in Early-Modern England* (Princeton: Princeton University Press, 2000); Mark Knights, *Representation and Misrepresentation in Later Stuart Britain: Partisanship and Political Culture* (Oxford: Oxford University Press, 2005); David Cressy, *Literacy and the Social Order: Reading and Writing in Tudor and Stuart England* (Cambridge: Cambridge University Press, 1980); John Walter, *Crowds and popular politics in early modern England* (Manchester: Manchester University Press, 2006); Andy Wood, *Riot, Rebellion and Popular Politics in Early Modern England* (Basingstoke: Palgrave, 2002).

³¹ Jason Peacey, *Print and Public Politics in the English Revolution* (Cambridge: Cambridge University Press, 2013), p. 394.

³² Sarah Waurechen, ‘Covenanter Propaganda and Conceptualizations of the Public during the Bishops Wars, 1638-1640’, in *The Historical Journal* 52 (2009), pp. 63-86.

³³ Laura Stewart, ‘Authority, Agency, and the Reception of the Scottish National Covenant of 1638’, in *Insular Christianity: Alternative models of the Church in Britain and Ireland, c.1570-c.1700*, ed. Robert Armstrong and Tadhg Ó Hannracháin (Manchester: Manchester University Press, 2013), pp. 89-107.

³⁴ Laura Stewart, *Rethinking the Scottish Revolution: Covenanted Scotland, 1637-1651* (Oxford: Oxford University Press, 2016), p. 8.

³⁵ *Ibid.*, pp. 25-26.

historian to consider seriously reception and female involvement in Covenanting. Her work offers a radical re-interpretation of the Scottish Revolution in which ordinary people are central to the analysis, but more can be done to uncover the range of ideas the Covenants fostered and responses they engendered on the ground.

The historiography of seventeenth century England has shown that there was a radical societal shift as a public sphere developed during the civil war years, but there is little evidence of a similar shift in Scotland. Printing was strictly controlled throughout the 1640s (and the following decades) in Scotland, with limited opportunity for the untrammelled debate seen in England. The work of Karin Bowie and Alasdair Raffe has shown that the public political culture in Scotland was significantly different than in England. Bowie has shown that in the run up to the union of 1707 there were some similarities to England, such as effective communication links, high levels of literacy, growth of the book trade and government engagement with crowd activity. However, coffeehouses and political pamphlets were less prevalent in Scotland.³⁶ Raffe agrees that there was not the same coffeehouse culture in Scotland and rejects the notion of a public sphere in Scotland entirely, arguing that Habermasian discourse is merely a teleological 'whiggish narrative'.³⁷ Instead he focused on discursive practices and the characteristics of controversy from 1660–1714, arguing that political discourse occurred in all social classes but how this discourse was acted upon differed depending on social status.³⁸ Stewart aptly observes that during the 1640s in Scotland, ordinary people found spaces in which to discuss political and religious ideas. However, this discussion was restricted to interpretation of the ideas contained in, or perceived to be advocated by, the Covenants. This thesis will therefore move away from the discussion of publics and focus on the ideas engendered by the 1638 and 1643 Covenants, how they interacted with ideas pertaining to monarchy, church government, and worship, and how they were interpreted at grassroots and local level. The timescale is stretched to 1679 to allow for analysis of the long term impact of Covenanting; linking the early and later Covenanting periods while challenging assumptions over the linear perception of Covenanting sometimes implied by political histories of the Scottish Revolution.

³⁶ Karin Bowie, *Scottish Public Opinion and the Anglo-Scottish Union, 1699-1707* (Woodbridge: Boydell and Brewer for the Royal Historical Society, 2007), p. 5.

³⁷ Alasdair Raffe, *The Culture of Controversy*, p. 11; see also Karin Bowie and Alasdair Raffe, 'Politics, the People and Extra-Institutional Participation in Scotland, c. 1603-1712', in *Journal of British Studies* 56 (2017), pp. 797-815.

³⁸ *Ibid.* pp. 8-15.

The approach to grassroots Covenanting taken here will draw upon the insights offered by Tim Harris in his work on popular politics in Restoration Britain. Harris is critical of top-down approaches to the study of popular politics that over-emphasise dissemination via coffeehouses and the press. Instead, Harris argues:

In our approach to popular politics, we should focus less on the press and pay more attention to the social and cultural processes whereby the masses became politicized: these would include inherited political, cultural and religious traditions, as well as the impact of government at the grass-roots level.³⁹

Harris goes on to cite the 1666 and 1679 Presbyterian rebellions in south west Scotland as being indicative of this process as inherited Covenanting tradition and identity shaped the rebels' political outlook in an area that experienced aggressive governmental policies combined with poor communication links and low literacy.⁴⁰ This approach is similar to Chris Langley's analysis of worship in Scotland between 1638 and 1660. By extensively researching synod, presbytery, and kirk session records Langley demonstrates how localities responded to political change, arguing that local communities and ministers negotiated their practices with higher civil and ecclesiastical courts and that practices on the ground did not always reflect the desires of the national governing bodies.⁴¹ Langley's work demonstrates the value in using local church records to understand popular religious practices and understandings.

An area which has received a modest amount of attention in relation to the Covenants is the Highlands and Isles of Scotland: the area roughly consisting of Shetland, Orkney, the Hebrides, and everywhere on the mainland north of a line from Loch Fyne to Forres.⁴² The term Gàidhealtachd is generally preferred over 'Highlands and Isles' here, but this will only be used when referring to Gaelic Scotland: the region roughly corresponding with those mentioned above excluding Orkney and Shetland. In determining whether or not a parish was part of the Gàidhealtachd, a list of parishes which received Gaelic Bibles in 1698 contained in Charles Withers' study of Gaelic in Scotland was consulted.⁴³ This research will not focus heavily on the Gàidhealtachd, but will integrate relevant Gaelic sources in translation. Much of the research done on the Gàidhealtachd during this era is separate from research on the Covenanters or focuses on individuals who

³⁹ Tim Harris, 'Understanding popular politics in Restoration Britain', in *A Nation Transformed: England after the Restoration* ed. Alan Houston and Steve Pincus (Cambridge: Cambridge University Press, 2001), p. 128.

⁴⁰ *Ibid.* p. 133.

⁴¹ Chris Langley, *Worship, Civil War and Community, 1638-1660*.

⁴² James Hunter, *Last of the Free: A Millennial History of the Highlands and Isles of Scotland* (Edinburgh: Mainstream Publishing Company, 1999), p. 13.

⁴³ Charles W. J. Withers, *Gaelic in Scotland, 1698-1981: The Geographical History of a Language* (Edinburgh: John Donald, 1984), pp. 49-52.

played a prominent role in the wars in the Highlands and Isles during this period, such as Archibald Campbell, eighth Earl of Argyll; James Graham, first Marquis of Montrose; Alasdair MacColla; and Randall MacDonnell first Marquis of Antrim.⁴⁴ Barry Robertson and Allan Kennedy have shown that the Covenants were subscribed in parts of the Highlands and Isles and Kennedy has evaluated the governance of this region by the centralised Covenanting and Restoration regimes but this work continues to isolate the Gàidhealtachd from the rest of Scotland.⁴⁵

The work of Allan Macinnes has done much to broaden our understanding of the Gàidhealtachd in this period. Macinnes' monograph on the eighth Earl of Argyll focuses on his role as a politician and leader of the hardline Covenanting faction, placing the Gàidhealtachd at the heart of Scottish and British political and military strife.⁴⁶ Macinnes is the only historian to offer perspectives on Highland people below the clan chiefs and members of the *fine* (Highland elite). This is achieved through reference to Gaelic poetry. In a 1989 article on the seventeenth century Gaelic perspective he argued that composition and spreading of vernacular poetry in the ranks outside of the *fine* began to replace traditional bardic poetry, a process which led to heightened political and social awareness. As poetry became more polemic and aimed at an audience outside the *fine*, the engagement of a larger body of people was achieved. Ceilidhs provided poetic recitals to a popular audience and Macinnes suggested that around 300–500 poems and songs comment on the political events of the early and later Covenanting periods. According to Macinnes, these poems and songs reveal social tension between the *fine* and ordinary people and an inherent conservatism in Scottish Gaeldom.⁴⁷ While a full analysis of the Gàidhealtachd during this period is beyond the scope of this research, evidence from Gaelic Scotland will be incorporated in this thesis. As will be shown in chapters one, two, and three, Gaelic Scotland played a crucial role in the development of Covenanting and royalist ideas, providing some of the key ideological facets of the Restoration settlement. However,

⁴⁴ W.C. MacKenzie, *The Highlands and Isles of Scotland: A Historical Survey* (Edinburgh: The Moray Press, 1937), pp. 222-235; John MacLeod, *Highlanders: A History of the Gaels* (London: Hodder and Stoughton, 1996), pp. 129-131; David Stevenson, *Highland Warrior: Alasdair MacColla and the Civil Wars* (Edinburgh: The Saltire Society, 1994); John L. Roberts, *Clan, King, and Covenant* (Edinburgh: Edinburgh University Press, 2000), pp. 33-35; for a more detailed analysis of the life and career of Randall MacDonnell, see Jane Ohlmeyer, *Civil War and Restoration in the Three Stuart Kingdoms*.

⁴⁵ Barry Robertson, 'The Covenanting North of Scotland, 1638-1647', *The Innes Review* 61.1 (2010), pp. 24-5; Allan Kennedy, "A Heavy Yock Uppon Their Necks": Covenanting Government in the Northern Highlands", *Journal of Scottish Historical Studies* 30.2 (2010), pp. 93-112.

⁴⁶ Allan I. Macinnes, *The British Confederate, Archibald Campbell, Marquess of Argyll, 1607-1661* (Edinburgh: John Donald, 2011).

⁴⁷ Allan I. Macinnes, 'Seventeenth-Century Scotland: The Undervalued Gaelic Perspective' in *Celtic Languages and Celtic Peoples: Proceedings of the second North American Congress of Celtic Studies held in Halifax August 16-19, 1989*, ed. Cyril J. Byrne, Margaret Harry and Pádraig Ó Suidhail (Halifax: McCurdy, 1992), pp. 535-555.

Covenanting memory and practice was virtually non-existent in non-Campbell Gaelic Scotland post-1662, and thus chapters four and five focus primarily on the Lowlands.

Ideas and Opinion Groups

Central to uncovering how Covenanting was understood at local level is the investigation of the full range of Covenanting ideas and how they interacted with ideas about monarchy, church government, and worship. It has long been recognised that Covenanting and royalism were interrelated. After all, both Covenants contained explicit promises to maintain and defend the monarchy. However, there has been little comprehensive work on exploring the relationship between the two. David Stevenson was the first to coin the term ‘royalist Covenanter’ in 1973 and Edward Cowan’s work on Montrose sheds light on the complex set of beliefs held by the man who consistently upheld the National Covenant yet became a royalist martyr.⁴⁸ Scott Spurlock’s 2013 article on the problems of using religion as an identity group highlights the overlaps between Covenanting and royalism and the divisive nature of the Covenants themselves which created disunity among the Covenanting leadership.⁴⁹ Despite some recent nuancing of the interrelationship between Covenanting and royalism, this has not been analysed in detail. In Barry Robertson’s 2014 monograph on royalism in Scotland and Ireland, royalism is presented as being a heterogeneous ideology with degrees of opinion but royalists and monarchists are termed as being distinct from Covenanters.⁵⁰ This thesis will investigate to what extent royalists and Covenanters can be pigeonholed into separate categories through a close analysis of the texts of the Covenants themselves, the polemics produced in the ensuing 40 years, and how people on the ground formed opinion groups around these ideas.

Attempts have been made to use terminology which reflects degrees of royalist sentiment. This has been successful, but there is scope for further nuancing. Macinnes and Young use the terms ‘radical’ and ‘conservative’: the former referring to those who believed that the establishment of Presbyterianism was the primary aim of the Covenants and favoured placing limitations on the king’s power, and the latter referring to those who believed religion and monarchy to be equally enshrined in the Covenants and were

⁴⁸ Stevenson, *The Scottish Revolution, 1637-44*; Edward J. Cowan, *Montrose: For Covenant and King* (London: Weidenfeld and Nicolson, 1997).

⁴⁹ Scott Spurlock, ‘Problems with Religion as Identity: The Case of Mid-Stuart Ireland and Scotland’, *Journal of Irish and Scottish Studies* 6 (2013), pp. 1-29.

⁵⁰ Barry Robertson, *Royalists at War in Scotland and Ireland 1638-1650* (Farnham: Ashgate, 2014).

unwilling to rebel against the king.⁵¹ Stewart does not discuss factionalism before the Engagement crisis in 1648, where she uses the terms Engagers and anti-Engagers.⁵² The word ‘moderate’ is often used to refer to the ‘conservative’ or ‘anti-Engager’ faction. This is preferred by Stevenson in his discussion of the schisms leading up to 1647, after which time he used ‘Engager’ and ‘Kirk Party’ to denote the two main opinion groups.⁵³ The term moderate is frequently used during the Restoration period to refer to a middle grouping of Presbyterian and Episcopalian writers, politicians, and clergy who displayed a degree of latitude in their writing and action. Clare Jackson’s use of the term in her 2003 monograph is consistent with Colin Kidd’s assessment of the religious debates in the run-up to the union of 1707 in which he argued that there was a long standing spirit of latitude forming moderate wings of the Presbyterian and Episcopalian confessional camps.⁵⁴ Raffe also used the term ‘moderate’ but introduced the idea of ‘partial conformity’: those who occasionally conformed or occasionally displayed acts of dissent after 1662.⁵⁵

This thesis focuses heavily on divergent interpretations of the Covenants and therefore terminology has been carefully chosen. The word ‘conservative’ will be favoured ahead of ‘moderate’ as the latter wrongly implies fairness, calmness, and forward thinking, whereas the former more accurately identifies those who did not desire, and indeed feared, significant change to the status quo. While the term radical is accurate as a juxtaposition to conservative, it is not always a suitable term to use. For example, the Covenanting regimes of 1641–1646 and 1649–1650 can legitimately be described as radical to a certain extent as they pursued policies which sought to create significant change by limiting the power of the monarch. Nevertheless, this grouping believed they were re-establishing an historic status quo based on the constitutional aspect of the National Covenant. Therefore, the term ‘hardline’ is generally preferred over radical as this grouping followed a strict interpretation of the Covenants: one that centred on limiting the power of the monarch, espousing Presbyterianism, and rejecting the office of bishop. In the interregnum, the two main factions were always termed Protesters and Resolutioners by contemporaries and this terminology will be used until it becomes redundant after the Restoration. How to label the

⁵¹ Allan I. Macinnes, ‘Covenanting ideology in seventeenth-century Scotland’, in *Political Thought in Seventeenth-Century Ireland: Kingdom or Colony*, ed. Jane H. Ohlmeyer (Cambridge: Cambridge University Press, 2000), pp. 191–220; John Young, *The Scottish Parliament 1639–1661*, chapters 7 and 8.

⁵² Laura Stewart, *Rethinking the Scottish Revolution*, chapter 6.

⁵³ Stevenson, *Revolution and Counter-Revolution*, chapters 1–3.

⁵⁴ Clare Jackson, *Restoration Scotland, 1660–1690: Royalist Politics, Religion and Ideas* (Woodbridge: The Boydell Press, 2003); Colin Kidd, ‘Religious realignment between the Restoration and the Union’, in *A Union for Empire: political thought and the British Union of 1707*, ed. John Robertson (Cambridge: Cambridge University Press, 1995), pp. 145–168.

⁵⁵ Raffe, *Culture of Controversy*, pp. 180–188.

various factions of Covenanters in the Restoration period is contentious, where the word 'Covenanter' is currently used only to identify those who left the re-established Episcopalian church and is used interchangeably with 'nonconformist'. Chapters four and five will challenge this by showing that Covenanting ideas also survived among those who attended church regularly but showed lesser degrees of dissent than those who left the church. Building on Raffe's work on partial conformity, three fluid opinion groups will be identified for the period 1662–1679: conformists, nonconformists, and partial conformists. How they interacted with Covenanting ideas will be assessed. Care is taken throughout this thesis not to present the different types of Covenanters as being part of fixed identities but rather moveable and diverse opinion groupings. Opinion groups naturally shifted and people moved in and out of groups as national and local imperatives changed.

The term 'Covenanter' is highly fluid. Its meaning shifted over time and can be applied to various different groups. In chapters one and two, the term is applied to anyone who subscribed the National Covenant (1638) and Solemn League and Covenant (1643). These chapters outline the development of early schisms, with royalist Covenanters emerging from 1640 under the leadership of James Graham, first Marquis of Montrose, in opposition to hardliners; conservatives emerging at the Engagement crisis of 1647–8; and the hardline faction splitting into Protesters and Resolutioners in 1651. The existence of Presbyterian and Episcopalian Covenanters is also evident in the Covenant subscription process at local level. The National Covenant was ratified by the Scottish Parliament in 1639, and a constitutional revolution, led by a hardline faction, was achieved in 1641. Throughout the 1640s, Covenanting governments sought to enforce certain interpretations of the Covenants onto the localities through oath taking, petitioning, and fasting. After the Covenanting government was overthrown by the Cromwellian regime in 1651, the term 'Covenanter' is applied to those who remained committed to a vision of the Covenants. This encompassed a broad range of opinion which includes Protesters, Resolutioners, conservatives, and some royalists. In chapter three, it is shown that some disowned the Covenants entirely and joined one of the alternative Protestant sects that developed as a result of the Cromwellian policy of toleration for all Protestant groups. However, it is also argued that it was possible to collaborate with the Cromwellian regime and still remain committed to a personal interpretation of the Covenants. After the Restoration of Charles II in 1661 and the re-establishment of a form of Episcopal church government in 1662, 'Covenanters' are defined as both those who separated from the established church and those who continued to collaborate with the regime while displaying acts of mild dissent which indicates Covenanting sensibilities (such as avoiding taking communion in the

established church or observing forms of worship not contained in the *Westminster Directory*). To disown the Covenants in or after 1662 meant taking the oath of allegiance (if employed by the Kirk or the government) or, for laypeople, attending church and submitting to the authority of a conformist minister without displaying ideological dissent. Many of those who opposed the Restoration regime were too young to have subscribed the Covenants, which highlights the belief in the perpetual national aspect of Covenanting. Throughout this thesis, care is taken to highlight the broad nature of Covenanting and to demonstrate the development of groups within the full spectrum of Covenanting opinion.

This discussion of terminology reflects how the current historiography lacks a robust analysis of the variety of Covenanting ideas, particularly its complex relationship with royalism. An area which has barely been addressed at all in the current historiography is the relationship between Episcopalian ideas and Covenanting. David Stevenson demonstrated in *The Scottish Revolution* that the National Covenant first drawn up in February 1638 was not explicitly Presbyterian or anti-Episcopal.⁵⁶ Therefore, in theory Episcopalians could subscribe without any qualms. This idea has been left hanging in the historiography since, which is due to the lack of investigation into the reception of Covenanting ideas. Despite providing a robust overview of how the National Covenant was sworn and subscribed in the parishes and offering valuable insights into how people responded, Laura Stewart's work does not address Episcopacy or the range of ideas fostered by the Covenants.⁵⁷ In contrast, Alan Hamilton's 2013 thesis demonstrates how Robert Leighton's beliefs could accommodate both subscribing the Covenants and conforming to Episcopacy in 1662.⁵⁸ The issue of Episcopalianism and Covenanting is crucial in understanding responses to the Restoration settlement and the formation of opinion groups in the second half of the seventeenth century. This area of research is another that has been hindered by the compartmentalising of the early and later Covenanting periods and will be a key theme in chapters one, three, and four. Central to the approach taken here is the recognition that Covenanting ideas were complex and multi-faceted. Present scholarship recognises this to a certain extent but uncovering the variety of ideas engendered by the Covenants is not a main aim of any of the historiography on the Covenanters and cannot be fully understood without analysing how the localities responded to the events of the early and later Covenanting periods.

⁵⁶ David Stevenson, *The Scottish Revolution*, p. 85.

⁵⁷ Laura Stewart, *Rethinking the Scottish Revolution*, p. 11.

⁵⁸ Alan James Hamilton, 'In Mitioem Partem: Robert Leighton's Journey towards Episcopacy' (unpublished PhD thesis: The University of Glasgow, 2013).

Aims

This thesis has two key aims: to investigate the range of ideas fostered by the Covenants and how these were understood at local and grassroots level. The fluidity and diversity of Covenanting will be uncovered by examining the Covenants themselves and the additional clauses and numerous defections which occurred in the 1640s. This will also highlight the dualistic notion of Covenanting which lay at the root of division. Each subscriber and local community was directly in Covenant with God and brought their own ideas about civil and ecclesiastical government, royalism, and the right of resistance, to the table. At the same time, the Covenants were national and required universal adherence among their diverse range of subscribers. What it meant to be a Covenanter was therefore highly contentious and divergent opinion groups emerged as a result. Evidence presented in chapter one will show that the term 'Covenanter' may have been debated at local level at least as early as 1643. While the existence of different types of Covenanters, namely radical and conservative, has long been recognised by historians, the first three chapters of this thesis will assess how royalists and Episcopalians reacted to Covenanting ideas. Chapters four and five will assess how positions changed in the Restoration period as communities negotiated the complexities of anti-Covenanting policies. Throughout, a spectrum of Covenanting stances will be advocated to reflect the fluidity and pervasiveness of this phenomenon.

In order to define 'local' and 'grassroots', it is necessary briefly to outline the national and ecclesiastical government of Scotland. The governing classes consisted of the parliamentary peerage, the lesser nobles and gentry, the burgesses, and the clergy: otherwise known as the Estates. The nobility owned the largest swathes of land in Scotland and formed the highest social grouping, encompassing the crown-appointed titles of Duke, Marquis, Viscount, Earl and Lord. Each noble was automatically granted a seat in parliament.⁵⁹ The gentry held land but were not in the parliamentary peerage.⁶⁰ Some received their land from a noble as a feudal vassal or feuar, while the barons held a small amount of land received from the crown. The Scottish term laird could be applied to barons or proprietors holding land from nobles. From 1587, the barons and gentry were

⁵⁹ Macinnes, *Charles I and the Making of the Covenanting Movement*, p. 2; R.A. Houston and I.D. Whyte, 'Introduction', in *Scottish Society 1500-1800* ed. Houston and Whyte (Cambridge: Cambridge University Press, 1989), p. 27; Keith M. Brown, *Noble Society in Scotland: Wealth, Family and Culture from the Reformation to the Revolutions* (Edinburgh: Edinburgh University Press, 2000), pp. 3-13.

⁶⁰ The composition of this social grouping is contentious. For competing interpretations see Julian Goodare, 'The Admission of Lairds to the Scottish Parliament', in *English Historical Review* 116 (2001), pp. 1103-1133; and Keith M. Brown, *Noble Power in Scotland from the Reformation to the Revolution* (Edinburgh: Edinburgh University Press, 2011), chapter 3.

represented in parliament through shire representatives. Each of the 33 shires had one vote in parliament through two elected commissioners, which increased to one vote per representative in 1640, effectively doubling their power in parliament.⁶¹ The barons and gentry were prominent in the functioning of local government: they paid teinds in church as heritors, sat as elders on kirk sessions, funded schools and school buildings, and were accountable for the administration of poor relief through the kirk session.⁶² The other main governing group was burgesses. The crown granted certain burghs control over foreign trade within a defined hinterland. These were labelled royal burghs. Royal burghs were the only urban centres permitted to trade overseas, and there were 59 royal burghs during the 1640s. They had a degree of self-government in the form of a Convention of Royal Burghs which had been established in 1552. Representatives met annually to protect the royal burghs' trading interests and arrange how much each burgh would contribute towards crown-levied tax. Each royal burgh had a seat in parliament, although the number of burgh representatives sent to parliament in the 1640s fluctuated from as low as 5 to as high as 51. The inconsistent numbers reflected the cost of sending representatives and the varying interest the burghs took in upcoming legislation.⁶³

The final grouping who sat in parliament was bishops. Bishops were appointed by the crown and were responsible for oversight of the clergy, with one of their main functions being the approval of ministerial appointments.⁶⁴ Their place in Kirk and state was fraught with controversy during the sixteenth and seventeenth centuries. Following the Reformation in 1560, the role of bishops in civil and ecclesiastical government was unclear. Many reformers believed that the office of bishop was unwarranted and advocated a tiered system of church courts as the godliest form of ecclesiastical government. Presbyterian thinkers developed a two kingdoms model of government whereby the church and state operated as separate entities. Episcopalians had the support of James VI and his successors, Charles I and Charles II, who strove to restore bishops to the Scottish Church and parliament as a useful means through which the monarch could influence ecclesiastical policy. James managed to establish bishops as full members of parliament in 1610. The office of bishop was declared unlawful by the first Covenanted General Assembly in 1638

⁶¹ Alan MacDonald, 'The Third Estate: Parliament and the Burghs', in *Parliament in Context, 1235-1707*, iii, ed. Keith Brown and Alan MacDonald (Edinburgh: Edinburgh University Press, 2010), p. 103.

⁶² MacInnes, *Charles I and the Making of the Covenanted Movement*, pp. 7-9.

⁶³ *Ibid.*, pp. 11-12; Alan R. MacDonald, *The Burghs and Parliament in Scotland, c. 1550-1651* (Aldershot: Ashgate, 2007), pp. 16, 204-5; John R. Young, 'Seventeenth-Century Scottish Parliamentary Rolls and Political Factionalism: The Experience of the Covenanted Movement', in *Parliamentary History* 16 (1997), pp. 150-151; Robert S. Rait, *The Parliaments of Scotland* (Glasgow: MacLehose, Jackson and co. 1924), p. 7.

⁶⁴ *Ibid.*, pp. 16-18; Laurence A. B. Whitley, *A Great Grievance: Ecclesiastical Lay Patronage in Scotland until 1750* (Oregon: Wipf and Stock, 2013), p. 26; see also chapters 1 and 3 of this thesis.

and restored with full parliamentary representation by Charles II in 1662.⁶⁵ Taken together these four groupings – nobility, shire representatives, burgesses, and bishops – formed the Estates of Parliament. The executive arm of government and the highest civil court, the Privy Council, was made up of crown appointed nobles, gentry, and lawyers.⁶⁶ The formation of the Estates was, however, not uniform throughout the period under investigation. Not only was the clerical Estate disbanded from 1638 to 1662, but the Scottish Parliament itself did not meet from 1651 to 1661 due to Cromwellian occupation. In the 1650s, the nobility were excluded from consultation during the Tender of Union negotiations, and the Scottish representatives in Westminster were drawn exclusively from the gentry and burgess Estates.

The Presbyterian structure of ecclesiastical government remained in place throughout the period under discussion (although altered after 1662 with the removal of the General Assembly and of lay representation in synods). At the bottom of the structure were kirk sessions: local church courts responsible for appointing new ministers and schoolmasters, social discipline, regulating communion, marriage and baptism, general maintenance of the church building, and poor relief within a parish. On the kirk session sat the minister and a group of lay elders (between twelve and twenty-five) who met between twice and four times each week. Kirk session elders were usually from the ranks of the gentry, merchants, and craftsmen, and could include tenant farmers in rural areas.⁶⁷ There were approximately 1000 parishes (and thus also kirk sessions) in seventeenth century Scotland.⁶⁸ The civil equivalent of a kirk session was a town or burgh council. Made up of a similar number of local gentry, merchants, and craftsmen, the town or burgh council was responsible for issues pertaining to trade, healthcare, schooling, and punishment of criminals. Unsurprisingly, there was often overlap of membership and jurisdiction between sessions and councils.⁶⁹

Presbyteries were district-level church courts responsible for parishes within a specific geographical area. The Presbyteries varied in size, ranging from between five and thirty-three parishes, but most had between fifteen and twenty. Presbyteries tended to deal

⁶⁵ Kirsty McAlister and Roland Tanner, 'The First Estate: Parliament and the Church', in *Parliament in Context, 1235-1707*, iii, pp. 49-54.

⁶⁶ Rait, *The Parliaments of Scotland*, pp. 6, 10.

⁶⁷ Margo Todd, *The Culture of Protestantism in Early Modern Scotland* (New Haven: Yale University Press, 2002), pp. 8-11.

⁶⁸ *Atlas of Scottish History to 1707*, ed. Peter McNeill and Hector MacQueen (Edinburgh: The Scottish Medievalists and Department of Geography, University of Edinburgh, 1996), pp. 382-389.

⁶⁹ Todd, *Culture of Protestantism in Early Modern Scotland*, p. 12; William Roland Foster, *The Church Before the Covenants* (Edinburgh: Scottish Academic Press, 1975), pp. 70-71; Alan MacDonald, *The Burghs and Parliament in Scotland*, p. 34.

with more serious offences than kirk sessions. They also examined ministers before they were approved by the congregation and dealt with recalcitrant ministers. Kirk sessions were required to submit their session books to the presbytery for approval. There were sixty-four presbyteries in seventeenth century Scotland whose lay and clerical representatives (each parish minister and one or two elders per parish) usually met once a week in towns and burghs and once or twice a month in rural areas.⁷⁰ Presbyteries were a useful conduit between the localities and higher levels of the church: the synods and the General Assembly. Synods were regional church courts that occasionally dealt with social discipline, but only in serious cases, with their primary function being oversight and ensuring the acts of the General Assembly or the bishops were obeyed. In the seventeenth century, there were twelve synods in Scotland, made up of clerical representatives from each presbytery who met twice a year. During periods of Episcopal rule, a bishop sat as the head of each synod. The General Assembly represented the national government of the church. It was made up of clerical and lay representatives from each presbytery. This body issued acts relating to worship, church government, and discipline, issued Covenants and declarations for widespread subscription, and made proclamations of national fasts and celebrations to be observed by all of the parishes. It was disbanded by the Cromwellian regime in 1653 and was less likely to meet while bishops headed the church: rarely meeting between 1609 and 1638, and not meeting at all between 1660 and 1689. After 1642, when it was not in session, the General Assembly appointed an executive body of clergy and elders to meet as the Commission of the General Assembly to act on the church's behalf. The Commission met regularly between 1646 and 1652, but was suppressed under Cromwell and did not meet under Episcopal rule.⁷¹

The term 'grassroots' is used here to denote specifically those who did not or could not sit on local governing bodies such as cottars, day labourers, artisans, servants and women. The word 'local' is used to refer to a burgh, town or parish. Throughout this thesis, local reception of Covenanting controversy takes prominence. This means how events, oaths, fasts, and celebrations were understood in the parishes. Evidence from governing bodies can be classified as local when examining responses to national innovations and thus 'local' can also include elders and ministers. For example, how individual kirk sessions and presbyteries responded to the Covenant subscriptions in 1638 and 1643, the implementation of the *Directory* in 1645, the Engagement crisis of 1647–49, or how

⁷⁰ Michael F. Graham, *The Uses of Reform: 'Godly Discipline' and Popular Behaviour in Scotland and Beyond, 1560-1610* (Leiden: Brill, 1996), pp. 132-142; *Atlas of Scottish History to 1707*, pp. 382-389.

⁷¹ *RCGA*, i, p. viii.

groups of people co-operated to find a form of worship acceptable to their Covenanting sensibilities in the 1660s and 1670s, all constitute evidence of local opinion among clerical and lay people from a variety of social backgrounds, but not usually above gentry level. The words ‘elite’ and ‘popular’ can be misleading and will be avoided as far as possible. Central to this aim is the shifting of focus from the centralised governing institutions, primarily Parliament, Privy Council, and General Assembly, and towards reception in the parishes and, crucially, the ways in which local people understood Covenanting and how widespread subscription to the Covenants shaped grassroots responses to the tumultuous events of the period.

The broad chronological timescale and approach of this thesis breaks the historiographical tendency to compartmentalise the Covenanting and Restoration eras and therefore allows for the full spectrum of Covenanting to be uncovered by assessing how positions altered over time in response to changing circumstances. Chapter one investigates the making of the 1638 and 1643 Covenants, charting early schisms and asking how people in the parishes understood Covenanting during the subscription process. Chapter two analyses the reception of further Covenanting innovations, namely the 1645 *Directory for Public Worship*, the Engagement crisis of 1647–8, the 1648 Solemn Acknowledgement and Engagement, and the war with Cromwell between 1649 and 1652. Chapter three assesses how the localities responded to the Tender of Union in 1652 and how royalism came back to the forefront of political thought in Scotland during the interregnum. Thus, the first three chapters provide the appropriate context for understanding responses to the Restoration settlement. Chapter four seeks to understand the full range of responses to the Restoration settlement by exploring how people on the ground negotiated their understandings of Covenanting with an explicitly anti-Covenanting regime. Chapter five continues this line of investigation and examines nonconformity in the localities by analysing the role schoolmasters and women played in nonconformist culture. There is scope for analysis of Covenanting ideas at local level to continue to the union of 1707 and beyond. This thesis, however, focuses on the key period in which the Covenants and Covenanters were made and how groups of Covenanters responded to changing circumstances including the Cromwellian occupation and the Restoration, linking the story of the early and later Covenanters.

Methodology

The key methodological approach taken by this thesis is the analysis of local evidence to assess how Covenanting was understood by those outside civil and ecclesiastical governing

bodies. This will be achieved by a thorough investigation of church records, particularly at presbytery and kirk session levels. While these were ecclesiastical governing bodies, the level of detail contained in cases of obedience and dissent to changing national imperatives provides insight into how local people understood Covenanting and their role in the pursuance of a godly state. Margo Todd has highlighted the important role the kirk session played in everyday life in early modern Scotland, arguing that most people would have, at one point or another in their lives, attended the kirk session, either for an offence, for the pronouncement of their marriage, baptism of their child, funds for schooling, to make a complaint, or to receive a testimonial for good behaviour before moving parish. Todd goes on to point out:

The minute books kept by sessions thus offer an extraordinary look at a cross-section of local populations living out their daily lives in the new context of Reformed protestantism, striving to deal with unchanging concerns and anxieties in a drastically changing religious milieu.⁷²

While referring to the mid-sixteenth to early-seventeenth centuries, Todd's assertion is equally valid for the rest of the seventeenth century, particularly after the Restoration when everyday actions of compliance with the established church became sources of controversy (see chapter four and five). In contrast, the minutes of burgh councils are concerned primarily with trade and taxation but provide some useful evidence, such as local responses to the Tender of Union in 1652 (see chapter three).

While there are some kirk session, presbytery and synod records in print, this research will focus primarily on the surviving manuscript sources held at the National Records of Scotland. As Langley has observed, printed church court records were often subject to heavy editing on transcription and therefore must be used with caution.⁷³ The survival of kirk session and presbytery records for the early Covenanting period (1638–52) is relatively low: around 3–5% of kirk session records and around 17–25% of presbytery records survive. However, there is enough geographical scope and content in the records themselves to glean a picture of the multiple ways in which Covenanting was understood at local level. Survival rate for the later period covered by this thesis (1660–1679) is higher: around 7% of kirk session and 32% of presbytery records survive. When national civil or ecclesiastical governments instigated a major change or new innovation all of the surviving kirk session records will be examined. This includes the key moments at the heart of this thesis: the Covenant subscriptions of 1638, 1643, and 1648; the implementation of the *Directory* in 1645; and the observance of the thanksgiving for Charles II on 29 May in

⁷² Todd, *Culture of Protestantism*, p. 11.

⁷³ Langley, *Times of Trouble and Deliverance*, p. 9.

1663 and 1673.⁷⁴ In assessing the nature of partial conformity in the post-Restoration period (when the number of surviving records increases), all eight surviving synod records will be consulted, as well as a selection of presbytery and kirk session records from each synod. It must, however, be noted that surviving evidence is weighted more heavily towards the Lothians, Fife and the north east.

Some church records survive from the Highlands and Islands of Scotland, such as the synod of Argyll records (1639–1661), the presbytery records of Inverness and Dingwall (1643–88 with gaps), the presbytery records of Kirkwall (1639–85 with gaps), Dunoon (1639–86 with gaps), and Lorne (1651–81 with gaps), and the kirk session records of Thurso (1647–1706 with gaps) and Shapinsay (1645–78 with gaps). These records are often fragmentary and in poor condition. Therefore, the extant Gaelic poetry in translation, particularly that of Iain Lom, bard of Clan Donald, will be utilised. These sources provide an invaluable insight into the ideas some local people in the Gàidhealtachd were exposed to as poetry was orally transmitted at communal gatherings such as ceilidhs. The only surviving evidence relating to Covenanting on Orkney and Shetland are the church records mentioned above, and therefore only a limited insight into the Northern Isles will be offered.

Other evidence which offers insight into local people in early modern Scotland is rare. Robert Wodrow's *History* contains a wealth of information on grassroots Covenanting in the Restoration era, but this is not an impartial source and thus evidence from Wodrow will be used sparingly. David Mullan's edited collection of female and spiritual autobiographies will be used in chapters four and five to augment kirk session evidence relating to local nonconformist groups and female engagement in Covenanting controversy. Evidence found in letters, diaries and autobiographies from contemporaries such as Robert Baillie, William Row, Gilbert Burnet, and Archibald Johnston of Wariston make occasional reference to local responses to the events of this period. These sources will be used to reconstruct complex sequences of events and uncover contrasting Covenanting ideas. This will complement accounts provided by pamphlets and official records of the General Assembly, the Commission of the General Assembly, the Parliament, and the Privy Council of Scotland.

By encompassing a broad timescale, a degree of depth is necessarily sacrificed. Rather than re-telling the narrative of events between 1638 and 1679, the focus here is on ideas, opinion groups, and local engagement in the Covenanting venture. This will break

⁷⁴ All of the surviving manuscript church records consulted are listed in the bibliography.

historiographical trends, offer new ways of conceptualising the Covenanters, and provide fresh perspectives on these four decades.

Covenanting Ideas 1638–1643

This chapter seeks to uncover the ideas and practices that informed the making of the Covenants and how they were received at local level. It will show that the position of the crown and Episcopacy were ambiguous due to the variety of beliefs and practices followed by the early Covenanters. The local reception reflected the ambiguity of the documents themselves: there was a range of responses to the perceived aims of the Covenants in the parishes, particularly in regard to Episcopacy and monarchy. Issues over royalism and Episcopacy remained unresolved throughout the 1640s and 1650s, causing division and providing space for two-thirds of the Scottish ministry to conform to Episcopacy in 1662 (explored in chapters two and three). Ordinary people were involved in the Covenanting venture from the start, and each congregation had a stake in pursuing the aims of these national oaths. Laura Stewart has most recently discussed the reception of the National Covenant, arguing that it was designed as a Presbyterian confessional oath that resulted in the creation of a space for ordinary people to be engaged in the affairs of church and state, leading to the development of a public sphere in Scotland.¹ This chapter will consider the extent to which the Covenants can be labelled as confessional, focusing on the two main areas of contention (Episcopacy and royalism) and how these ideas were understood at local level. It will also consider the reception of the Solemn League and Covenant, redressing the historiographical bias towards the National Covenant. Each Covenant was remembered at different moments in the forty years after subscription, and understanding how both were made and received is essential to exploring the Covenanting legacy.

Allegiance, Confession and the 1638 National Covenant

Allegiance was a prominent issue in the events leading up to 1638 and affected how people understood the aims of the National Covenant. Degrees of allegiance to the monarch and to forms of church government were the main areas of contention in the Covenant which caused early divisions. As outlined in the introduction to this thesis, the relationship between royalism and Covenanting requires further investigation. The work of Stevenson, Cowan, and Spurlock has highlighted the congruence of ideas between Covenanting and royalism but more can be done to uncover how contemporaries viewed the position of the

¹ Laura Stewart, *Rethinking the Scottish Revolution: Covenanted Scotland, 1637-1651* (Oxford: Oxford University Press, 2016), p. 8.

crown in the Covenanting venture.² The development of the practice of bonding up to 1638 will be briefly outlined here to show that the National Covenant embodied a complex set of practices in which the position of the monarch fluctuated. The text itself was unclear and could be read either as an affirmation of a legal limited monarchy or more radically as an assertion of the power of the Estates to check the authority of the monarch and remove a tyrant. Episcopal church government was not denounced by the National Covenant issued for subscription in February 1638. While historians uniformly agree that the writers of the Covenant: Archibald Johnston of Wariston, lawyer, and Alexander Henderson, minister, were Presbyterians, some depict the Covenant as explicitly Presbyterian while others highlight ambiguity. Laura Stewart argues that subscription to the National Covenant constituted a ‘confessionalizing agenda’, and that by 1641 a ‘confessional state’ had been established. This is largely supported by David Mullan’s analysis of the Covenant in which he claimed that the oath aimed to eradicate Episcopacy by highlighting the fact that Henderson and Wariston were Presbyterian.³ In contrast, historians such as David Stevenson and John Ford emphasise the broad base of support the Covenant initially engendered, with the anti-Episcopal addition to the Covenant and confessional divides coming after the General Assembly met in December 1638.⁴ By examining the development of bonding, the text of the Covenant, and pamphlet debates, this section seeks to understand where the crown and Episcopacy stood during the first year of the Covenanting venture.

The National Covenant was not issued or sanctioned by the crown. It was drawn up to defend the Kirk from the religious policies pressed by Charles I, and thus bears some similarities to the first religious bond, the 1557 First Band of the Lords of the Congregation. Medieval bonds of manrent, friendship, and maintainence, the practice from which the Covenant emanated, always involved the parties reserving their allegiance to the crown. There are numerous examples in the appendices of Jenny Wormald’s seminal 1985 monograph, but a common feature of each type of bond was the statement of loyalty given to the monarch. An example provided by Wormald is a bond of manrent and maintenance between James Kennedy of Blairquhan to James, Earl of Arran, in 1545. Kennedy bound

² Stevenson, *The Scottish Revolution, 1637-44*; Edward J. Cowan, *Montrose: For Covenant and King*; Scott Spurlock, ‘Problems with Religion as Identity: The Case of Mid-Stuart Ireland and Scotland’, *Journal of Irish and Scottish Studies*, pp. 1-29.

³ Laura Stewart, *Rethinking the Scottish Revolution*, pp. 10-12; David Mullan, *Episcopacy in Scotland: The History of an Idea, 1560-1638* (Edinburgh: John Donald, 1986), pp. 180-183.

⁴ John D. Ford, ‘The Lawful Bonds of Scottish Society: The Five Articles of Perth, the Negative Confession and the National Covenant’, in *The Historical Journal*, 37 (1994), pp. 46-7, 54; David Stevenson, *The Scottish Revolution*, p. 85.

himself to Arran in return for maintenance, but stated ‘my allegiance to our soverane lady the quenis grace allenerlie exceptit’.⁵ Allegiance to the monarch therefore took precedence over allegiance to the other parties in the bond. The First Band of the Lords of the Congregation, drawn up by a group of Protestant nobles for the establishment of Protestantism in Scotland in 1557, took inspiration from this tradition. In this band, the seven Protestant nobles promised ‘to manteane, sett forward, and establish the most blessed word of God and his Congregatioun’.⁶ This band was different from medieval bands as no statement of loyalty to the monarch was included. Mary of Guise was regent of Scotland at this time and loyalty to her was deliberately excluded as she opposed religious reform. It was also the first religious band, a practice which became more frequent during the sixteenth century.

The 1638 Covenant contained a statement of loyalty to the crown but it nonetheless differed from post-Reformation bonds as it did not have the formal approval of the monarch. With a Protestant king on the throne, James VI, sixteenth century religious bonds were either issued from his household or included an explicit statement of loyalty to him (an exception being the 1596 bond, discussed below). In 1580 the pastor of the royal household, John Craig, drew up the Negative Confession for James and his household to subscribe before it was distributed for national subscription. It was drawn up due to the suspected Catholicism of James’ advisor and cousin Esmé Stewart and stated that the 1560 *Scots Confession of Faith* outlined ‘the only true Christian faith and religion ... defended by ... the Kirk of Scotland, the King’s Majesty, and three estates of this realm’. The subscribers then promised that they ‘abhor and detest all contrary religion and doctrine’ and a denunciation of Catholic beliefs and practices followed. The confession finished with a promise to defend the person and authority of the king ‘because we perceive that the quietness and stability of our religion and Kirk doth depend upon the safety and good behaviour of the King’s Majesty’.⁷ The royal household, including Esmé Stewart, signed the confession and in 1581 ordered the General Assembly to gain subscriptions from all parishioners in Scotland.⁸ This was emulated in 1590 when the Lords of the Secret Council drew up a band in defence against an apparent influx of Jesuits and priests and ordered it to

⁵ Jenny Wormald, *Lords and Men in Scotland: Bonds of Manrent, 1442-1603* (Edinburgh: John Donald, 1985), p. 53.

⁶ *The Works of John Knox*, i, ed. David Laing (Edinburgh: James Thin, 1895), p. 273.

⁷ *Scots Confession, 1560 (Confessio Scoticana) and Negative Confession (Confessio Negativa)* edited and with introduction by G.D. Henderson (Glasgow: Church of Scotland Committee on publications, 1937), pp. 26-27.

⁸ ‘Acts and Proceedings: April 1581’, *Acts and Proceedings of the General Assembly of the Kirk of Scotland 1560-1618* (1839), pp. 473-521 <<http://www.british-history.ac.uk/church-scotland-records/acts-proceedings/1560-1618/pp473-521>> [accessed 20 April 2015].

be subscribed alongside the Negative Confession.⁹ It was believed that the Spanish Armada had begun arriving at ports such as Leith and Aberdeen which was a threat both to the safety of the king and the Protestant religion.¹⁰ The band stated that there was a ‘strait linke and conjunction’ between the true religion and the ‘soverane Lord’s estat and standing’. The subscribers promised to:

take a true, effald [sincere], and plaine part with his Majesty amongst ourselves for diverting of the present danger threatned to the said religioun, and his Majestie’s estat and standing depending thereupon, by whatsoever forces or intestine plots or preparatiouns.¹¹

It was ordered to be subscribed in each parish by ‘all and sindrie Errlis, Lordis, Baronis, freehaldaris, gentilmen, inhabitantis of Burrowis, and vtheris his Hienes legis quhatsomeuir, off quhat rank and degree that cuir thay be of’.¹² The 1590 band offers a close parallel to the National Covenant in its structure: a renewal of the Negative Confession followed by a general band.¹³ Subscribers were to present themselves to clerical commissioners in each town and burgh, but the text is unclear as to whether the band was to be subscribed by every single subject or just by lieges: those who formed the three Estates. James was in Denmark when the 1590 band was drawn up, and unlike the Negative Confession it was not issued from the royal household. However, it was issued by the Privy Council with the king’s protection as a key aim.¹⁴ Thus, the monarch played a central role in the 1580 and 1590 bands: he was the defender of the faith and maintenance of his majesty was essential in the advancement of the ‘true religion’.

The question of what to do if the monarch threatened the true religion came to a head in 1596. As in 1557, a group of nobles (as well as ministers and burgesses) banded together to defend their religion from the actions of the monarch. The fear in this instance came from the employment of suspected Catholics in James’ exchequer. A group of nobles, clergymen, and burgesses drew up a band in defence of religion and organised mass protests in Edinburgh in December 1596. The evidence surrounding this episode is sparse and the band itself does not survive. Julian Goodare has discussed the episode in as much detail as possible. From his research, it is known that James fled to Linlithgow as a result of the rioting; the leading opponents were a group of Presbyterian ministers appointed by the General Assembly to protest James’ appointment of suspected Catholics; they had the

⁹ Calderwood, *History*, v, pp. 37-52, 70; *RPC*, series i, vol. iv, 463-467.

¹⁰ Arthur Williamson, *Scottish National Consciousness in the Age of James VI: The Apocalypse, the Union and the Shaping of Scotland’s Public Culture* (Edinburgh: John Donald, 1979), pp. 70-74.

¹¹ *RPC*, series i, vol. iv, p. 465; Calderwood, v, p. 50.

¹² ‘Acts and Proceedings: March 1590’, *Acts and Proceedings of the General Assembly*, pp. 747-761.

¹³ The National Covenant was unique in its inclusion of a list of parliamentary acts, discussed below.

¹⁴ *RPC*, series i, vol. iv, pp. 467-468.

support of some burgesses in Edinburgh, as well as prominent Presbyterian nobles such as Lords Lindsay and Forbes; and the movement petered out due to a lack of widespread and sustained noble support.¹⁵ While the 1580 and 1590 bands were drawn up with the consent of the monarchy, the bands of 1557 and 1596 show that some of the nobility, gentry, and clergy, latterly the Presbyterian faction, believed that it was acceptable to draw up religious bands without the king's consent or direction when the 'true religion' was perceived to be under threat.

The inherent tension in the National Covenant, which partly stemmed from the unstandardised practice of religious banding in the sixteenth century, was whether loyalty to the king took precedence over loyalty to the true religion and what to do when the two were incompatible. The key issue here is the extent to which the monarch could exercise unchallenged power. George Buchanan's *De Jure Regni Apud Scotos* (1579) was essential to this debate. Tutor to young James VI, Buchanan argued that the monarch could not exercise absolute, unrestrained power and was answerable to the Estates. Moreover, it was lawful and just for a tyrant king to be removed.¹⁶ In 1598 James wrote *The Trew Law of Free Monarchies: Or The Reciproock and mutuall duetie betwixt a free King, and his natural Subjects*, probably in response to these ideas. He used biblical justification for the idea of the divine right of kings whereby monarchs receive their authority directly from God and subjects must always obey them.¹⁷ As the title suggests, the monarch and subjects had reciprocal duties which led J.H. Burns to argue that James was not advocating absolutism. Absolutism goes further than divine right as it grants the monarch power to act unrestrained without being answerable to government. According to Burns, absolutist theory barely existed in Scotland before the late seventeenth century, and the idea of mutuality was 'pervasive and fundamental' to early modern Scottish political thought.¹⁸ Roger Mason has argued that James may have privately supported some form of absolutism while being careful not to apply such an absolutist approach too strongly due to the intellectual atmosphere in Scotland and England.¹⁹ Stevenson agrees, arguing that

¹⁵ Julian Goodare, 'The Attempted Scottish Coup of 1596', in *Sixteenth-century Scotland: Essays in Honour of Michael Lynch*, ed. Julian Goodare and Michael Lynch (Leiden, 2008), pp. 311-336.

¹⁶ *A dialogue on the law of kingship among the Scots: a critical edition and translation of George Buchanan's De jure regni apud Scotos dialogus*, ed. Roger A. Mason and Martin S. Smith (Farnham: Ashgate, 2004).

¹⁷ James VI, 'The Trew Law of Free Monarchies: Or The Reciproock and mutuall duetie betwixt a free King, and his natural Subjects', in *King James VI and I: Selected Writings*, ed. Neil Rhodes, Jennifer Richards, and Joseph Marshall (Aldershot: Ashgate, 2003), pp. 259-292.

¹⁸ J.H. Burns, *The True Law of Kingship: Concepts of Monarchy in Early-Modern Scotland* (Oxford: Oxford University Press, 1996), pp. 286-288.

¹⁹ Roger Mason, *Kingship and the Commonweal: Political thought in Renaissance and Reformation Scotland* (East Linton: Tuckwell Press, 1998), pp. 227, 241. See also Caroline Erskine, 'The Reputation of George

although the absolutist theories of Jean Bodin had some resonance with Lord Napier, ally and brother-in-law of James Graham, first Marquis of Montrose, absolutism in general was anathema to Scottish royalist thought in the early seventeenth century.²⁰ Bodin's antitheses were Johannes Althusius and George Buchanan, both of whom influenced the political thought of Covenanted leaders Archibald Johnston of Wariston, Samuel Rutherford, and Archibald Campbell, eighth Earl of Argyll. Cowan emphasises this point, suggesting that Althusius's *Politica Methodice Digesta* provided 'a blueprint for the Scottish Revolution'.²¹ In particular, Althusius argued that the nobility were responsible for checking the power of the monarch and had the power to remove tyrants.²² These ideas influenced the creation of the National Covenant as a means of re-establishing the status quo by preventing further encroachment of royal authority on the church and Estates. However, not everyone subscribed to these ideas which is reflected by the vague wording of the National Covenant. A broad coalition was achieved in 1638 as a result of long standing tensions between crown, church and nobility which eventually collapsed as the events of the following ten years required a clearer understanding of the role of the monarch in a Covenanted state.

The hostile atmosphere of the years 1637 and 1638 made the creation of a new national religious bond possible, but the text itself was open to interpretation. The governance of Scotland had been significantly altered after the union of crowns in 1603. James VI ruled from London and attempted to remould the Scottish Kirk along Anglican, Episcopalian lines. This manifested itself in controversial religious policies such as reintroduction of bishops by 1610 and the Five Articles of Perth in 1618. His son Charles I advocated similar changes to worship in Scotland, the most provocative of which was the introduction of a new book of canons in 1636 and a new prayer book, devised by Archbishop Laud and a team of Scottish bishops, in 1637.²³ The book of canons and prayer book were unacceptably Anglican to the vast majority of the Scottish nobility and clergy, and the perceived papistical practices they promoted led to organised resistance. In contrast to the somewhat spontaneous and disorganised opposition in 1596, Charles I's opponents organised themselves into governing bodies, known as the Tables, and petitioned the king

Buchanan (1506-82) in the British Atlantic World before 1832' (unpublished PhD thesis: University of Glasgow, 2004).

²⁰ David Stevenson, 'The "Letter on Sovereign Power" and the influence of Jean Bodin on Political Thought in Scotland', in *SHR* 61 (1982), pp. 25-43.

²¹ Edward J. Cowan, 'The Making of the National Covenant', in *The Scottish National Covenant in its British Context*, ed. John Morrill, p. 78.

²² *Ibid.*

²³ Gordon Donaldson, *Scotland: James V to James VII*, pp. 305-313.

against the changes to worship. After this approach failed to instigate change, organised rioting took place across the central belt in 1637 and the National Covenant was drawn up in February 1638 by Archibald Johnston of Wariston, an Edinburgh lawyer, and Alexander Henderson, minister of Leuchars.²⁴

The Covenant included a renewal of the 1580 Negative Confession and a reference to its resubscription in 1590, establishing the National Covenant as the latest renewal of a national oath. The confession was followed by a list of parliamentary acts relating to the suppression of Catholicism and establishment of the Kirk in the constitutional history of Scotland and finished with a 'general band' stating the main aims of the Covenant.²⁵ The band stated that the current 'novations' were contrary to the Negative Confession and acts of parliament listed and the subscribers therefore promised to 'continue in the profession and obedience of the Foresaid religion' and to 'defend the same, and resist all these contrary errors and corruptions'.²⁶ It is not stated to which 'novations' Henderson and Wariston were referring. It is likely that they meant the book of canons and prayer book, but the wording could encompass the reintroduction of bishops and the Five Articles of Perth. This was left open to interpretation. Furthermore, swearers promised:

we shall, to the uttermost of our power, with our means and lives, stand to the defence of our dread Sovereign, the King's Majesty, his Person and Authority, in the defence and preservation of the foresaid true Religion, Liberties, and Lawes of the Kingdome.²⁷

The inclusion of this statement may suggest that defending the king's majesty was of equal importance to the defence of the true religion. However, by stating that they will defend the king's majesty 'in the defence and preservation of the foresaid true religion', the text made the defence of the king conditional upon his maintenance of the true religion, laws, and liberties of the nation. Again, this was open to interpretation. There is another implication of conditional loyalty to the king towards the end of the general band where it stated: 'Neither do we fear the foul aspersions of rebellion ... seeing what we do is so well warranted, and ariseth from an unfeigned desire to maintaine the true worship of God, the Majesty of our King, and peace of the kingdom'.²⁸ Karin Bowie has convincingly shown that the National Covenant was one of many seventeenth century oaths which were 'designed to bind the king and nation in a contractual relationship with a mutual obligation

²⁴ Edward J. Cowan, *Montrose: For Covenant and King* (London: Weidenfeld and Nicolson, 1997), p. 45.

²⁵ 'The National Covenant', in *Scottish Historical Documents*, ed. Gordon Donaldson, pp. 194-201

²⁶ *Ibid.*, p. 200.

²⁷ *Ibid.*

²⁸ *Ibid.*, p. 201.

to uphold specific laws'.²⁹ Despite the theories of contractual or limited monarchy imbued in the Covenant, the actual wording was sufficiently vague to allow for multiple interpretations. Indeed, Stevenson has argued that it was deliberately vague to allow for a broad base of support and that it was not until it became clear that Charles would not compromise that the leading Covenanters followed an approach that aimed at limiting the king's power and outlawing Episcopacy.³⁰ The vague wording of the Covenant in regard to monarchical allegiance would cause divisions among the Covenanting leadership from at least as early as 1639.

The lack of clarity about the role of the monarch in the National Covenant had wide-ranging consequences for the development of Scottish political thought. In the following decades, some hardliners advocated outright resistance to the monarch based on the belief that this idea was enshrined in the National Covenant. Some who subscribed the Covenant held royalist sympathies and believed that maintenance of the monarchy was a Covenanting imperative on equal, or greater, footing with defence of religion. They fought against the hardline interpretation which eventually brought staunchly royalist thought full-circle towards absolutist theory (discussed in chapter three). There were also those who formed a middle ground, who Barry Robertson describes as 'monarchist'.³¹ These were people who upheld the principle of kingship but did not take to arms easily in the defence of Charles I. Republicanism was not a theory that had much traction in Scotland, and therefore most Covenanters fell into the monarchist category.³² This grouping eventually split over the whether the king was limited by law or not and whether the lieges had a role in making, electing or removing a king. This tension did not become fully evident until the Engagement crisis in 1648, discussed in the following chapter. To sum up, Covenanting and the monarchy were intrinsically linked and the development of royalist thought in the mid to late seventeenth century occurred as a direct result of unresolved issues in the National Covenant. To understand the wide range of opinion groups that developed in the 1640s and 1650s, it is imperative that the wording of the National Covenant and how it was received at local level is examined.

As with the role of the monarch, the place of Episcopacy was similarly vague in the February 1638 Covenant. While the writers were Presbyterian, the text itself did not

²⁹ Karin Bowie, 'A Legal Limited Monarchy': Scottish Constitutionalism in the Union of Crowns, 1603–1707', in *Journal of Scottish Historical Studies* 35.2 (2015), p. 135.

³⁰ Stevenson, *The Scottish Revolution*, pp. 82-90.

³¹ Barry Robertson, *Royalists at War in Scotland and Ireland 1638-1650* (Farnham: Ashgate, 2014), pp. 20-21.

³² See Sharon Adams, 'In Search of the Scottish Republic', in *Scotland in the Age of the Two Revolutions*, ed. Sharon Adams and Julian Goodare (Woodbridge: Boydell, 2014), pp. 97-114.

contain any explicit denunciation of Episcopal government. The subscribers promised to continue their adherence to the Negative Confession, which, as outlined above, was simply a robust denunciation of Catholicism. The writer of this confession, John Craig, had been involved in the writing of the *Second Book of Discipline*, and was moderator of the 1581 General Assembly, which implemented the proposals of the *Second Book* by creating presbyteries; he was well known for his opposition to prelacy and can therefore be labelled as a Presbyterian.³³ David Mullan has used a wealth of evidence from the writings of well-known Presbyterians such as Johnston of Wariston, David Calderwood, Andrew Melville, and John Row, to show that Presbyterians believed the Negative Confession to be a denunciation of Episcopacy as it included ‘hierarchy’ as unwarranted in the word of God and Presbyterianism was established shortly after its publication. Thus, according to Mullan, the Covenanters ‘were aiming their artillery at both episcopal government and the Five Articles of Perth through their use of the Negative Confession’.³⁴ Nevertheless, neither Episcopacy nor the office of bishop is mentioned in either the confession or the Covenant. The Covenant could, therefore, technically be subscribed by an Episcopalian. John Ford emphasises this point, arguing that Robert Baillie and many others subscribed the Covenant with the understanding that it did not outlaw Episcopacy, and that the February Covenant was ‘no more than a reissue with explanatory appendixes of the Negative Confession; or so it was perceived at the time’.³⁵ Moreover, some subscribed the Covenant while reserving their faith in Episcopacy, as discussed below. As with the implications of conditional loyalty to the king, there was a difference between the intended meaning of the Covenant and the ways in which the words were understood. It will be shown below that the Covenant subscription in church was often described as a ‘renewal’, which would have made it simple for Episcopalians to subscribe. In 1638 the leading Covenanters wanted as broad support as possible which is reflected by the all-encompassing nature of the February Covenant. Stevenson agrees, arguing that the word choice in the Covenant ‘is an indication of how slow the opposition to the king’s religious policies was in adopting an exclusively presbyterian outlook’.³⁶ Thus, the text lent itself to multiple meanings. While the leading Covenanters opposed Episcopal government and

³³ James Kirk, ‘Craig, John (1512/13–1600)’, *Oxford Dictionary of National Biography*, (Oxford University Press, 2004).

³⁴ David Mullan, *Episcopacy in Scotland: The History of an Idea, 1560-1638* (Edinburgh: John Donald, 1986), pp. 180-183.

³⁵ John D. Ford, ‘The Lawful Bonds of Scottish Society: The Five Articles of Perth, the Negative Confession and the National Covenant’, in *The Historical Journal*, 37 (1994), pp. 46-7, 54.

³⁶ David Stevenson, *The Scottish Revolution*, p. 85.

some understood the Negative Confession as a blanket rejection of Episcopacy, there was room in theory and in practice for Episcopalians to subscribe.

Laura Stewart's assertion that the National Covenant contained 'an explicitly Presbyterianized account of the Scottish reformation', which created a 'confessional state' requires further nuance.³⁷ Although the architects of the National Covenant believed the 'true religion' to be Presbyterianism, this 'confessional state' was not exclusively Presbyterian. The official confession of state for Scotland before 1645 was the 1560 *Scots Confession*: a simple Calvinist confession. This was accompanied by the Apostles Creed: a statement of belief which was often recited at the end of a sermon and by parents during a baptism.³⁸ The Negative Confession expanded on the *Scots Confession* to ensure that no Catholic could possibly operate within the Scottish Church (as well as attempting to eliminate a perceived Catholic threat in the form of Esmé Stewart).³⁹ The 1645 *Westminster Confession of Faith* was broadly Presbyterian, but prior to this point Protestants in Scotland, whether Episcopalian or Presbyterian, all adhered to the same confession. As Alasdair Raffe has noted, it was not until the late seventeenth century that distinct Presbyterian and Episcopalian confessional cultures began to develop as each side adopted distinctly different worship practices and confessions of faith.⁴⁰ Therefore, 'confessional' is not an appropriate word to be used to distinguish between Presbyterians and Episcopalians in the first half of the seventeenth century. Even if the Negative Confession was understood by some as advocating a particular form of church government, there is little evidence to suggest that this view was widely held or understood at grassroots level.

The response of Charles I to the Covenant shows that he believed the situation could be controlled by making small concessions to appease the Covenanters. He ordered the Privy Council to issue a proclamation to be read at every mercat cross on 4 June 1638. This stated that Charles was 'resolved to mainteane the true protestant religion', he promised to call a General Assembly and parliament and agreed not to 'presse the practise of the foresaid canons and Service Booke'.⁴¹ This demonstrates that the 'novations' mentioned in the Covenant were understood as referring to the recent changes, and that Charles believed not pushing the prayer book onto the ministers and reasserting his commitment to Protestantism was enough to appease the Covenanters. For Wariston,

³⁷ Laura Stewart, *Rethinking the Scottish Revolution*, p. 11.

³⁸ *Scots Confession, 1560 (Confessio Scoticana) and Negative Confession (Confessio Negativa)*, p. 13, 38-99.

³⁹ *Ibid.*, p. 26.

⁴⁰ Alasdair Raffe, *Culture of Controversy*, pp. 234-237.

⁴¹ *RPC*, series ii, vol. vii, p. 33.

nothing short of outlawing the prayer book and book of canons would secure the safety of the church from the current ‘evils’. To achieve that end, Wariston argued that Charles must not delay in calling parliament and General Assembly. In response to the reading of the proclamation at the mercat cross in Edinburgh, he made a protestation, stating that ‘no Proclamation could sufficiently remove the present evils’, and that a General Assembly must be called immediately rather than ‘at his best convenience’. Moreover, Charles’ proclamation did not outlaw ‘any of the Innovations, and evils compleined upon’ and they therefore stood by all previous supplications and their confession of faith and Covenant.⁴² With the two sides at deadlock, Charles appealed for peace once more in September 1638. He annulled the prayer book, book of canons and High Commission, and promised to ‘dispense with the practise’ of the Five Articles of Perth.⁴³ He went on to order the resubscription of the Negative Confession and the 1590 band (known as the King’s Covenant) and warranted the sitting of a General Assembly in November 1638 and a parliament in May 1639, both of which he hoped to manage closely through his main ally James Hamilton, third Marquis of Hamilton.⁴⁴ Charles’ efforts failed and he ended up being defeated militarily by the Covenanters in 1639 and 1640. In 1641 he was forced to acquiesce and agree to the Covenant being ratified by parliament alongside limitations to his own power (discussed below).

Aside from the royal household, the main opponents of the Covenant were six divines based in Aberdeen who became known as the Aberdeen Doctors.⁴⁵ They engaged in a printed debate with the leading Covenanters which exemplifies the vague and ambiguous nature of the document. In July 1638 they published a fourteen-point criticism of the Covenant which was largely rooted in their recognition of the ambiguities it contained. They did not agree that the Covenanters had the authority to issue the Negative Confession for renewal and questioned their ability to interpret the Confession, asking ‘who are the interpreters of that Confession?’ If they were all of the subscribers of the Covenant then ‘what reason have we to receive an interpretation ... from Laicks, ignorant people, and children?’ If they were the ministers, then the Doctors were unwilling to allow

⁴² *Protestation of the Noblemen, Barrows, Gentlemen, Burrowes, Ministers, and Commons, Subscribers of the Confession of Faith and Covenant, lately renewed within the Kingdome of Scotland, made at the Mercat Crosse at Edinburgh, the 4. of Julij immediately after the reading of the proclamation, dated 28. June 1638* (1638), pp. 5-9.

⁴³ *RPC*, series ii, vol. vii, pp. 64-65.

⁴⁴ *Ibid.*, pp. 65-66.

⁴⁵ John D. Ford, ‘The Lawful Bonds of Scottish Society: The Five Articles of Perth, the Negative Confession and the National Covenant’, p. 55. The Aberdeen Doctors consisted of: John Forbes, Professor of Divinity at King’s College; Robert Baron, Professor of Divinity at Marischal College; Alexander Scroggie, minister of St Machar’s Cathedral in Aberdeen; Alexander Ross, minister of Aberdeen; James Sibbald, minister of St Nicholas in Aberdeen; and William Leslie, principal of King’s College.

a group of ministers to speak for the entire church.⁴⁶ Henderson, David Dickson (minister of Irvine), and Andrew Cant replied that Episcopacy was popish and therefore denounced by the Negative Confession: a point used by Mullan to argue for the Presbyterian nature of the Covenant.⁴⁷ This debate stems from the statement in the National Covenant that reads: ‘the foresaid Confessions are to be interpreted, and ought to be understood of the foresaid novations and evils, no less than if every one of them had been expressed in the foresaid Confessions’.⁴⁸ The Doctors agreed with Charles’ proclamation, stating that there is now nothing to fear since he had removed ‘all that made men feare Novations’ before going on to argue that under the Covenant the king’s majesty was limited by the defence of the true religion.⁴⁹ Henderson and his colleagues refused to say whether or not this was the case, stating the defence of king and religion ‘is warranted by the Confession ratified in Parliament, by other Acts of Parliament, by the other Confession, and by the generall Band joined with it’.⁵⁰ The Doctors replied that this point is not clear enough, especially if ‘ye consider well all the Circumstances of the making of your Covenant’. For them it was unlawful to promise to maintain the king’s majesty ‘onlie in so farre, as it is imployed in the Defence of the foresaid true Religion’.⁵¹ As can be seen here, debates surrounding the wording and context of the National Covenant occurred as early as July 1638. The disagreements between the leading Covenanters and the Aberdeen Doctors is crucial in understanding that the National Covenant sent out for subscription in February was vague, ambiguous, and open to interpretation.

There is some evidence of ministers in certain areas subscribing the Covenant while reserving their loyalty to Episcopacy and Charles I. An associate of the Aberdeen Doctors, William Guild, subscribed the National Covenant on 30 July 1638. According to his late eighteenth century biographer James Shirrefs, both he and Robert Reid, minister of the Aberdeenshire parish Banchory-terran ‘were permitted to subscribe it, under such limitations, as they themselves were pleased to specify’.⁵² This is confirmed by Hew Scott, who noted that Reid subscribed the Covenant ‘with considerable modification’.⁵³ They

⁴⁶ *Generall Demands, Concerning the late Covenant; Propounded by the Ministers and Professors of Divinity in Aberdene: To some Reverend Brethren, who came to recommend the late Covenant to them, and to those who are committed to their charge* (Aberdeen: John Forbes, 1662), p. 12.

⁴⁷ *Ibid.*

⁴⁸ ‘The National Covenant’, in *Scottish Historical Documents*, p. 200.

⁴⁹ *General Demands, Concerning the late Covenant*, pp. 10-11, 22.

⁵⁰ *Ibid.*, p. 23.

⁵¹ *Ibid.*

⁵² James Shirrefs, *An Inquiry into the life, writings, and character, of the reverend doctor William Guild, one of the chaplains in ordinary to his majesty king Charles I; and founder of the Trinity Hospital, Aberdeen* (Aberdeen: J Chalmers & Co, 1798), p. 49.

⁵³ *Fasti*, vi, p. 80.

signed a document sent to them by a commission of Covenanters, including James Graham, first Marquis of Montrose, Alexander Henderson, and David Dickson, which acknowledged that their subscription to the Covenant came with three conditions. Firstly, they did not denounce the Five Articles of Perth, but agreed to ‘forbear’ the practice of it. Secondly, they stated that they ‘condemn not episcopal government, secluding the personal abuse thereof’. Finally, they confirmed their unconditional loyalty to Charles I.⁵⁴ Shirrefs went on to argue that although Guild may have favoured the Episcopalian form of church government, ‘he was desirous, by prudent concessions, to keep the unity of the Spirit in the bond of peace’.⁵⁵ The desire for peace and pressure from local elites no doubt proved to be a persuasive combination in subscribing the Covenant. This is evident in the north east, where Montrose sought to gain as many signatures to the Covenant as possible, and, according to Cowan, often permitted Covenant subscriptions with reservations like those given by Guild.⁵⁶

The degree to which Covenant subscriptions were pursued varied between localities. In an area where Episcopalianism was common, such as parts of the north east, Covenant subscriptions with limitations were permitted in 1638 in order to gain a broad base of initial support. However, as will be shown below, in other areas ministers were rigorously pursued for refusal to subscribe the Covenant, particularly after December 1638 when an anti-Episcopal declaration was added by the General Assembly. What the evidence here shows is that, in certain areas, it was permissible for men such as Guild to subscribe the Covenant while reserving the right to hold Episcopalian and royalist beliefs. This is supported by David Stevenson’s analysis of deposition of ministers under the Covenanters, in which he showed that there were at least 93 depositions between 1638 and 1643. Fifty-two of these came in a purge of non-Covenanters between 1638–1639, none of which resulted in any depositions in the far north or north east, which Stevenson suggests is:

an indication both of the extent to which the Covenanters were ready (in some parts of the country) to accept the nominal support of ministers who clearly were not enthusiastic about the ecclesiastical changes introduced in 1638, and of the extent to which some ministers were willing to continue to serve in the kirk under the new regime rather than disown it, thus leading to the danger of schism.⁵⁷

Schisms did occur once the Covenanting leadership took a more hardline approach to Episcopacy and monarchical allegiance after the General Assembly met in December 1638.

⁵⁴ Shirrefs, *An Inquiry into the life, writings, and character, of the reverend doctor William Guild*, pp. 50-51.

⁵⁵ *Ibid.*, p. 53

⁵⁶ Cowan, *Montrose*, p. 55.

⁵⁷ David Stevenson, ‘Deposition of Ministers in the Church of Scotland under the Covenanters, 1638-1651’, *Church History* 44 (1975), pp. 324-326.

The broadly unifying tenor of the National Covenant was altered by the General Assembly when it met in Glasgow in November and December 1638. Hamilton, the king's commissioner, quickly tried and failed to dissolve the Assembly and the Assembly went on to abolish Episcopacy, the prayer book, the Five Articles of Perth and to depose the fourteen Scottish bishops. Deposing the bishops also meant removing one of the Estates of parliament. The Assembly also declared that the interpretation of the Negative Confession offered by Charles two months previously (the King's Covenant) was 'directly repugnant to the genuine and true meaning of the foresaid Confession', and stated that no one was to subscribe it under pain of ecclesiastical censure.⁵⁸ The Covenant was ordered to be resubscribed with an additional passage which became known as the Glasgow Declaration. This stated that:

the Five Articles of Perth, and the government of the Kirk by Bishops, being declared to be abjured and removed, the civill places and power of kirkmen declared to be unlawfull, we subscribe according to the determination of the said free and lawfull Generall Assembly holden at Glasgow.⁵⁹

From December 1638, the movement shifted to a harder anti-Episcopal line that was less unifying than the original formulation. The explicit denunciation of bishops and Episcopacy contained in the Glasgow Declaration and the subsequent subscriptions have often been overlooked by historians. Nevertheless, it was crucial in the development of Covenanting ideas as it created differing understandings of what it meant to be a Covenanter.

So far, this chapter has highlighted the ways in which the Covenant could be interpreted. The role of the monarch was ambiguous and prior to December 1638 no mention was made of what form of church government encapsulated the 'true religion'. The next section will analyse how these notions were understood in the localities and demonstrate that, as with interpretations at high political level, the Covenant engendered a range of responses at grassroots level.

Reception of the National Covenant

Having outlined the key areas of debate regarding the Covenant and allegiance and confession, it is possible to turn to the extant kirk session and presbytery records to understand the extent to which these ideas were received by parishioners. Thirty kirk session and eleven presbytery records with complete and regular entries have survived for

⁵⁸ 'Acts: 1638', *Acts of the General Assembly of the Church of Scotland, 1638-1842*, (1843), pp. 1-35 <<http://www.british-history.ac.uk/church-scotland-records/acts/1638-1842/pp73-96>> [accessed: 19 May 2014]; Stevenson, *the Scottish Revolution*, pp. 123-125.

⁵⁹ *Ibid.*

the year 1638. Of these, twelve kirk sessions and eight presbyteries mention the National Covenant, which is not enough for a full picture of grassroots Covenanting to be gleaned.⁶⁰ However, the surviving records indicate that the Covenant lent itself to multiple meanings on the ground. Laura Stewart has discussed reception in *Rethinking the Scottish Revolution* (2016) and in a 2013 article. These have done much to broaden our understanding of the process of swearing and subscribing and are unique in placing the laity at the heart of the analysis.⁶¹ Stewart argues that the Covenant affirmed the central role of the congregation and provided space for ordinary people to discuss spiritual authority which was at odds with elite ideas of social status.⁶² This is supported with evidence from the parish of Glassford where members of the congregation marched to the presbytery of Glasgow in 1638 to protest against the trial of a new minister who had not been nominated by the congregation. They were reportedly motivated by the preaching of a reader who argued that the Covenant upheld congregational election of ministers; a notion which was dismissed by Robert Baillie and Archibald Johnston of Wariston.⁶³ Although Stewart's analysis offers ground breaking new insights into the Covenant, the incident at Glassford represents just one of the many ways in which the Covenant could be interpreted at local level. The extant records are sparse but they reveal that the Covenant was understood differently in different places. By analysing the language used in the kirk session and presbytery records on subscription to the February Covenant, the references made to the Glasgow Declaration, and two major crises in Kirkcaldy and Lanark Presbyteries, it will be shown that, as with Covenanting ideas at a high political level, the meaning of the Covenant was ambiguous at local level.

The ways in which the Covenant was received can be gleaned from the name the records give to the Covenant when recording subscription. Some refer to it as 'the Covenant', some 'the confession of faith', and others a renewal of a previous Covenant or confession. Nine kirk sessions (75% of those for which records survive) and five presbyteries (63% of those for which records survive) name it as a Covenant, whereas three kirk sessions (25%) and three presbyteries (37%) name it as a confession or Covenant renewal. We cannot rely on statistical data due to the paucity of evidence, but it is worth

⁶⁰ Kirk sessions: Menmuir, Newburn, Tynningham, Lasswade, Burntisland, Monimail, North Leith, Kirkcaldy, Edinburgh St Cuthbert's, Ayr, St Monace, Galston. Presbyteries: Kirkcaldy, Lanark, Linlithgow, Perth, Strathbogie, Stirling, Ellon

⁶¹ Stewart, *Rethinking the Scottish Revolution*, chapter 2; Laura Stewart, 'Authority, Agency, and the Reception of the Scottish National Covenant of 1638', in *Insular Christianity: Alternative models of the Church in Britain and Ireland, c.1570-c.1700*, ed. Robert Armstrong and Tadhg Ó Hannracháin (Manchester: Manchester University Press, 2013), pp. 89-107.

⁶² Stewart, 'Authority, Agency, and the Reception of the Scottish National Covenant' p. 92.

⁶³ *Ibid.*, p. 100-101; Stewart, *Rethinking the Scottish Revolution*, pp. 115-116.

noting that the Covenant was named as a confession or renewal in some areas. Of the surviving records which describe the Covenant as a confession or renewal, it is likely that some would have understood the instruction as purely an order to renew the 1580 Negative Confession or understood the new document as simply equating to a renewal of the Negative Confession. For example, Perth Presbytery noted that ‘the covenant with God [was] renewed and subscribed’, Lasswade kirk session stated that ‘the confession[n] of faith was publiclie red with great joy & hands holdine up’, and Menmuir kirk session recorded that ‘This day the confessioun of faith and covenant with our God [was] openlie read, subscriyvet, and swore unto’.⁶⁴ By using the terminology ‘confession of faith and covenant’ it is likely that Menmuir included the entire Covenant into the subscription process, but it may also just have been a reference to the Negative Confession. Thus, some swearers and subscribers to the original National Covenant may have understood it to be a simple renewal of their confession to abhor Catholicism in 1581. Advertising the Covenant as a renewal or confession of faith would have made it much easier for anyone with scruples over the potential subversive elements in the Covenant to subscribe. Moreover, it has already been established that the Negative Confession itself was open to interpretation which complicates the picture further.

Despite the 1638 General Assembly ordering the resubscription of the National Covenant with the Glasgow Declaration, there does not appear to have been a significant resubscription campaign in the parishes. The presbytery of Haddington received the Acts of the General Assembly on 10 March 1639, distributed them to the ministers and ordered them to ‘make use of the informatione sent’ and to ‘informe ye peopll yerin’.⁶⁵ Similarly, Stirling Presbytery ordered every parish to read out the Acts of the General Assembly ‘confirming the explanatioun of ye confessionne of faith the act against episcopacie [and] the act ... annulling the Perthe articles’.⁶⁶ Rather than ordering the Covenant to be resubscribed with the declaration, the presbyteries often ordered the declaration or acts of the General Assembly to be sent to the parishes so that everyone was aware of the denunciation of Episcopacy. This is reflected in the kirk session records where the declaration is often read out or the removal of the bishops announced. Just under one half of the surviving kirk session records mention the Glasgow Assembly but no kirk session recorded an order to have the declaration read out or reproduced copies of the Covenant with the declaration for subscription. Similarly, the parishes of Monimail and Galston hold

⁶⁴ Perth Presbytery Records, NRS CH2/299/2, p. 368; Lasswade Kirk Session Records, CH2/471/2, p. 3. Menmuir Kirk Session Records, CH2/264/1, p. 37.

⁶⁵ Haddington Presbytery Records, NRS CH2/185/4, f.o. 128.

⁶⁶ Stirling Presbytery Records, NRS CH2/722/5, p. 306.

signed copies of the Covenant in their kirk session records, neither of which contain the Glasgow Declaration.⁶⁷ The presbytery of Strathbogie also recorded subscription to the Covenant without the declaration. Kirkcaldy Presbytery records contain the Covenant and declaration but without any signatures. Linlithgow Presbytery records, however, contain the Covenant with declaration and signatures.⁶⁸ Other existing copies have the declaration with signatures, some have the addition written at the bottom or on the back of an already signed copy, and others do not contain the declaration.⁶⁹ A covenant signed in the Peeblesshire area was subscribed by 184 people, forty (22%) of whom resubscribed after the Glasgow Declaration was added.⁷⁰ Clearly, practices varied throughout the nation. This is a crucial point to acknowledge as it demonstrates that some people only subscribed the February Covenant, others resubscribed it with the declaration, and others subscribed the February Covenant and were informed of the acts of the Glasgow Assembly, but still others were probably not informed at all. Understandings of Covenanted obligations were therefore not monolithic and based on local interpretations of which Covenant(s) one had subscribed.

By espousing federal theology and emulating the Israelites by entering as a nation into Covenant with God, the makers of the Covenant made everyone in Scotland culpable for pursuing its aims. The Covenant was subscribed *en masse* in each congregation which created the strong possibility of different local interpretations of what being in Covenant with God entailed. Federal theology derives its name from the Latin word for Covenant: *foedus*, and involves each participant being directly and unconditionally in Covenant with God. There are many Biblical examples of Covenants, and it has been suggested by David Mullan and Laura Stewart that the Scottish Covenanters took inspiration from Nehemiah 9 and 10 which described how the people of Israel entered into Covenant with God for their sins.⁷¹ All people ‘that could understand’ sealed the Biblical Covenant; an idea that Henderson and Wariston sought to replicate in Scotland.⁷² Spurlock argues that ‘the success or failure of attaining the aims of the National Covenant (and any ancillary

⁶⁷ Monimail Kirk Session Records, NRS CH2/548/1, pp. 67-77; Galston Kirk Session Records CH2/1335/4, pp. 31-2.

⁶⁸ Strathbogie Presbytery Records, NRS CH2/342/2, pp. 1-5; Kirkcaldy Presbytery Records, CH2/224/1, pp. 644-650; Linlithgow Presbytery Records, CH2/242/3, pp. 1-13.

⁶⁹ James King Hewison, ‘“Bands” or Covenants in Scotland, with a List of extant copies of the Scottish Covenants’, *Proceedings of the Society of Antiquities of Scotland*, 42 (1908), pp. 166-182; David Stevenson, ‘The National Covenant: A List of Known Copies’, in *Records of the Scottish Church History Society*, 23 (1989), pp. 255-299; Scott Spurlock, ‘Problems with Religion as Identity’, p. 17.

⁷⁰ ‘The National Covenant, 1638-1639’, NLS MS. 20.6.16.

⁷¹ David Mullan, *Scottish Puritanism, 1590-1638* (Oxford: Oxford University Press, 2000); Laura Stewart, ‘Authority, Agency, and the Reception of the Scottish National Covenant of 1638’, p. 97; Nehemiah 9:38; Nehemiah 10.

⁷² Nehemiah 10.

conditions added in a personal Covenant) did not rest simply upon the nation, but on each individual subscriber'.⁷³ This does not mean that each individual was endowed with unbridled power to interpret the Covenant personally. Rather, each subscriber was included in the Covenanting venture and culpable for pursuing its aims. At the same time, the subscribers were bound together and took their oaths in their local communities. As the aims of the February Covenant differed from that of the December Covenant and subscriptions to each varied significantly, it was possible for different localities to have different ideas of what their Covenant with God entailed. Moreover, as the Peeblesshire example above shows, it was possible for people in the same locality to have conflicting interpretations of Covenanting depending on whether or not they had resubscribed the Covenant with the Glasgow declaration.

Debates over the position of the monarch in the National Covenant played out at local level, with some evidence of royalist leaning localities. Only three of the surviving church records specifically mention the king. At the north eastern kirk of Duffus a fast was held on 7 November 1638 'according to the kings ... proclamat[ion]e'.⁷⁴ Duffus kirk session did not record subscribing the Covenant or cite the Glasgow Declaration, which suggests that subscription was either not recorded or ignored. This, plus the inclusion of a fast for the king's proclamation is indicative of royal allegiance in that particular parish. Other evidence of allegiance to Charles I is clear in a surviving copy of the 1638 King's Covenant with 1,133 subscriptions. This was subscribed primarily in the Angus region of Scotland by James Carnegie, second Earl of Southesk, as well as many local gentry, burgesses, ministers, merchants, and people of lower social status between September and October 1638. In Arbroath, names of maltmen, cordmen, and tailors are recorded.⁷⁵ This demonstrates that royalist interpretations of the Negative Confession were also evident at grassroots level, as people of all social ranks subscribed the King's Covenant in the Angus region. The large number of subscriptions also suggests that the King's Covenant deserves greater attention in the historiography. David Stevenson argues that this Covenant was not widely subscribed as Charles I entrusted leading Covenanters to distribute it, hoping and failing to divide them.⁷⁶ The King's Covenant has henceforth been overlooked by historians and surviving copies have not been analysed. The Angus copy of the King's

⁷³ Scott Spurlock, 'State, Politics, and Society in Scotland, 1637–60', in *The Oxford Handbook of the English Revolution* ed. Michael J. Braddick (Oxford Handbooks Online: Oxford University Press, 2014), p. 367.

⁷⁴ Duffus Kirk Session Records, NRS CH2/96/1/1, p. 28.

⁷⁵ 'The King's Covenant, 1638', NLS MS. 34.5.15.

⁷⁶ Stevenson, *The Scottish Revolution*, p. 110.

Covenant demonstrates that people of all social ranks in certain areas were exposed to a competing vision of the Negative Confession in 1638.

Evidence from Kirkcaldy and Lanark Presbyteries are revealing of opposition to the February National Covenant. On 29 March 1638, the minutes of the presbytery of Kirkcaldy stated that: 'The covenant was renewit the last Sabbath in all the kirks of this presbyterie except in burntyland [Burntisland] and markinch whose ministers refuses the same and in the kirk of weyms [Wemyss] whose minister is not yit placed'.⁷⁷ Both ministers in Burntisland and Markinch continued to refuse and lay commissioners from Markinch came before the presbytery on 19 April to request that 'they may have the confessione of faith read to them and their covenant with god renewed, their minister ... refuseing the sayme'.⁷⁸ The presbytery sent representatives to Markinch to oversee subscription there and eventually succeeded in getting the minister, Andrew Lermonth, to read the Covenant publicly in church. Evidently the ministers at Markinch and Burntisland continued to oppose the Covenant as the presbytery proceeded against them in January 1639 with assistance from representatives from St. Andrews and Cupar Presbytery.⁷⁹ The minister at Burtisland, John Michaelson, reportedly accused the Covenanters of 'taking ye crowne aff the kings ma[jes]ties head' and he 'called the covenant a blak covenant'.⁸⁰ He was ordered to make public repentance in the kirk of Burtisland or face depositeion. Andrew Lermonth was accused of continually refusing to subscribe the Covenant 'calling them [the Covenanters] perjured' and was therefore ordered to subscribe the Covenant, acknowledge the lawfulness of the General Assembly, and publicly repent in the kirk of Markinch.⁸¹ Both ministers refused and were deposed by the presbytery on 7 February 1639.⁸²

Similar tensions arose in Lanark in regard to ministers refusing to subscribe the Covenant. In April 1638, the presbytery sent representatives to the kirks of Douglas and Carmichael as the Covenant had not been subscribed there.⁸³ In June, a complaint was heard against the minister of Biggar 'that the covenant had not been read and sworne to according to the practise of other kirkis'. The presbytery ordered the minister to read the

⁷⁷ Kirkcaldy Presbytery Records, NRS CH2/224/1, p. 229.

⁷⁸ *Ibid.*, p. 230; for detailed analysis of this case see Laura Stewart, *Rethinking the Scottish Revolution*, pp. 103-107..

⁷⁹ *Ibid.*, pp. 231-253.

⁸⁰ *Ibid.*, p. 253.

⁸¹ *Ibid.*

⁸² *Ibid.*, pp. 257-259.

⁸³ Lanark Presbytery Records, NRS CH2/234/1, p. 118.

Covenant and gather subscriptions again and sent commissioners to observe the process.⁸⁴ James Douglas, minister of Douglas, continued to refuse to swear the Covenant and in October he told the presbytery that:

he had latlie subscriyved the Confession and generall band which had been presented to the kirk of Douglass by ye authority of king and Counsell and therfoir could not now subscriye this covenant.⁸⁵

This is the only reference to the King's Covenant found in the church records, but is further evidence of someone actively supporting Charles I's interpretation of the Negative Confession. Moreover, South Lanarkshire is over 100 miles away from Angus which suggests that the King's Covenant achieved fairly broad exposure. The presbytery were frustrated that Douglas was continuing to refuse 'for some private reasones' and ordered him to appear before the upcoming General Assembly.⁸⁶ The Assembly referred his case back to the presbytery and they proceeded against him from January to April 1639. His was urged to subscribe the Covenant with the Glasgow Declaration and on 7 March he gave his reason for refusing, stating that the Covenant was 'against Episcopacie according to the Assemblies declaration of the Confession'.⁸⁷ After being referred to the Synod of Glasgow and facing deposition he 'willinglie subscriyved the covenant with the determination of the generall assembly' in April.⁸⁸ Meanwhile, the presbytery deposed John Lindsay, minister of Carstairs, as he had preached 'againes our covenant'. After his deposition he celebrated communion in his parish and 'afterward he preached to the people' and the presbytery charged him with 'disobedience and contempt'.⁸⁹ He eventually repented and was re-ordained in 1640 and remained as minister of Carstairs until his death in 1672.⁹⁰

The episodes at Kirkcaldy and Lanark reflect the wider problem of allegiance to kirk and king. Reasons were given for withholding subscription on the grounds that it involved committing perjury, disloyalty to the king, and denouncing Episcopacy. The debate between the Aberdeen Doctors and the leading Covenanters was replicated at local level, with several ministers refusing to acknowledge the General Assembly's interpretation of the Negative Confession. The extent to which lay parishioners were involved in this debate is difficult to state with certainty. Given that lay representatives

⁸⁴ *Ibid.*, p. 119.

⁸⁵ *Ibid.*, p. 130

⁸⁶ *Ibid.*

⁸⁷ *Ibid.*, p. 141.

⁸⁸ *Ibid.*, p. 144.

⁸⁹ *Ibid.*, p. 143.

⁹⁰ *Fasti*, iii, p. 293.

from Markinch appealed to their presbytery to have the Covenant read to them suggests that in areas where the minister conscientiously opposed the Covenant there could be awareness of this and frustration about it amongst parishioners and particularly amongst local elites. Stewart argues that in the controversy that followed the establishment of the Five Articles of Perth in 1618 ‘a number of congregations drew unwelcome attention to themselves by stubbornly protecting clergymen disciplined by the authorities for contravening royal policy’.⁹¹ Therefore, it is not unlikely that congregations collectively, or parishioners individually, supported their minister when he opposed the Covenant. Indeed, the congregation was understood to be one body in seventeenth century Scottish Presbyterian thought.⁹² What is certain is that parish level understandings of the Covenant differed across the country. Existing historical interpretations of its reception can be nuanced by recognising the variety of ways in which people received and understood the Covenant. More research into the King’s Covenant is required; with the evidence presented here suggesting that it was more widely subscribed than has previously been acknowledged.

Women and the National Covenant

Another way in which the Covenant could be interpreted was as a legitimisation of female activism independent of men. The role of women in the Covenanting venture was quite clearly prescribed by the leading Covenanters with the potential for radical reinterpretation. In 1637, the opponents of the prayer book followed a centuries-old tradition of deploying women in popular protest. The further engagement of women in Covenanting through swearing and subscribing the Covenant in Kinghorn was twinned with evidence of female-organized protest based on a radical interpretation of the oath. While this aspect of Covenanting is much more clearly evident during the Restoration period, the early Covenanting period saw the beginnings of female dissent taking on a radical tenor, to the chagrin of leading Covenanters. Broadly speaking, women’s place in the congregation was fairly prescribed and gendered. After the Reformation, the home became a central arena of spiritual education. Following the publication of the *Familie Exercise* in 1639, mothers and wives were duty bound to ensure their families understood the catechisms. This was particularly important at the time of communion, where the family was examined by a minister or session elder to ensure they had sufficient knowledge of the catechisms to take the sacrament. Women also assisted in the organisation of, and were active participants in,

⁹¹ Stewart, ‘Authority, Agency, and the Reception of the Scottish National Covenant of 1638’, pp. 93-4.

⁹² John Coffey, *Politics, Religion and the British Revolutions: the mind of Samuel Rutherford* (Cambridge: Cambridge University Press, 1997), pp. 203-207.

protest.⁹³ Women's role in the early Covenanting years will be outlined here. It will be shown that they were given a prescribed role in the prayer book riots; women swore and in some cases subscribed the Covenant; and this early period witnessed the beginnings of a more assertive and radical female activism.

Women played a prominent role in the Covenanting movement from at least as early as 1637. In response to the imposition of the book of canons in 1636, organised resistance to Charles' policies grew. In April 1637 the underground movement anticipated the introduction of a new prayer book and began planning the infamous riots which occurred in July that year. According to contemporary commentator Henry Guthry (bishop of Dunkeld from 1665), protest was planned at the house of Nicholas Balfour in the Cowgate area of Edinburgh between Alexander Henderson, David Dickson, and several 'matrons'. It was agreed that the women 'and their adherents might give the first affront to the book, assuring them that men should afterwards take the business out of their hands'.⁹⁴ It is not clear in the surviving records whether it was expected that the matrons would entice their servant women to instigate protest, but as Stewart has noted servant women usually sat at the front of the congregation and thus would have been ideally placed to start protesting.⁹⁵ On 23 July a riot ensued at St Giles kirk on the first reading of the new prayer book. Women threw stools at the reader, before the commotion spilled out onto the streets. Some accounts of this riot, such as Walter Balcanquhall's description in *A Large Declaration* (written on behalf of the king), claim that it was 'the meaner sort of people' who partook in the activity.⁹⁶ Similarly, Robert Baillie noted that it was 'serving maids' who led the riots, while Robert Wodrow argued that 'women of all sorts wer present'.⁹⁷ Wodrow also recorded that 'many of the lasses that caryed on the fray wer [ap]prentices in disguise, for they throu stools to a great lenth'.⁹⁸ Stevenson critiques both the claims of the lower social status of the female rioters and the suggestions that men dressed as women threw stools. As outlined above, the women who met with Henderson and Dickson in 1637 were 'matrons', and thus of relatively high social status. Moreover, the woman who led the

⁹³ Laura Stewart, 'Authority, Agency and the Reception of the Scottish National Covenant of 1638', pp. 94-97.

⁹⁴ Henry Guthry, *The Memoirs of Henry Guthry, late bishop of Dunkeld; containing an impartial relation of the affairs of Scotland, civil and ecclesiastical, from the year 1637, to the death of king Charles I* (Glasgow: Robert Urie, 1747), pp. 23-24; Stevenson, *The Scottish Revolution*, p. 57.

⁹⁵ Stewart, 'Authority, Agency and the Reception of the Scottish National Covenant', p. 99.

⁹⁶ Walter Balcanquhall, *A Large Declaration Concerning the late Tumults in Scotland from Their First Originalls* (London: Robert Young, 1639), pp. 24.

⁹⁷ Baillie, *Letters*, i, p. 18; Robert Wodrow, *Biographical Collections: divines of the north-east of Scotland* (Aberdeen: Spalding Club, 1890), p. 173.

⁹⁸ Robert Wodrow, *Analecta: or materials for a history of remarkable providences; mostly relating to Scotch ministers and Christians* (Glasgow: Maitland Club, 1842), p. 64.

St Giles riot was identified by Stevenson as Barbara Hamilton, wife of a merchant. In regard to the possible male stool-throwers, Stevenson acknowledged that it was not uncommon for male protestors to dress as women, but in 1637 'it would have been an unnecessary complication, as there was no shortage of women willing to take part'.⁹⁹ Stewart has also emphasised the female-led aspect of this riot, arguing that women from a variety of social backgrounds partook in rioting but that women of lower social standing were at the front of the crowds.¹⁰⁰

Women were included in the Covenanting venture through the subscription process by swearing, and in some cases subscribing, the Covenants alongside their male fellow parishioners. Stewart has argued that, in most cases, women swore but did not sign the National Covenant.¹⁰¹ However, there does exist a copy of the National Covenant from the Ayrshire parish of Maybole with many female signatures.¹⁰² Similarly, a copy of the Negative Confession subscribed in 1581 from the parish of Kinghorn in Fife contains over sixty female signatures.¹⁰³ In a 1638 poem celebrating the Covenant subscription, the anonymous composer wrote: 'And now each Soul is fill'd with joy, each Man To tell posteritie hath pen in hand'. Women appear at the end of the poem as muses and ungendered 'souls' are referenced as entering into the Covenant but it is only men who are specified as having pens in their hands which suggests that it was not commonplace for women to both swear and subscribe the Covenant.¹⁰⁴ Moreover, contemporary John Spalding recorded that Robert Douglas read the covenant publicly in Aberdeen in April 1639 'and causit the haill tounes people convenit, who had not yit subscrivit, to stand wp befor him in the kirk, both man and woman, and the men subscrivit this covenant'.¹⁰⁵ Without a full analysis of each surviving Covenant, whether or not numerous women both swore and subscribed remains unknown. Certainly, the two existing summaries of the surviving National Covenants only highlight Maybole as having female signatures. The social background of only a few of these women has been identified. Two noble women subscribed: Jean Hamilton, sister of James, third Marquis of Hamilton and wife of John Kennedy, sixth Earl of Cassilis; and their daughter Margaret Kennedy. Ten more women

⁹⁹ Stevenson, *The Scottish Revolution*, pp. 62-63.

¹⁰⁰ Laura Stewart, *Rethinking the Scottish Revolution*, p. 58.

¹⁰¹ Stewart, *Rethinking the Scottish Revolution*, pp. 112-114; Stewart, 'Authority, Agency and the Reception of the Scottish National Covenant of 1638', p. 96

¹⁰² David Stevenson, 'The National Covenant: A List of Known Copies', p. 269.

¹⁰³ Kinghorn Kirk Session Records, CH2/472/1, pp. 249-259.

¹⁰⁴ *The Beavtie of the Remarkable Yeare of Grace, 1638 The Yeare of the great Covenant of Scotland* by T.H., transcribed by Jamie Reid-Baxter (Edinburgh, 1638).

¹⁰⁵ John Spalding, *Memorialls of the Trubles in Scotland and in England. A.D. 1624-A.D. 1645*, vol. i (Aberdeen: Spalding Club, 1850), pp. 164-165.

subscribed who have not been identified.¹⁰⁶ There is more evidence of female subscription to the Solemn League and Covenant, discussed below. Louise Yeoman argues that the Covenants gave marginalised groups of people, namely those of lower social status and women, a sense of empowerment through the emphasis on personal connection to God.¹⁰⁷ By swearing the Covenant, women were given a stake in pursuing its aims and equally culpable for any perceived transgressions. Even if most women simply swore the Covenant without subscribing, this is an important event as ordinary women, who were usually denied a voice in the affairs of church or state, were now part of a corporate body of people committed to the defence of religion through a Covenant with God, and therefore were also personally in Covenant with Him. The involvement of women in the early Covenanting movement sparked the beginning of a legacy of female dissent, which will be addressed throughout this thesis.

The 1637 protests were intended as a display of dissent in which familiar practices were evoked. Following the swearing of the Covenants, and particularly in the second half of the seventeenth century, women took on the less traditional role of initiating protests on religious and political matters. This is one of the most noteworthy characteristics of later Covenanting and an important legacy of the Covenants. In August 1637 the synod of Glasgow met and William Annan, minister of Ayr, preached in defence of the new prayer book, an action which, according to Robert Baillie, resulted in him being assaulted in Glasgow by ‘some hundredths of enraged women, of all qualities’. Baillie also claimed that ‘This tumult was so great, that it was not thought meet to search, either in plotters or actors of it, for numbers of the best qualitie would have been found guiltie’.¹⁰⁸ This is further evidence of women being deployed in pre-planned riots by the opponents of Charles’ religious policies. It has been suggested by Laura Stewart that the enthusiasm which some women showed during the prayer book riots caused a degree of anxiety among men in prominent political positions, and subverted gender expectations. Evidence from a letter written by royalist politician Sir James Balfour of Denmilne, asking a female rioter to cease her unfeminine activities and remember that a woman’s role it to assist man is provided by Stewart to exemplify this point.¹⁰⁹ Pre-planned riots headed by women had been commonplace on the passing of the Five Articles of Perth in 1618, and it was not uncommon during the medieval period for women to take initiative and organise and lead

¹⁰⁶ James Anderson, *The Ladies of the Covenant: memoirs of distinguished Scottish female characters, embracing the period of the Covenant and the persecution* (Glasgow: Blackie & Son, 1862), pp. 15-16n.

¹⁰⁷ Louise Yeoman, ‘Heart-work: Emotion, Empowerment and Authority in Covenanting Times’, (unpublished PhD thesis: The University of St Andrews, 1991) pp. 48-52, 275-276.

¹⁰⁸ Baillie, *Letters*, i, pp. 20-21.

¹⁰⁹ Stewart, *Rethinking the Scottish Revolution*, p. 56.

protests during food shortages.¹¹⁰ After 1638, there is evidence of female activism devoid of, or with very limited, male involvement, driven by the justification of a national oath in realms that excluded women such as religio-political matters of national importance. This suggests that the prayer book riots and Covenant subscription process precipitated a shift in the nature of female activism which is explored throughout this thesis.

The early Covenanting period, from 1637–1643, was a significant epoch in the history of female engagement in the religious and political affairs of Scotland. Women were included in Covenanting through organised protests and Covenant swearing and there is evidence of a correlation between women engaging with the Covenant, even to the point of subscription, and their taking action based on this. A revealing example of female activism can be found in a letter written by Baillie which expresses despair at female-led violence in Kinghorn against a suspected spy of the bishops. He states that ‘Thir unhappie and ungodly violences hurt our good cause: they are lamented by us’.¹¹¹ This incident is also very significant as it occurred in July 1638: after the swearing of the National Covenant. Moreover, it was seemingly spontaneous, with no male involvement. The session records for Kinghorn do not survive for 1638, but this kirk had allowed the women of the parish to subscribe the Negative Confession (as mentioned above), and it is therefore likely that they would have been permitted to both swear and subscribe the National Covenant. John Walter has shown that there was a correlation in England between popular violence in Essex and Suffolk and the swearing of the 1641 Protestation oath, and there is evidence to suggest that, similarly, the swearing of the National Covenant had the potential to precipitate violence in Kinghorn.¹¹² This incident is an early example of female activism independent of men on a matter pertaining to religion, and occurred after the National Covenant was sworn. While the Covenanting leaders certainly did not intend women to be anything other than assistants in the godly work of their male counterparts, the involvement of women in protesting and in the Covenant subscription process had long-lasting ramifications. There is not any evidence of similar female Covenant-inspired outbreaks in other areas at this time, so this may have been an isolated incident. Nevertheless, it highlights one of the many ways in which the Covenant could be

¹¹⁰ Laura Stewart, “‘Brothers in Treuth’: Propaganda, Public Opinion and the Perth Articles Debate in Scotland’, in *James VI and I: Ideas, Authority, and Government*, ed. Ralph Houlbrooke (Aldershot: Ashgate Publishing Limited, 2007), pp. 151-169; Alan MacDonald, *The Jacobean Kirk 1567-1625: Sovereignty, Polity and Liturgy* (Aldershot: Ashgate Publishing Limited, 1998), pp. 184-187.

¹¹¹ Baillie, *Letters*, i, p. 94; also referenced in *ibid*.

¹¹² John Walter, *Understanding Popular Violence in the English Revolution: The Colchester Plunders* (Cambridge: Cambridge University Press, 2016), ch. 8; For further analysis of popular politics and the 1641 Protestation in England, see John Walter, *Covenanting Citizens: The Protestation Oath and Popular Political Culture in the English Revolution* (Oxford: Oxford University Press, 2017).

interpreted. As we will see in the following chapters, examples of assertive female activism devoid of male involvement of the like seen at Kinghorn in 1638 became increasingly common in the second half of the seventeenth century and this was one of the most significant legacies of the Covenants.

The 1643 Solemn League and Covenant and its Reception

Covenanting ideas were further complicated by the 1643 Solemn League and Covenant: the result of up to three years of negotiation between the Covenanters and the English Parliament. This Covenant was similarly ambiguous in regard to the crown, both promising to maintain and defend the monarch while affirming the rights and liberties of parliament with no clause explaining which supersedes the other. While it also had an anti-Episcopal addition, there was room in theory for Episcopalians to subscribe it and this Covenant was later used by conformists at the Restoration as evidence of the congruence between Covenanting and Scottish Episcopacy. It was resubscribed by nonconformists in 1666 and became a focal point for opposition to Charles II in the three kingdoms, as well as informing opposition to the union of 1707.¹¹³ Despite its significance in the history of the three kingdoms throughout the seventeenth century, there has been very little research into the reception of the Solemn League and Covenant. Macinnes and Kennedy have researched reception of this Covenant in the Highlands (mainly highlighting the difficulty the Covenanters had in gaining subscriptions),¹¹⁴ but nothing has been done on the Lowland reception, despite the fact that more church records survive for 1643 than 1638. The final part of this chapter will analyse the events leading up to the creation of the Solemn League and Covenant, outlining the development of opposing opinion groups, before assessing the ideas imbued in the Covenant and how they were received on the ground. It will be shown that variation existed at local level; there is more evidence of female subscription; the Covenants were sworn together in some areas; and there is evidence of the terms ‘Covenants’ and ‘Covenanters’ being discussed at local level. The swearing and subscribing of the Solemn League and Covenant further complicated Covenanting obligations by being similarly ambiguous as the National Covenant and brought together three kingdoms with distinctly different motivations.

¹¹³ For the Solemn League and Covenant and nonconformity, see chapter 5. For the Solemn League and union debates see Colin Kidd, *Union and Unionisms: Political Thought in Scotland 1500-2000* (Cambridge: Cambridge University Press, 2008), pp. 41-63.

¹¹⁴ Allan Macinnes, *The British Confederate*, p. 198-200; Allan Kennedy, “‘A Heavy Yock Upon Their Necks’: Covenanting Government in the Northern Highlands, 1638-1651”, p. 99.

By July 1643, the proponents of the National Covenant had established control over parliament, defeated Charles' forces during the two Bishops' Wars of 1639 and 1640, and agreed upon terms of peace with the English Parliament. The Covenanters believed that the most effective way to establish lasting peace between the two nations was to establish uniformity of worship: a point over which the negotiations with England broke down.¹¹⁵ A constitutional revolution was achieved in 1641 as Charles I gave his consent to a series of acts passed by the Scottish Parliament in 1639 and 1640 which significantly limited royal power in Scotland. Only those who had taken the Covenant were permitted entry into parliament.¹¹⁶ Rather than parliament acting in one voice, however, there was a clear split between hardliners and royalists with Archibald Campbell, eighth Earl of Argyll, leading the hardliners and James Graham, first Marquis of Montrose, leading the royalists. The most notable acts passed by this session of parliament were: the removal of the clerical estate from parliament; the outright authority in ecclesiastical matters given to the General Assembly; the ratification of the National Covenant and the assertion that all holders of civil and ecclesiastical office must subscribe it; the passing of the triennial act requiring parliament to meet at least once every three years; and the establishment of a committee of Estates to deal with national security outside of parliamentary sessions.¹¹⁷ Charles was present at the 1641 parliament but allowed the acts to be published without having been touched with his sceptre (a usual requirement for acts to be passed, denoting royal approval) as requested by the hardline Covenanting faction. Stevenson argues that this action implied that parliamentary acts did not require the king's assent and was thus a concession of royal authority.¹¹⁸ Stewart agrees, arguing that the hardliners sought a degree of royal assent to the acts but disregarded the sceptre, thus endorsing 'the legal humanist tradition that placed legislative sovereignty in the three estates acting with the consent of the king'.¹¹⁹

Prior to the 1641 session of parliament, Charles hoped to placate the leading hardliners by handing out titles and pensions, most notably to the Earl of Argyll, who was

¹¹⁵ Charles L. Hamilton, 'The Basis for Scottish Efforts to Create a Reformed Church in England, 1640-41', *Church History* 30 (1961), pp. 173-176; Charles L. Hamilton, 'The Anglo-Scottish Negotiations of 1640-41', *The Scottish Historical Review* 41 (1962), pp. 84-86; David Stevenson, 'The Early Covenanters and the Federal Union of Britain', in *Scotland and England 1286-1815*, ed. Roger Mason (Edinburgh: John Donald Publishers, 1987), p. 168; James D. Ogilvie, 'Church Union in 1641', in *Records of the Scottish Church History Society* 1 (1926), p. 155.

¹¹⁶ Stevenson, *The Scottish Revolution*, p. 234.

¹¹⁷ RPS, 1640/6/5; 1640/6/27; 1640/6/33; 1640/6/37; 1640/6/42; 1641/8/12 [accessed: 20 March 2017]; Stewart, *Rethinking the Scottish Revolution*, pp. 124-125.

¹¹⁸ Stevenson, *The Scottish Revolution*, p. 234.

¹¹⁹ Stewart, *Rethinking the Scottish Revolution*, p. 125n; see also John Cairns, T. David Fergus, and Hector MacQueen, 'Legal humanism and the history of Scots Law: John Skene and Thomas Craig', in *Humanism and Renaissance Scotland*, ed. John MacQueen (Edinburgh: Edinburgh University Press, 1990).

made a Marquis, and Archibald Johnston of Wariston, who was knighted.¹²⁰ This attempt failed, as the hardliners were emboldened and continued to look south of the border to export their reformation. In the aftermath of the Second Bishops' war, a temporary agreement was made under the Treaty of Ripon between Charles' English commissioners and the Scottish Covenanted government in 1640 which ceded Durham and Northumberland to Scotland. The Covenanters pushed for further concessions during negotiations in London. In particular, the Scottish representatives attempted to promote the abolition of Episcopacy and the establishment of Presbyterian church government in England.¹²¹ Although Scottish attempts at facilitating an Anglo-Scottish union based on uniform standards of worship were rejected by the English Parliament and not enshrined in the 1641 Treaty of London, by 1643 the political situation had changed and the English Parliament became willing to discuss religious uniformity in return for military assistance in their war against Charles I's royalist forces. The remainder of this chapter will discuss the creation and reception of the Solemn League and Covenant, and its immediate consequences in Scotland in relation to the development of Covenanted ideas and the further engagement of ordinary people and women.

As remarked above, there was a hardline/royalist split evident in the 1639–41 sessions of parliament. As early as 1640, there is evidence of a breakaway group of Covenanters being formed who perceived the National Covenant as an oath which above all else asserted the king's majesty. This was therefore incompatible with open rebellion against Charles in the Bishops Wars and the limitation of royal power by act of parliament. The Marquis of Montrose had sworn the National Covenant and been the leader of the Covenanted regime in the north east in 1638 and 1639, but the hardline interpretations of the Covenant which allowed open conflict with Charles did not sit well with his understanding of Covenanted obligations to maintain the king's majesty. He therefore drew up the Cumbernauld band in August 1640 to secure the religion, laws, and liberties of the kingdom against those in military opposition to Charles.¹²² The band stated that 'the indirect practising of a few' had led to war and suffering, and the subscribers therefore:

heartily bind and oblige ourselves, out of duty to all these respects above mentioned [religion, king, country and covenant], but chiefly and mainly that Covenant ... to wed and study all public ends which tend to the safety both of Religion, Laws, and Liberties of this poor kingdom.¹²³

¹²⁰ Stevenson, *The Scottish Revolution*, p. 241.

¹²¹ Peter Donald, *An Uncounselled King: Charles I and the Scottish troubles* (Cambridge: Cambridge University Press, 1990), pp. 268-306.

¹²² Cowan, *Montrose*, pp. 93-98.

¹²³ John Lumsden, *The Covenants of Scotland* (Paisley: Alexander Gardner, 1914), pp. 255-256.

This band was signed by Montrose, the earls of Marischal, Atholl, Mar, Galloway, Kirkcudbright, Perth, Wigton, Kinghorn, Seaforth, Home, Lord Erskine (son of Mar), Lord Johnston, Lord Boyd, Lord Almond, Viscount Stormont, Lord Drummond, Lord Lour, and his son the Master of Lour.¹²⁴ On the one hand, the Covenanting regime was willing to engage militarily with Charles as they perceived the true religion to be under threat. On the other, Montrose and his followers could no longer support the regime as they believed that it had broken the promise in the Covenant to uphold the king's majesty. The Cumbernauld band was also a reactionary response to the actions of Argyll, who had been enlisting men into the Covenanting army from the north of Scotland during the Bishops' Wars and who was extracting oaths of loyalty from a group of nobles and gentry in 1639. Macinnes argues that these were general bands of surety and manrent to himself and the Committee of Estates, but were viewed as treasonable by some, including Montrose.¹²⁵ It has also been demonstrated by Macinnes and Cowan that Montrose feared the increasingly centralised nature of the Covenanting government which granted significant power to Argyll and reduced the power of local nobles and gentry.¹²⁶ Thus, a breakaway group of Covenanters was formed who advocated a royalist interpretation of the National Covenant and were motivated by an aversion to centralisation, rebellion and the increasing political power of Argyll.

The defection of Montrose was complete with his refusal to swear and subscribe the 1643 Solemn League and Covenant. After months of negotiations between the General Assembly and the English Parliament, the Covenanting regime agreed to supply the parliamentary forces opposing Charles with military aid in return for the establishment of a Covenanted union between the two nations centred on the expansion of Presbyterianism into England. The negotiations of July and August 1643 demonstrate that this session of the General Assembly viewed supporting Charles' opponents as consistent with the aims of the National Covenant. The English Parliament presented their war as a war against papists, arguing that Charles I planned to reintroduce Catholicism in England which would inevitably spread to Scotland. This, combined with the revelation that Charles had planned for the Catholic Earl of Antrim to invade Scotland from Ireland, allowed the Covenanting regime to reconcile rebellion against the king with the defence of Presbyterianism. As Gilbert Burnet interpreted the situation:

¹²⁴ Baillie, *Letters*, ii, pp. 467-468; *Memorials of Montrose and his Times*, i, ed. Mark Napier (Edinburgh: Maitland Club, 1848). pp. 254-5; Cowan, *Montrose: For Covenant and King*, pp. 97-98.

¹²⁵ Macinnes, *The British Confederate*, pp. 138-140.

¹²⁶ *Ibid.*, pp. 139-40; Cowan, *Montrose*, chapter 5.

If then it appeared that the settlement of the true religion was obstructed by the king, so that they could not come at it but by putting him out of the way, then their oath could not bind them to the preserving him any longer.¹²⁷

This point is further exemplified by the General Assembly's letter to Charles following ratification of the Solemn League, restating the Assembly's loyalty to him with the qualification that in this case 'we finde our obligation to be religious', thus emphasising the conditional nature of the National Covenant as this Assembly understood it.¹²⁸

The 1643 League and Covenant consisted of six articles. Article one set out an agreement to maintain the independent churches of each kingdom yet to have uniformity in religion, confession of faith and form of church government. Secondly, the subscribers promised to 'indeavour the exstirpation of poperie, prelatie, superstitione, heresie, shisme and profainnes and quhatsoever salbe fund to be contrairie to sound doctrine and the power of godlines'. The rights and liberties of each parliament were affirmed in the third article, as was the king's majesty. This article specifically states 'we have no thocht nor intentiones to diminisch his maties just power and greatnes', but the fact that the rights and liberties of parliament were stated first could, and would, lead some to believe that loyalty to the king was conditional upon the maintenance of the rights and liberties of parliament. Indeed, statements of loyalty to the king are far less prominent in the Solemn League than they are in the National Covenant. Articles four and five promised to try people who had opposed or hindered the reformation and to preserve the 1641 agreements for peace. The sixth and final article was a promise to defend everyone who subscribed the League and Covenant, a promise to zealously promote it, and an appeal for forgiveness from God for the sins of each nation.¹²⁹ It was subscribed in the three kingdoms in the final few months of 1643.¹³⁰ Days before the Solemn League negotiations came to a close, the General Assembly ordered the National Covenant to be reprinted and sent to the Scottish parishes along with a 1639 act asserting the compulsory nature of subscription.¹³¹ It is clear, therefore, that the National Covenant was in the hearts and minds of those sitting in the

¹²⁷ Gilbert Burnet, *Bishop Burnets History of His Own Time. From the Restoration of King Charles ii to the Conclusion of the Treaty of Peace at Utrecht, in the reign of Queen Anne.* i (London: R.H. Evans, 1809), p. 57; Baillie *Letters*, ii, p. 80; Henry Guthrie, *The Memoirs of Henry Guthry, Late Bishop of Dunkeld: Containing an Impartial Relation of the Affairs of Scotland, Civil and Ecclesiastical, from the Year 1637 to the Death of King Charles I* (Glasgow, 1747), p. 136.

¹²⁸ 'Acts: 1643' *Acts of the General Assembly of the Church of Scotland 1638-1842* (1843), pp. 73-92 <<http://www.british-history.ac.uk/church-scotland-records/acts/1638-1842/pp73-96>> [accessed: 19 May 2014].

¹²⁹ RPS, 'Declaration: the Solemn League and Covenant between Scotland and England' 1643/6/75 [accessed 19 May 2014].

¹³⁰ For subscription in England and Ireland, see Edward Vallance, *Revolutionary England and the National Covenant: State Oaths, Protestantism and the Political Nation, 1553-1682* (Woodbridge: The Boydell Press, 2005), and Kirsteen MacKenzie, 'Presbyterian Church Government and the 'Covenanted Interest' in the Three Kingdoms 1649-1660'.

¹³¹ 'Acts: 1643', *Acts of the General Assembly*.

General Assembly in 1643 at the point when the Assembly was negotiating with the English Parliamentarians in the drafting of the Solemn League. However, it was the hardline interpretation of the National Covenant, based on conditional loyalty to the monarch, which determined the General Assembly's course of action in 1643, and this was why Montrose did not subscribe.

Pamphlet debates on the reintroduction of Episcopacy in 1662 suggest that Episcopal government was not explicitly denounced by the Solemn League. While it can be safely assumed that the leading Covenanters at this point, having denounced Episcopacy officially in December 1638, similarly intended the Solemn League to reject Episcopacy, the issue is not entirely clear. Article two is essential in this debate. Laura Stewart argues that the Solemn League and Covenant represented an 'explicit denunciation of episcopal government'.¹³² Neil McIntyre points out that the Solemn League denounced 'prelacy', providing a quotation from Samuel Gardiner's edited collection of *Constitutional Documents*. After the word 'prelacy' in article two of Gardiner's copy of the Solemn League an explanation is added in parentheses which states 'that is, Church government by Archbishops, Bishops, their Chancellors and Commissaries, Deans, Deans and Chapters, Archdeacons, and all other ecclesiastical officers depending on that hierarchy'.¹³³ However, the Covenant as published in the *Records of the Parliament of Scotland* simply states 'prelacy' without the explanatory note, as does Gordon Donaldson's edition in *Scottish Historical Documents*. Moreover, Donaldson's edition adds a note at the end of the Covenant which refers to the existence of 'several printed versions' with 'minor variants'.¹³⁴ The version printed by Evan Tyler in Edinburgh in October 1643 does contain the explanation.¹³⁵ This was the copy sent out for subscription and it is therefore likely that most subscribers read or heard the explanation, but this would need to be verified by an examination of all thirty-nine existing copies, which are scattered throughout Scotland.¹³⁶

Even with the explanation it is possible that the Solemn League was not understood as a rejection of Scottish Episcopacy, as the explanation was added during revision in the English parliament at the end of August 1643 (after it had been passed by the Scottish parliament) and refers to offices which were a feature of the English Church but had never

¹³² Stewart, *Rethinking the Scottish Revolution*, p. 100.

¹³³ *The Constitutional Documents of the Puritan Revolution 1628-1660*, ed. Samuel Rawson Gardiner (Oxford: Clarendon Press, 1889) p. 188; McIntyre, *Saints and Sinners*, p. 6.

¹³⁴ *RPS*, 1643/6/75; Donaldson, *Scottish Historical Documents*, pp. 210

¹³⁵ *A Solemn League and Covenant, for defence of religion, the honour and happinesse of the king and the peace and safety of the three kingdoms of England, Scotland and Ireland* (Edinburgh: Evan Tyler, 1643).

¹³⁶ David Stevenson, 'The Solemn League and Covenant: A List of Signed Copies', in *Records of the Scottish Church History Society*, 25 (1995), pp. 154-187.

existed in the Scottish Kirk, namely deans, chapters, and archdeacons.¹³⁷ Moreover, hundreds of Scottish ministers conformed to Episcopacy in 1662 despite having signed the Covenants. Unfortunately, contemporary accounts are silent on this question, but it received lengthy debate at the Restoration. Andrew Honyman and Robert Leighton, signatories of the Solemn League and conformists to Episcopacy after 1660, both argued that article two of the Solemn League referred to English prelatie hierarchy which was not synonymous with primitive Scottish Episcopacy and therefore conforming to Episcopacy in 1662 was not a breach of the Covenants.¹³⁸ This issue is of great importance as it shows that there is a difference between the intended meaning of the Covenants and how they were interpreted. While the authors of the Covenants in Scotland most probably believed Presbyterianism to be the ‘true religion’, not every signatory necessarily believed that they were agreeing to defend and advance Presbyterianism and denounce Episcopacy.

The role of women in subscription to the Solemn League and Covenant was also ambiguous in 1643. The dissemination of this Covenant is easier to track than the 1638 Covenant as it was issued by the General Assembly through the church courts rather than through a network of nobles and local elites. The General Assembly printed and disseminated the Solemn League for subscription in late October 1643. The twenty-six kirk session records and thirteen presbytery records which contain regular, detailed minutes for the year 1643 all mention the Solemn League. Having received the Covenant, the presbyteries sent it to the parishes where it was sworn and subscribed in order of social hierarchy after being read and explained by the minister.¹³⁹ While there is only one known instance of women both swearing and subscribing the National Covenant, there is more evidence to suggest that this happened in 1643. There survives a copy of the Solemn League and Covenant from the parish of Newbattle with female signatures, and accounts of the Solemn League and Covenant subscription process at parish level indicate that the involvement of women varied.¹⁴⁰ Thus, the records of Kirkcaldy Presbytery state that both

¹³⁷ Neither the First nor Second Books of Discipline mention these offices. I would like to thank Dr Neil McIntyre for his advice on this point.

¹³⁸ See chapters 3 and 4; Robert Leighton, ‘A Modest Defence of Moderate Episcopacy, As established in Scotland at the Restoration of King Charles II’, in *The Works of Robert Leighton*, v, ed. Rev. G. Jerment (London, 1808), p. 79; Andrew Honyman, *The Seasonable Case of Submission to the Church-government as now re-established by law, briefly stated and determined* (Edinburgh: Evan Tyler, 1662), pp. 19, 32-33.

¹³⁹ For detailed discussion of the process of subscription, see Jamie McDougall, ‘The reception of the 1643 Solemn League and Covenant’ (unpublished Masters dissertation: University of Glasgow, 2014), pp. 36-44.

¹⁴⁰ Kinghorn Kirk Session Records, CH2/472/1, pp. 249-259; ‘Covenant, for the parish of Newbattle, Midlothian’ <<http://www.scran.ac.uk/database/record.php?usi=000-100-067-655-C&scache=3dov3bsnd3&searchdb=scrans&PHPSESSID=ftjpe052t586pvjk5qkrc9q9u5>> [accessed 05/09/2014].

men and women swore the Solemn League but only men subscribed.¹⁴¹ However, other parishes record that both men and women swore and subscribed, such as Elgin and Aberlady.¹⁴² As with most aspects of the Covenants, practices differed between localities, but some women certainly subscribed both the National Covenant and the Solemn League.

The surviving church records show that the Covenants were subscribed in some areas of the Highlands and Isles, but predominantly in the north east.¹⁴³ Survival rates for presbytery and kirk session records in the rest of the Highlands for this period are very low, but the synod records of Argyll and Moray and the presbytery records of Dingwall provide some insight into difficulties the Kirk faced in attempting to gain widespread subscription. In July 1642 the synod of Argyll found that the National Covenant had not been subscribed by ‘so many’ ministers and elders in Skye that a subscription campaign was launched that day.¹⁴⁴ The synod continued to have problems with Skye, and in 1644 they discovered that ‘some are privately received to the subscriybeing of the Covenant, whilk is against the solemnity that is competent in matters of such importance’. Anyone who had taken the Covenant in private was ordered to resubscribe ‘before the session or in the public congregation’.¹⁴⁵ In 1649 and 1650 the synod was still having difficulty gaining subscriptions to the Solemn League and Covenant in that area, and decided to hold the presbytery of Skye accountable, ordering them to gain subscriptions ‘with all diligence and pains as they will be answereable’.¹⁴⁶ Similarly, in April 1644 the provincial assembly at Moray reported success in gaining subscriptions to the Solemn League and Covenant in Strathspey, but that ‘all within ye bounds of Badenoche doe ... refuse obedience’.¹⁴⁷ In 1649, the elders of Dingwall Presbytery reported that the minister of Dingwall ‘did urge the subscription of the League and Covenant first and last bot that yey [the parishioners] refused the same both tymes for fear of yer Superiors’.¹⁴⁸ Clearly, the nobility in Dingwall did not want subscription of the Solemn League and Covenant to take place and forbade their vassals from subscribing. This episode is indicative of the importance of noble

¹⁴¹ Kirkcaldy Presbytery, NRS CH2/224/1, p. 438.

¹⁴² Elgin Kirk Session, NRS CH2/145/6, p. 78; Aberlady Kirk Session, CH2/4/1, p. 89.

¹⁴³ Duffus Kirk Session, NRS CH2/96/1/1, pp. 28, 27; Menmuir Kirk Session, NRS CH2/264/1, p. 37; Cullen Kirk Session, NRS CH2/1113, p. 14; Belhelvie Kirk Session, NRS CH2/32/2, p. 25; Elgin Kirk Session, NRS CH2/145/6, p. 78; Elgin Presbytery, NRS CH2/144/1, p. 91; Turriff Presbytery, NRS CH2/1120/1, p. 53. Strathbogie Presbytery, NRS CH2/342/2, pp. 1-5; Ellon Presbytery, NRS, CH2/146/3, p. 42

¹⁴⁴ *Minutes of the Synod of Argyll 1639-1651*, ed. Duncan C. MacTavish (Edinburgh: T and A Constable for SHS, 1943), i, p. 43.

¹⁴⁵ *Ibid.*, p. 88.

¹⁴⁶ *Ibid.*, pp. 150, 176; Macinnes, *The British Confederate*, p. 198.

¹⁴⁷ Synod of Moray minutes, NRS CH2/271/1, p. 278; Macinnes, *Ibid.*

¹⁴⁸ *Records of the Presbyteries of Inverness and Dingwall, 1643-1688*, ed. William Mackay (Bibliolife, 2009).

backing, particularly in areas which were more remote and had fewer ties to the Covenanting heartlands in the central belt.

In the absence of further church records, Allan Kennedy and Barry Robertson have used sources such as family estate papers and clan histories to pinpoint northern areas where the Covenanting regime was successful as a result of gaining noble support. Kennedy argues that the Earl of Sutherland was ‘one of the most consistently Covenanting nobleman in Scotland, with the exception of Argyll’.¹⁴⁹ Kennedy also notes the backing the early Covenanting regime received from leading nobles in Sutherland, Caithness, Inverness and Cromarty.¹⁵⁰ Given that noble opposition could cause significant problems in gaining subscriptions, it is likely that noble support for the Covenanters equated to Covenant subscriptions. Inverness Presbytery Records survive but do not contain reference to the National Covenant. The Solemn League and Covenant was, however, subscribed within its bounds.¹⁵¹ Moreover, Robertson argues that the Earl of Sutherland was in favour of the National Covenant and pinpointed Covenant subscriptions in areas such as Moray, Elgin, Deer, Pitsligo and Belhelvie.¹⁵² Macinnes has demonstrated that the areas of the Highlands that showed support for the Covenanters were those areas in which the Protestant reformation was most successful: Argyllshire, Perthshire, southern areas of Ross, Sutherland and Caithness.¹⁵³ Although the surviving evidence is sparse, the Covenants certainly were subscribed in parts of the Gàidhealtachd. It is difficult to assess grassroots reception of the Covenants due to the lack of sources, but the events of 1644–52 sparked a vernacular response in the form of poetry which is revealing of Gaelic perceptions of the Covenanting regime and will be discussed in chapter two.

The ideas that people were exposed to during the subscription process varied in the parishes. The notion of a Covenant that united the national churches in the three kingdoms through a single form of church government received significant attention in the accounts of the subscriptions in the kirk session and presbytery records. In contrast, the monarchical allegiance aspect of the Covenant received little attention. Eight kirk sessions (31% of those for which records survive) and seven presbyteries (54% of those for which records survive) make specific reference to the three kingdoms when describing the subscription process. The minister of Dalkieth described the Solemn League as ‘ane effectuall mean for

¹⁴⁹ Allan Kennedy, ‘“A Heavy Yock Uppon Their Necks”: Covenanting Government in the Northern Highlands, 1638-1651’, p. 99.

¹⁵⁰ *Ibid.*, p. 107.

¹⁵¹ Inverness Presbytery, NRS CH2/553/1, p. 149.

¹⁵² Barry Robertson, ‘The Covenanting north of Scotland, 1638-1647’, pp. 37-38.

¹⁵³ Macinnes, *The British Confederate*, p. 200.

repressing idolatrie and uniting the three kingdoms in ane uniforme religion & discipline, that gods church may enjoy puritie [and] peace'.¹⁵⁴ Kilconquhar Presbytery ordered public humiliation to be held for 'the estate of gods buick [book] abroad in England and Ireland' on 8 October 1643.¹⁵⁵ The frequency of references to the three kingdom Covenant and Kilconquhar Presbytery's reference to promoting God's book abroad demonstrates that the idea of establishing a uniform standard of church government and worship under a three kingdom Covenant was effectively relayed to a portion of the Lowland laity. In contrast, the only session or presbytery to mention the king was the kirk session of Dunfermline, which referred to the dual allegiance to church and king, affirming that the Solemn League was for 'the defence of religion... honor and happines of the king and the peace and saftie of the thrie kindoms'.¹⁵⁶ Although it is important not to generalise with a relatively small amount of evidence, it appears that the three kingdoms being unified under one form of church government was a widely received idea, whilst loyalty to the monarch is less evident. Here too, there were variations at local level.

The terms 'Covenants' and 'Covenanters' appear in the church records in 1643 and the evidence suggests that these ideas could take on a variety of different meanings. In some areas, the Solemn League was sworn alongside the 1638 National Covenant. On 9 November 1643 the kirk session of Colmonell ordered the subscription of 'the covenant of this kingdome and the league and covenant for the thre Kingdomes'.¹⁵⁷ Similarly, a man came before the East Lothian presbytery of Haddington on 1 November 1643 and 'confest he his subscrybid the last covenant on Sonday last, and offered to subscribe the first presently'. The presbytery then ordered the man to go to the nearest parish to swear and subscribe it.¹⁵⁸ Thus, the notion of 'the Covenants' emerged: first being propagated at the General Assembly then relayed to the localities through subscription to the Solemn League alongside the National Covenant in certain areas. It is also during the Solemn League subscriptions that the idea of 'Covenanters' becomes evident. A minister from Markinch came before Kirkcaldy Presbytery in December 1643, accused of referring to the deposed Andrew Lermont (discussed above) as 'ane covenanter' despite it being common knowledge that he embraced the Five Articles of Perth.¹⁵⁹ The paucity of evidence makes it difficult to establish how widespread the language of 'Covenants' and 'Covenanters' was, but it was certainly not limited to the south west. As outlined earlier, not everyone who

¹⁵⁴ Dalkieth Kirk Session, NRS CH2/84/1, p. 13.

¹⁵⁵ Kilconquhar Presbytery, NRS CH2/210/1, p. 104.

¹⁵⁶ Dunfermline Kirk Session, NRS CH2/592/1/1, p. 28.

¹⁵⁷ Colmonell Kirk Session, NRS CH2/425/1, p. 41.

¹⁵⁸ Haddington Presbytery, NRS CH2/185/5, p. 203.

¹⁵⁹ Kirkcaldy Presbytery, NRS CH2/224/1, p. 442.

swore or subscribed the National Covenant understood it to be a denunciation of Episcopacy, or as advocating conditional loyalty to the king and therefore notions of 'Covenants' and 'Covenanters' could have a variety of meanings. Indeed, the fact that someone had labelled the Episcopalian Lermouth (deposed for refusing to subscribe the National Covenant) as a Covenanter shows that the term was very fluid.

Conclusion

This chapter has shown that Covenanting was complex and multi-faceted and was interpreted in multiple ways at local level. Both Covenants were drawn up to defend the 'true religion' from the actions of Charles I. They both also contained explicit obligations to defend the king's majesty. What constituted the true religion and whether loyalty to the king superseded loyalty to the church were the two main areas of contention in the Covenants. This had roots in the sixteenth century, caused early divisions in the Covenanting venture, and remained permanently unresolved. The Covenants were sworn throughout the Lowlands and in parts of the Highlands by men and women of all social rank. Tensions in the text of the Covenants, particularly the National Covenant, allowed for local variations to emerge. This is exemplified by the inconsistent references to the Glasgow Declaration in the kirk session records in 1639 and in the surviving copies of the Covenants; the permitting of some to sign the National Covenant with limitations while others were pursued rigorously; the infrequent references to the king in the subscription records of both Covenants; and the controversy over an Episcopalian being labelled as a Covenanter in Kirkcaldy in 1643. Some parishes permitted women to both swear and subscribe the Covenants while in others – probably the majority – women only swore. The involvement of women in Covenanting through protest and swearing of the oaths had radical potential, and as early as 1639 there is evidence of a group of women taking violent action based on their interpretation of the National Covenant. This is another aspect of the Covenant subscription process that differed between localities. What this chapter has revealed is that even before the major split in 1648 Covenanting was not a cohesive, monolithic movement, but rather a very fluid ideology in which a variety of opinions surfaced surrounding the nature of the monarchy in relation to parliament and religion and the search for the purest form of church government. The involvement of ordinary people and women in this venture had wide ranging ramifications which will continue to be examined in the following chapters.

Local Engagement with Covenanting Controversy 1643–1652

This chapter assess the remainder of the early Covenanting period, analysing how the localities were engaged in national controversies. It also investigates the development of hardline, conservative, and royalist thought, arguing for a spectrum of Covenanting opinions. The pivotal moments during this period in which Covenanting ideas and local engagement will be assessed are: the implementation of the 1645 *Directory for Public Worship*, the Scottish Civil War of 1644–45, the 1647–8 Engagement, and the crises of 1649–52. By examining how the Covenants were interpreted at national and local level at these moments during the 1640s, a spectrum of Covenanting opinion will be outlined including royalists, conservatives, Protestors and Resolutioners. Moreover, it will be argued that the national nature of Covenanting meant that appeals to public opinion were necessary to ensure that the aims of the Covenants were met. Leading hardline Covenanters dominated Scotland's government throughout the 1640s, with a brief conservative ascendancy under the Engagement in 1647. Debates surrounding the nature of Covenanting at parliament and General Assembly level were relayed to the localities as competing regimes sought national adherence to their interpretation of the Covenants. Everyone was responsible for pursuing the aims of the Covenants, and at times of crises different factions sought to ensure adherence to a particular interpretation. A national form of worship was established as a crucial aspect of Covenanting in 1645, and the localities were further engaged in the controversies surrounding the Engagement and Cromwellian invasion through Covenant resubscription campaigns, petitioning, and fasting. Many ordinary people found themselves excluded from Covenanting by the post-Engagement government crackdown on 'malignancy', which highlighted further schisms sought to enforce a hardline interpretation of the Covenants onto the nation. The full range of Covenanting ideas prevalent at local level will be uncovered, as will some of the immediate consequences such as the absorption of Covenanting language and practice into worship and communion, the assault on the aristocracy and 'malignant' ministers in 1648–9, and the growing engagement of local congregations in the affairs of the church and state.

The Westminster Directory and its reception 1645–1646

To fulfil the obligations of the Solemn League and Covenant, the 1643 General Assembly nominated eight commissioners to participate in the Westminster Assembly of Divines with their English counterparts to help draw up new liturgy and achieve uniformity of

religion. The Scottish commissioners comprised of five clerics: Alexander Henderson, Robert Douglas, Samuel Rutherford, Robert Baillie, and George Gillespie; two nobles: John Kennedy, sixth Earl of Cassilis, and Lord John Maitland (later Duke of Lauderdale and secretary of state 1661–1680); and one lawyer: Sir Archibald Johnston of Wariston.¹ The *Directory for Public Worship* was agreed upon in 1645 and received fairly wide exposure on the ground in Scotland. On disseminating the *Directory*, the General Assembly presented it as a key component of the Solemn League, a notion that was also effectively relayed to the presbyteries. This, combined with very limited evidence of dissent, indicates that the *Directory* was well received on the ground and that congregations accepted that in a Covenanted church they needed to be obedient to the General Assembly and follow the forms of worship advocated by the *Directory*. Several changes to worship were instigated, discussed below. The liturgical practices advocated in it were banned after 1662 and observing its recommendations became a feature of Covenanting dissent during the 1660s and 1670s (discussed in chapters four and five). The focus here is primarily on the changes to worship instigated by the *Directory*, the extent to which this was understood as an essential aspect of the Solemn League and Covenant and how widespread its adoption was in Scotland. This will provide a better understanding of Covenanting ideas in the 1640s and, as a result, the wide variety of responses to the changes to worship formulated by the Scottish bishops in 1662.

Very little research has been done on the implementation of the *Directory* in Scotland. Indeed, two of the main authorities on the early Covenanters: Stewart's *Rethinking the Scottish Revolution* and Stevenson's *Revolution and Counter Revolution* make only passing mention of the *Directory*. The majority of research which exists focuses on the specific changes to worship and the extent to which they were adopted by the ministers. There is also little agreement among historians who have looked at implementation, with historians such as Maxwell, Cheyne and Raffe arguing that the *Directory* was unenthusiastically received whilst Langley and Donaldson suggest that it achieved a wide reach but allowed for a degree of flexibility in practice due to its slow implementation by local authorities.² Langley is the most recent historian to discuss the

¹ 'Acts: 1643', *Acts of the General Assembly of the Kirk of Scotland 1638-1842*, pp. 73-96 <<http://www.british-history.ac.uk/church-scotland-records/acts/1638-1842/pp73-96#h3-0027>> [accessed: 11 March 2017].

² William D. Maxwell, *A History of Worship in the Church of Scotland* (Oxford: Oxford University Press, 1955), p. 105; A.C. Cheyne, 'Worship in the Kirk: Knox, Westminster, and the 1940 Book', in *Reformation and Revolution: Essays presented to the Very Reverend Principal Emeritus Hugh Watt*, ed. Duncan Shaw (Edinburgh: The Saint Andrew Press, 1967), p. 79; Raffe, *Culture of Controversy*, p. 135; Donaldson, 'Covenant to Revolution', in *Studies in the History of Worship in Scotland*, p. 61; Chris R. Langley, "'A Sweet Love-Token betwixt Christ and His Church': Kirk, Communion and the Search for the Further

Directory. In his 2016 monograph he examined the text of the document and the synod and presbytery record evidence, arguing that while the changes were gradual and uneven, the *Directory* was certainly used in the central belt, particularly throughout the synod of Lothian and Tweeddale.³ Contemporaries are silent on the issue of reception: with all references to the *Directory* in letters, autobiographies, histories, and diaries of men like Baillie, Wariston, Brodie, Burnet, and Blair all pertaining to the negotiations surrounding its creation in the Westminster Assembly or its acceptance by General Assembly and parliament. The extant church records are not particularly revealing of responses to the implementation of the *Directory*, but an idea of its exposure and possible interpretations on the ground can be gleaned by examining the presbytery orders to implement it and the synod investigations into adherence.

On 3 February 1645, the General Assembly passed an act ‘for the Establishing and putting in Execution of the Directory for the Publick Worship of God’. This act stated that the move towards peace and uniformity of worship in the three kingdoms had begun in 1641 under the Treaty of London:

and, afterward, with greater strength and maturity, revived in the Solemne League and Covenant of the three kingdomes, whereby they stand straitly obliged to endeavour the nearest uniformity in one forme of Church Government, Directory of Worship, Confession of Faith, and Forme of Catechising.⁴

According to this act of the 1645 General Assembly, the observance of a uniform standard of worship was a crucial obligation of the Solemn League and Covenant which the subscribers were bound to observe. The *Directory*, which was formally adopted by the Kirk as a result of this act, could therefore be understood as an essential aspect of the Covenant. It was approved by parliament on 6 February 1645 and the General Assembly ordered it to be sent to all the synods and presbyteries for dissemination to, and practice by, all ministers in Scotland.⁵ The Edinburgh-based printer Evan Tyler was chosen to print the *Directory*: the same printer used for dissemination of the Solemn League and Covenant, as well as tracts supporting various Covenanting and royalist positions.⁶ This 1645 version of

Reformation, 1646-1658’, in *Scotland’s Long Reformation: New Perspectives on Scottish Religion, c. 1500 – c. 1660*, ed. John McCallum (Leiden: Brill, 2016), p. 98.

³ Chris Langley, *Worship, Civil War and Community*, pp. 69, 131-136. I would like to thank Dr Langley for his advice on the content and dissemination of the *Directory*.

⁴ ‘Acts: 1645’, *Acts of the General Assembly of the Kirk of Scotland 1638-1842*, pp. 111-135 <<http://www.british-history.ac.uk/church-scotland-records/acts/1638-1842/pp111-135#h2-0005>> [accessed: 11 March 2017].

⁵ *Ibid.*; *RPS*, ‘Act anente the ratificatione of the directorie for publict worship and act of the generall assemblie made thairanent’, 1645/1/65 [accessed 11 March 2017].

⁶ Tyler’s printing works was acquired by the English-owned Stationers’ Company in 1647. See Scott Spurlock, ‘Cromwell’s Edinburgh Press and the Development of Print Culture in Scotland’, in *SHR* 90 (2011), pp. 181-183.

the *Directory* begins with a declaration from the Scottish Committee of Estates forbidding printing of the *Directory* by anyone who had not received licence to do so from the General Assembly. This is followed by the acts of parliament and General Assembly formally adopting the *Directory* with orders for its dissemination and implementation by all ministers in Scotland.⁷ Thus, the notion that the *Directory* was a crucial component of the Solemn League and Covenant was clear in the text itself. This idea received exposure among the ministers who received it (outlined below). Its adoption on the ground is difficult to uncover due to a paucity of evidence, but the religious controversy discussed in chapters four and five will show that in many localities it was followed closely and understood as an obligation of the Solemn League and Covenant.

The *Directory* replaced John Knox's 1562 *Book of Common Order* as the guideline for worship in Scotland. A robust analysis of the recommendations of the *Directory* is lacking from the historiography and is beyond the scope of this research. However, several key changes must be highlighted in order to understand which liturgical practices were believed to be compatible, or incompatible, with Covenanting. Cheyne argues that the *Directory* 'betokened a material departure from the ways of worship sanctioned by the service-book of the first Reformers'.⁸ The most controversial practices advocated by the Five Articles of Perth were repudiated: communion was to be observed seated at tables, and 'Festivall dayes, vulgarly called Holy dayes, having no warrant in the word of God, are not to be continued'.⁹ While the Five Articles of Perth had already been outlawed by the General Assembly in 1638, the exclusion of these practices in the *Directory* reflects the importance the Covenanters placed on observing what they perceived to be the correct forms of worship. Prior to 1645, readers' services were commonplace in the Scottish Kirk. These involved a reader (who was usually a minister in training) reciting a passage of scripture out loud before the minister's sermon. The *Directory* dispensed with the office of reader by combining reading and preaching in the form of lecturing. This was to take place on Sundays and once during the week and involved the minister reading short passages of scripture with his own explanations following.¹⁰ Other central aspects of worship in the Kirk recommended by the *Book of Common Order* which were ousted by the *Directory* were: the reciting of the Lord's prayer at the beginning and end of sermons; the recitation of the Apostles' Creed at baptism; and the singing of the Doxology. While the Lord's

⁷ *A Directory for the Publike Worship of God Throughout the three Kingdoms of Scotland, England and Ireland* (Edinburgh: Evan Tyler, 1645), pp. A1-B3.

⁸ A.C. Cheyne, 'Worship in the Kirk: Knox, Westminster, and the 1940 Book', p. 79.

⁹ *Directory*, pp. 41, 65.

¹⁰ *Ibid.*, pp. 11-12, 24-26.

Prayer was not explicitly denounced by the *Directory*, it was replaced by new forms of opening and closing sermon prayers.¹¹ There is no mention of the Doxology: rather, psalm singing was advocated as the most appropriate way of a closing sermon.¹² Similarly, although the Apostles' Creed was not mentioned explicitly, the recommendations on baptism instigated a departure from the practice of reciting it. Rather than having parents recite the Apostle's Creed before the child was baptised, ministers were to exhort parents to raise their child in the Christian religion.¹³ It is worth noting that it was liturgical changes, passed without the consent of the General Assembly or parliament, that had precipitated dissent in 1637. The changes in 1645 were passed by an English Assembly that debated a range of issues most of which were irrelevant to Scotland. However, the key difference was that the *Directory* was also passed by the General Assembly and approved by parliament and thus had the legitimacy that the 1637 prayer book did not.

The *Directory* appears to have received widespread exposure on the ground, with all eighteen of the surviving presbytery records for the summer and autumn of 1645 ordering it to be practised.¹⁴ While this represents just under one third of the total number of presbyteries, it is striking that all mention the *Directory*. By comparison, chapters four and five will show significantly lower levels of engagement and compliance with changes to worship instigated by the reinstated bishops in 1662. Perhaps one of the main differences between the implementation of the *Directory* and the changes in the Restoration period was that the General Assembly in the 1640s engendered more widespread support than the controversially reconstituted bishops in the 1660s. The synods of Lothian and Tweeddale and Fife reported widespread use of the *Directory* in April and May 1646.¹⁵ While the synod records of Aberdeen do not survive between 1640 and 1651, later evidence shows that the *Directory* was implemented within its bounds. In 1657 the synod received a request from Adam Barclay, minister of Kinbuck 'to erect and establish ane to read the Scriptures in the face of that congregation Sabbathlie before sermon'. This request was promptly denied and the synod reaffirmed their commitment that 'thie directorie for worshippe established by thie Generall Assemblie be observed in

¹¹ *Ibid.*, pp. 12-24, 30-31.

¹² *Ibid.*, p. 32.

¹³ *Ibid.*, 32-9.

¹⁴ Presbytery records survive in complete form for 1645: Biggar, Brechin, Ceres, Dunoon, Elgin, Fordyce, Glasgow, Haddington, Jedburgh, Kirkcaldy, Lanark, Linlithgow, Paisley, Peebles, Perth, Stranraer, Ayr, Dumbarton.

¹⁵ Lothian and Tweeddale Synod Records, NRS CH2/252/2, pp. 145-156; Fife Synod Records, CH2/154/2/1, pp. 136-137.

all pointes, under the pain of censur'.¹⁶ While the surviving synod records are sparse, the evidence suggests that, in the Lothians, Fife, and Aberdeenshire areas, implementation of the *Directory* was achieved. Moreover, the case in Aberdeen is further evidence that readers' services were understood to be directly contradictory to the recommendations of the *Directory*.

Revealing evidence in the presbytery records can be uncovered by examining references to the acts of the General Assembly alongside orders to implement the *Directory*. Over half of the surviving records confirm that the acts of the 1645 General Assembly were disseminated with the *Directory* which suggests that, in many areas, the new forms of worship were understood as a component of the Solemn League and Covenant. For example, Ayr Presbytery ordered that 'the directorie for ye publict worship suld be put into practise w[i]t[h] all diligence... and of ye acts of ye late g[e]n[er]all assemblie to be distribute'.¹⁷ Others, such as Jedburgh, simply stated that 'It is ordained that the directorie be intimat on Sunday nixt and put in practise the nixt Lords day'.¹⁸ As outlined above, the act of the General Assembly which adopted the *Directory* explicitly presented the observation of this uniform standard of worship as a Covenanting obligation. The fact that the majority of surviving records affirm that the *Directory* was disseminated with this act suggests that it was not just the members of the General Assembly who embraced this interpretation of the 1645 changes to worship. Moreover, as outlined above, the act of the 1645 General Assembly that adopted the *Directory* was included in the version printed by Evan Tyler. Therefore, regardless of whether the presbyteries formally distributed the acts of the General Assembly to their ministers, it is likely that many clergy understood this change to worship as a component to the Solemn League and Covenant.

As highlighted by Langley, there is only one notable instance of dissent to the imposition of the *Directory*.¹⁹ Opposition seems to have come from an elderly and underperforming minister who perhaps held royalist sympathies rather than being a staunch ideological opponent of the Covenanters. When representatives from Biggar Presbytery visited the kirk of Symington in July 1646, they raised several grievances with its minister, Andrew Gudlad. Gudlad had not been holding sermons on Sunday afternoons or weekdays, had not been visiting the sick, and 'had delayed to beginne the practise of the

¹⁶ *Selections from the Records of the Kirk Session, Presbytery, and Synod of Aberdeen*, ed. John Stuart (Aberdeen: Spalding Club, 1846), p. 240.

¹⁷ Ayr Presbytery Records, NRS CH2/532/1, p. 210.

¹⁸ Jedburgh Presbytery Records, NRS CH2/198/3, p. 41.

¹⁹ Langley, *Worship, Civil War, and Community*, p. 69.

Directorie ... Notwithstanding that the rest of the brethrine had begunne the same'.²⁰ The presbytery clearly believed there to be universal observance of the *Directory* within their bounds with the exception of Gudlad. He answered that he had not yet implemented the *Directory* as 'if the King suld prevail and bring in Byshops they wold call us false knaives'.²¹ This statement hints that Gudlad may have held royalist sympathies and that he perhaps favoured government of the church by bishops, although he may have just been disillusioned with the pace of religious change. The presbytery also found that his doctrine was 'not edifieing', and was 'w[i]thout method w[i]thout any cleare sense or meaning... bot instead yrof he had spent ye tyme by repeating often over words of the text whairby they [the congregation] wer not a littil moved'.²² In 1647 he was pressed by the presbytery once more to observe the practices advocated by the *Directory* but simply responded that 'he was not satisfied with it'. In particular, he argued that 'he wold not use the newe forme of the schismatiks bot wold reade a prayer to them of good Johne Knoxes'.²³ Gudlad was accused of negligence and contempt and thus began a long drawn out dispute which lasted until his deposition in August 1648.²⁴ Gudlad was an elderly minister who had been in his charge since 1623 and his plain style of preaching combined with his comments on the *Directory* suggests that, despite subscribing both Covenants, he was either set in his ways when it came to worship or tired of the constant upheaval.²⁵

Overall, while the surviving presbytery and synod records provide only indicative evidence of the reception of the *Directory*, it appears to have received widespread exposure on the ground with little, if any, ideological opposition. Moreover, it was often received with the acts of the 1645 General Assembly. As outlined above, this Assembly stressed that the *Directory* had been drawn up as a result of the promise to establish a uniform standard of worship in the Solemn League and Covenant.²⁶ This Act was included in the *Directory*, which, when combined with the frequent references to the General Assembly in the presbytery records, suggests that there was a widespread understanding, at least amongst the clergy, that observing the forms of worship advocated in the *Directory* was a Covenanting obligation. Recognising this point is of crucial importance in understanding the legacy of the Covenants and responses to Episcopal government in the 1660s and 1670s, as many ministers and lay men and women remained part of the established church

²⁰ Biggar Presbtyery Records, NRS CH2/35/1, p. 71.

²¹ *Ibid.*

²² *Ibid.*

²³ *Ibid.*, pp. 141-142.

²⁴ *Ibid.*, p. 209.

²⁵ *Fasti*, i, p. 260.

²⁶ 'Acts: 1645', *Acts of the General Assembly of the Kirk of Scotland 1638-1842*, pp. 111-135.

but refused to observe forms of worship that were contradictory to the *Directory*. The focus of the remainder of this chapter will shift away from worship and towards the complex relationship between Covenanting and royalism: a question which further convoluted what it meant to be a Covenanter in Scotland.

Civil War and Engagement 1644–1648

As well as the creation of the *Directory*, another significant consequence of the signing of the Solemn League and Covenant was the outbreak of civil war in Scotland. This episode, combined with the Engagement crisis of 1647–8, is revealing of the range of ideas with which Covenanting interacted and embodied. As highlighted in chapter one, the Marquis of Montrose refused to subscribe the Solemn League and Covenant as he perceived it to be a step too far in limiting the power of the monarchy. A rift had already opened up in parliament between hardline Covenanters under the leadership of Argyll and royalists under the leadership of Montrose. The latter were numerically weaker, but the opposition to the Solemn League and to Argyll was great enough for war to break out in 1644. An unlikely alliance emerged between Montrose and the Irish royalist leader Alasdair MacColla, who had been in exile in Ireland and brought with him an army of Irish Catholic Confederates. The royalists lost the war, but succeeded in drawing Scottish troops out of England and thus limiting Scottish military influence in the first English civil war (although the parliamentarians were still victorious).²⁷ While there were multiple factors influencing the decisions of those who followed Montrose and MacColla, the civil war was a direct result of the ratification of the Solemn League and Covenant, and the war is important in understanding the development of royalist and Covenanting thought in the later 1640s and 1650s. As will be demonstrated here and in the following chapter, a degree of royalism and Covenanting were still compatible until the Glencairn rising of 1653. Having established this attention will then turn to a different brand of royalism, based on the opposition of conservative Covenanters to the imprisonment of Charles I in 1647, which precipitated the Engagement crisis and further complexities in Covenanting ideology.

This section will firstly highlight clan motivations for supporting the 1644 rising with reference to the well-established secondary literature on the topic before assessing the degrees of royalism which bound the diverse grouping together. As outlined in the previous chapter, the 1640 Cumbernauld band was partly motivated by anger towards the

²⁷ Stevenson, 'The Early Covenanters and the Federal Union of Britain', in *Scotland and England 1286-1815*, pp. 163-182; Stevenson, *Revolution and Counter Revolution*, chapter 1.

actions of Argyll from December 1638 onwards, which were perceived as being contradictory to the National Covenant, and resentment of his growing influence in the Covenanted regime. Animosity towards Argyll also provided fuel for the 1644–45 rising, as Campbell lands were routinely attacked by rival clans who joined Montrose and MacColla. The clans who fought for the royalist cause were largely Episcopalian leaning with few links to the Covenanters.²⁸ This rising was pivotal in the development of royalist thought in Scotland and understanding clan rivalries during this period sheds light on the motivations of many of those who followed William Cunningham, eighth Earl of Glencairn in a resistance against the Cromwellian regime in 1653 (see chapter three). MacColla was from the Clann Iain Mhòir branch of Clan Donald which had lost lands in Kintyre, Islay, and Jura to the Campbells in his childhood. Although born on the inner Hebridean isle of Colonsay, MacColla was raised in Clan Donald lands in Ulster and had close links to the Duarts and the MacDonells of Glengarry and Antrim.²⁹ From as early as 1639 Charles I was treating with disaffected Highland and Irish clans. An agreement had been made in which the earls of Antrim would reclaim the territories of Kintyre and Isla lost to Clan Campbell, and the MacDonalds of Sleat would reclaim Ardnamurchan, Strathswordale, and the isles of Rum, Eigg and Canna in return for their loyalty as royal lieutenants. This agreement had little initial effect as the Bishops' Wars broke out with military activity focused primarily on northern England. However, in 1644 Randal MacDonnell, second Earl of Antrim facilitated the alliance between Montrose and MacColla.³⁰

The unlikely alliance was fuelled by profoundly different motivations, with Presbyterian Montrose opposing the further limitations being placed on Charles I under the Solemn League and Covenant and Catholic MacColla aiming to reclaim lands lost to the Campbells and pursue a centuries-old feud. Clan Donald had a long-standing rivalry with Clan Campbell, and the opportunity to reclaim territory lost to the Campbells was an important incentive for MacColla and his followers' involvement in the rising.³¹ Clan Campbell had gradually increased its territorial and political power from the mid-fourteenth century after the Campbells aligned with Robert Bruce to oust the MacDougalls

²⁸ Macinnes, *The British Confederate*, p. 200.

²⁹ David Stevenson, *Highland Warrior: Alasdair MacColla and the Civil Wars*, pp. 53, 71-3; Cowan, *Montrose*, p. 53.

³⁰ John A. MacLean, 'The Sources, Particularly the Celtic Sources, for the History of the Highlands in the Seventeenth Century' (unpublished PhD thesis: University of Aberdeen, 1939), pp. 2-3.

³¹ Sherrilynn Theiss, 'The Western Highlands and Isles and Central Government, 1616-1645', in *Scotland in the Age of Two Revolutions*, ed. Sharon Adams and Julian Goodare (Woodbridge: The Boydell Press, 2014), pp. 41-59; Macinnes, *The British Confederate*, p. 197, Cowan, *Montrose*, p. 154; Stevenson, *Highland Warrior*, pp. 58, 121.

from Lorne. Their allegiance to the crown led to an earldom in 1457 and the clan chief was made Master of the Royal Household (a position previously held by the Stuarts) in 1464. When the lordship of the Isles was forfeit in 1493, the Campbells were the biggest beneficiaries to the downfall of the MacDonalds, greatly expanding their lands and influence in their place. Campbell lands and their sphere of influence expanded further during Clan Gregor's dispute with the crown in 1603.³² Spurlock and Macinnes have argued that after Argyll subscribed the National Covenant, many clans associated the Campbells with Lowlanders and the 1644–45 rising became a battle between Gael and Campbell Gall.³³ Anti-Campbell sentiment was certainly one of the key driving forces behind the co-operation between royalist Covenanter Montrose and Catholic MacColla.

There is some evidence to suggest that those who fought against the Covenanting regime in the mid-1640s shared a degree of royalist sentiment. However, support from the Gàidhealtachd was closely directed by clan rivalry. An anonymous pamphlet written in 1644 recorded Montrose's journey from the north of England to Atholl where he met with MacColla who brought a thousand musketeers consisting of 'Irish and Scottish Islanders'.³⁴ The author goes on to relate that:

the rumour of the Marquisse being in the Country, made all Athoole to the rise; who came with such alacrity and joye, that they shouted and call'd out with one voice, they would have no more of King Campbelle Governmnet; they would either loose their lives, or have King Stuart to his owne place again.³⁵

Despite being motivated by a desire to oppose Campbell ambitions, the people who fought for Montrose and MacColla were also fighting for the Stuart king, but perhaps only in so far as the monarchy trumped Campbell authority. Royalist sentiment is also evident in Iain Lom's poem lamenting MacColla's death where he is described as: 'The spirited princely youth [who] would arouse thousands, when he raised the pipe and satin banner'.³⁶ The satin banner was the banner of the king, and is also referenced in one of Lom's poems praising Montrose.³⁷ Despite being a Catholic poet of Clan Donald, Lom held Presbyterian Montrose in high regard. In a 1651 poem lamenting the state of the country, Lom expressed grief over Montrose's execution, describing him as 'the lion valiant and mighty tortured on

³² John L. Roberts, *Clan, King and Covenant* (Edinburgh: Edinburgh University Press, 2000), pp. 8-10. I would like to thank Dr Aonghas MacCoinnich for his comments on this section.

³³ Scott Spurlock, 'Confessionalization and Clan Cohesion: Ireland's Contribution to Scottish Catholic Renewal in the Seventeenth Century', *Recusant History* 31 (2012), p. 188; Allan I. Macinnes, 'The First Scottish Tories?' in *The Scottish Historical Review* 67 (1988), p. 60.

³⁴ *A True Relation of the happy successes of His Majesties Forces in Scotland under the conduct of the Lord James Marquisse of Montrose His Excellencie, Against the Rebels there* (Edinburgh: 1644), p. 1.

³⁵ *Ibid.*, p. 6.

³⁶ 'A Lament for Alasdair Mac Cholla', *Orain Iain Luim*, p. 35.

³⁷ 'A Song of Greeting to Montrose', *Orain Iain Luim*, p. 29.

the gallows tree'.³⁸ This evidence suggests that religious and political views were defined by clan rivalry. Although the alliance in 1644 was an uneasy one between groups with differing motivations, Montrose remained a committed adherent to the National Covenant while upholding royalist ideals. His conviction in pursuing a royalist interpretation of the Covenant stretched as far as aligning himself with Episcopalian and Catholic forces loosely connected by a shared support of Charles I. Non-Presbyterian Gaels were willing to join Montrose as long as it meant opposing the Campbells. Therefore, to a large degree this rising was rooted in deeply embedded local identities shaped by the abolition of the Lordship of the Isles in the fifteenth century.

The civil war in Scotland ended on 12 September 1645 at the battle of Philiphaugh, and the war as a whole marks the beginning of a noticeable association between non-Campbell Gaelic Scotland and royalism which lasted throughout the following two centuries. The rising was also driven by competing responses to the Covenants, with royalist Covenanters breaking away from the constitutionalist, oligarchic, centralising, Argyll-led regime. David Findlay has argued that the 'tradition of Highland Royalism was born in the 1640s, in a conflict that was both a Gaelic civil war and a national war with imperialistic undertones'.³⁹ This presents a paradox as Stuart kings of the sixteenth century followed policies aimed towards civilising the supposedly barbarous race of Gaels.⁴⁰ As Cowan observes, 'After centuries of being on the receiving end of punitive expeditions, those recent victims of royal repression chose to fight and die for the Stuarts, not only during the Montrose wars but on the fields of Killiecrankie, Sherrifmuir, and Culloden'.⁴¹ Cowan goes on to argue that the solution to this paradox can be found in local vested interests. Again, the Campbell element is never far away: Charles I planned to abolish heritable jurisdictions which would have affected the clans who held large swathes of land, and particularly Clan Campbell.⁴² Macinnes has further nuanced this analysis by arguing that the oligarchic centralism of the Covenanting regime in the 1640s that pressed for military, financial, and ideological loyalty was contradictory to the ideals of clanship and there emerged a polemical response which equated the values of clanship with royalism.⁴³ While Stewart has argued that the royalists failed to promote an ideological alternative to

³⁸ Iain Lom, 'A Lament for the State of the Country', in *Gàir nan Clàrsach: The Harps' Cry*, p. 133.

³⁹ David Findlay, 'Divine Right and Early Modern Gaelic Society', in *Rannsachadh Na Gàidhlig 2000*, ed. Colm Ó Baoill and Nancy R. McGuire (Aberdeen: An Clò Gaidhealach, 2002), p. 248.

⁴⁰ Michael Lynch, 'James VI and the Highland Problem', *The Reign of James VI*, ed. Julian Goodare and Michael Lynch (Tuckwell Press, 2000), pp. 208-211.

⁴¹ Cowan, *Montrose*, p. 51; see also Macinnes, *Clanship, Commerce and the House of Stuart*, p. ix.

⁴² *Ibid.*, pp. 52-3; Macinnes, *The British Confederate*, p. 201.

⁴³ Macinnes, *The British Confederate*, p. 197.

Covenanting during the civil war, if vernacular poetry of the *ceilidh* is taken into account, rather than just print, a different picture emerges.⁴⁴ The poetic and pamphlet evidence presented above highlights the emergent association between clanship and royalism in the mid-1640s which was a result of the radical direction in which the Covenanters were going as well as long standing feuds. This is further evidenced by an anonymous Gaelic poem composed on the arrival of Antrim to Scotland which celebrated the advancement of the royalist cause:

Great is the confidence of your friends, now
that you have come to Scotland. You have been a
great support to the King since the disorder began.
Before the quarrel is ended, the rabble will be
routed. Right will be uppermost, and slanderers
will not have their way.⁴⁵

A different brand of royalism in relation to the Covenants is evident on the outbreak of the Engagement crisis of 1647–48. While Montrose and his followers rejected the Solemn League outright, conservative Covenanters accepted both Covenants but believed the maintenance of the monarchy to be of equal importance to religion and parliament which also separated them from Argyll and the hardline faction. As explained in the previous chapter, the Solemn League and Covenant promised to maintain the king's majesty as well as the Scottish Kirk and parliament. Conservative Covenanters became uneasy with the imprisonment of the king by the English Parliament at the conclusion of the civil war and the increasing influence of Independents in the English army, Parliament, and the Westminster Assembly of Divines. A faction of Covenanters, led by James Hamilton, first Duke of Hamilton, engaged Charles in discussions in December 1647 to overthrow the parliamentary regime as England fell into a second civil war (1648–49). In return, Charles promised to establish Presbyterianism in England for a three-year period. This was unacceptable to the hardliners who believed that Charles must formally subscribe both Covenants.⁴⁶ The conservative faction provided an alternative to the more radical interpretations of Covenanting offered by Argyll and the General Assembly and came to dominate the 1647 session of parliament, held in December.⁴⁷ The Scottish Parliament declared for the Engagement in June 1648:

⁴⁴ Stewart, *Rethinking the Scottish Revolution*, p. 257.

⁴⁵ MacLean, *The Sources, Particularly the Celtic Sources, for the History of the Highlands in the Seventeenth Century*, p. 66.

⁴⁶ Stevenson, 'The Early Covenanters', pp. 175-177; Spurlock, 'Problems with Religion as Identity', pp. 20-21; Macinnes, *The British Confederate*, pp. 231-237.

⁴⁷ John R. Young, *The Scottish Parliament 1639-1661*, pp. 189-214; Laura Stewart, *Rethinking the Scottish Revolution*, p. 261.

finding a dewty lying on thame to use all meanes in persewance of the endis of the Covenant for defence and reformatioun of religion, the honor and happines of the king and his royal posteritie and the peace and saifety of this kingdome.⁴⁸

This exemplifies the conservative assertion that defence of the king was of equal importance to the defence of religion. In the conservatives' eyes, the king's majesty was threatened by his imprisonment and the Engagement was thus a necessity for pursuing the aims of the Covenants.

The Duke of Hamilton led an army into England in August 1648 which was swiftly defeated at Preston. Grassroots support for the Engagement is difficult to uncover prior to the purgation of former Engagers under the Solemn Acknowledgment and Engagement (discussed below). Leading Engagers, namely the Duke of Hamilton and the earls of Callendar, Lanark, Middleton, and Lauderdale, sought subscription to the act of parliament cited above but this did not go through the church courts.⁴⁹ The 1648 General Assembly opposed the Engagement, distributed an opposing act through the church courts and used the presbyteries to gather petitions against the Engagement.

The Engagement brought underlying tensions over what it meant to be a Covenanter to debate at national level. The decision to invade England sparked a strong denunciation from the General Assembly in which this body made an unambiguous statement of conditional loyalty to the monarch. On 31 July 1648 an act of Assembly affirmed that:

whereas the duty in preserving and defending his Majesty's person and authority is, by the third article of the Covenant, qualified with and subordinate unto the preservation and defence of the true religion and liberties of the kingdoms; there is no such qualification nor subordination observed in the present Engagement, but, on the contrary, it is so carried on, as to make duties to God and religion conditional, qualified, limited; and duties to the King absolute and unlimited.⁵⁰

The Engagement had failed to prioritise the defence of religion ahead of the king's majesty and had therefore broken the terms of the Covenants. The General Assembly promised to 'continue stedfast in our Solemn Covenants'.⁵¹ The Assembly went on to claim that the Engagement forces employed 'some Papists, some bloody Irish rebels, some Non-Covenanters, and very many fugitives from Kirk discipline'.⁵² The Commission of the General Assembly wrote to the presbyteries and garnered petitions against the Engagement. The declaration sent to the presbyteries warned that the Engagers were aligning themselves

⁴⁸ RPS, 'Commission to the committee of estates' 1648/3/213 [accessed: 21 June 2015].

⁴⁹ Baillie, *Letters*, iii, pp. 44-47.

⁵⁰ 'Acts: 1648', *Acts of the General Assembly of the Kirk of Scotland 1638-1842*, pp. 166-200.

⁵¹ *Ibid.*

⁵² 'Acts: 1648', *Acts of the General Assembly*.

with those who had not subscribed the Solemn League and therefore, should the king be victorious in this war, the Covenants would be overturned: ‘his Majesty still retaining his old principles, and having not long since professed and declared that he is obliged in conscience to improve that power which God shall put in hands for the establishing of Episcopacy’.⁵³ The petition from the presbytery of Biggar beseeched the Scottish Parliament ‘by all the solemn oaths and Covenants’ not to follow the Engagement which would spread ‘the episcopall disease’ and make the parliament ‘enemies of the Covenant’.⁵⁴ By referencing Episcopacy, Biggar Presbytery espoused a hardline interpretation of the Covenants: that the National Covenant explicitly denounced Episcopacy and the Solemn League aimed to export this to England and Ireland. The Engagement prioritised the king over religion and thus restoring Charles to his former power would lead to the re-establishment of Episcopacy, which the elders of Biggar Presbytery believed to be against the aims of the Covenants. This echoes the case discussed in the previous chapter in Kirkcaldy in 1643 where a minister was rebuked for calling an Episcopalian a Covenanter.⁵⁵ What constituted Covenanting obligations was further clouded by the Engagement crisis as two distinctly different interpretations emerged among those who had once been united against Montrose.

Further evidence of opposition to the Engagement on Covenanting grounds can be seen in printed polemics and the armed communion service at Mauchline, Ayrshire, in June 1648. McIntyre has covered this in detail, arguing: ‘Reluctant to be recruited into another war, buoyed by the exhortation of clergymen and increasingly sceptical of noble endeavours to prosecute the Covenanting cause, the westerners did what they could to resist the Britannic Engagement’.⁵⁶ On 11 June, the minister of Mauchline, Thomas Wylie, led a communion service attended by around 2000 people, many of whom were armed. A battle broke out when Engager and Lieutenant-General John Middleton appeared with six troops of horse, resulting in the death of several anti-Engagers.⁵⁷ Contemporary accounts of this incident reveal that those who took communion at Mauchline opposed the Engagement but their reasons for doing so is not entirely clear. Baillie states that the communicants opposed the levying of troops from the area, while Henry Guthrie and James

⁵³ *RCGA*, i, p. 529; For detailed analysis of print and petitioning against the Engagement, see Laura Stewart, *Rethinking the Scottish Revolution*, chapter 6.

⁵⁴ Biggar Presbytery Records, CH2/35/1, p. 203.

⁵⁵ Kirkcaldy Presbytery Records, NRS CH2/224/1, p. 442.

⁵⁶ Neil McIntyre, ‘Saints and Subverters’, p. 24.

⁵⁷ *Ibid.*, pp. 22-25.

Turner recorded simple narratives of the skirmish.⁵⁸ However, it is highly likely that they opposed the Engagement as they perceived it to be a departure from the Covenants, as the communion service was led by ministers who went on to be renowned hardliners: Thomas Wylie, William Adair, William Guthrie, Gabriel Maxwell, and John Nevoy. Evidence from anti-Engagement print in 1648 supports this assessment. George Gillespie stated in a 1648 tract (published in 1649 by his brother and fellow hardliner Patrick) that ‘the late Engagement was contrary and destructive to the Covenant’ as it involved compliance with non-Covenanters which was ‘most sinfull and unlawfull’.⁵⁹ This echoes the tenor of the General Assembly and provides a fair representation of a tenet of hardline Covenanting thought. Thus, hardline Covenanting interpretations are evident at General Assembly level, in the Mauchline incident, and in Biggar and Kirkcaldy Presbyteries, whereby Covenanters were those who prioritised defence of Presbyterianism above all else and believed all those who signed the Covenants must pursue this aim or be declared enemies. This was in contrast to the conservative vision of the Covenants offered by Hamilton and the 1648 Scottish Parliament according to which defence of the monarchy was of equal importance to maintenance of the true religion. The schism widened during subscription to the Solemn Acknowledgement and Engagement and led to the development of coherent hardline and conservative Covenanting positions in the wake of the Cromwellian victory at Dunbar in 1650.

By 1648 a number of Covenanting interpretations were evident. There were those who subscribed the National Covenant but objected to the Solemn League and revolted against the regime alongside Montrose. Royalist Covenanter Montrose refused to subscribe the Solemn League and Covenant and engaged in warfare against the Covenanting regime with the assistance of anti-Campbell clans. At the opposite end of the spectrum were the hardline Covenanters who supported the Solemn League and Covenant and fought against Montrose. This dominant faction was torn asunder by the imprisonment of Charles I by the English Parliament in 1647. A conservative grouping led by Hamilton, the Engagers, were unwilling to condone what they perceived to be the flagrant usurpation of royal authority. The hardliners dominated the General Assembly and through the presbyteries they engaged localities in this national debate, eliciting petitions. Throughout the 1640s local communities were exposed to the variety of Covenanting positions which emerged. The

⁵⁸ Baillie, *Letters*, iii, pp. 48-50, Sir James Turner, *Memoirs of his own Life and Times* (Edinburgh: Bannatyne Club, 1829), pp. 53-56; Henry Guthrie, *The Memoirs of Henry Guthrie, late bishop of Dunkeld*, pp. 276-279.

⁵⁹ George Gillespie, *An Usefull Case of Conscience* (Edinburgh: 1649), p. 29; McIntyre, ‘Saints and Subverters’, p. 25.

remainder of this chapter will show how engagement with the localities continued as conservatives and hardliners fought for ideological supremacy in the face of further crises between 1649–51.

Solemn Acknowledgement and Engagement 1648–1649

The Engagement army was defeated at Preston in August 1648 and the Scots subsequently handed Charles over to the English for £400,000 sterling.⁶⁰ The Whiggamore Raid followed in Scotland, in the course of which hardline Covenanters seized control of Edinburgh with the help of Oliver Cromwell's army after he formed an alliance with the Marquis of Argyll and his forces in the west.⁶¹ This series of events witnessed the birth of the 'Kirk Party': the hardline Presbyterians who effectively ruled the church and state from September 1648 to September 1650. Opposing them were the conservatives: those who supported the Engagement and believed the preservation of the king's majesty to be of equal or greater importance to preservation of the true religion. In an attempt to foster national unity behind their interpretation of the Solemn League, hardliners in the Commission of the General Assembly issued the Solemn Acknowledgement and Engagement alongside the Solemn League and Covenant for subscription in October 1648. Engagers were required to repent or be barred from resubscribing the Covenant and taking communion. Evidence from this resubscription campaign shows that certain ideas advocated by the hardliners were successfully received at local level, such as the anti-aristocratic tenor of the regime itself, the notion of 'Covenant and communion', and the explicit exclusion of the Engagement from Covenanting. However, how people understood the Solemn Acknowledgement and Engagement depended on how their minister explained it from the pulpit, and in this respect there was room for manoeuvre. Moreover, the abundance of evidence of soldiers and volunteers of the Engagement army being brought before the kirk sessions and presbyteries shows that the Engagement certainly had some support at local level and thus Covenanting ideas were as complex and divisive among ordinary people as they were at parliamentary and General Assembly level. In fact, by making opposition to the Engagement a Covenanting obligation the regime revealed and perhaps exacerbated division at grassroots level.

The Solemn Acknowledgement and Engagement was drawn up by a Commission of the General Assembly. The October session was moderated by Robert Douglas, minister of Tollbooth parish, Edinburgh, and attended by other anti-Engagement ministers and

⁶⁰ Scott Spurlock, 'Problems with Religion as Identity', p. 22; Scott Spurlock, *Cromwell and Scotland*, p. 12.

⁶¹ *Ibid.*; Kirsteen MacKenzie, 'Presbyterian Church Government and the 'Covenanted Interest' in the Three Kingdoms 1649-1660', p. 40

elders, notably James Guthrie, Patrick Gillespie, Robert Blair, David Dickson, and Archibald Johnston of Wariston. These hardliners believed that the Engagement had been a breach of the Covenants and had brought the nation into sin. Under the Solemn Acknowledgment, the subscribers were required to accept this sin, renew the Solemn League and Covenant, and engage in six Covenanted duties arising from the six articles of the Solemn League. These were: to promote uniformity of religion between the three kingdoms; maintain and defend the Kirk of Scotland; ‘maintain the liberties of the subjects’; maintain and defend the union with England, avoiding anything which weakens it ‘or involve us in any measure of accession vnto the guilt of those who have invaded the Kingdom of England’; remain loyal to the king and promise to ‘give vnto God that which is Gods, and to Cesar that things which are Cesars’; and avoid ‘Malignancy, injustice, iniquity, prophanity, and impiety’ with concerted efforts in the courts ‘for punishing and suppressing these evils’. Finally, the Solemn Acknowledgement and Engagement involved ‘debarring persons accessorie to the Engagement from Covenant and Communion’.⁶² As in December 1638, the General Assembly added its own interpretation of Covenanting obligations and attempted to impose this view on the nation. Central to this was the view that any action which threatened the union with England, weakened the Church of Scotland, or gave the monarchy unwarranted power, was a breach of the Covenants. In the eyes of the 1648 Commission the Engagement fell into all three of these categories.

Survival rates for kirk session and presbytery records in 1648 is relatively high and the available evidence shows that the Covenant renewal in 1648 was widely implemented. Indeed, more records survive for 1648 than 1638 and 1643, giving a more confident picture of widespread local re-subscription to the Solemn League and the associated rejection of the Engagement as contrary to the Covenants. Moreover, the Covenant subscriptions of 1643 and 1648 were much more prescribed than that of 1638: clear instructions were issued by the Commission with set days being highlighted for fasting and subscription. This is an ideal moment for assessing Covenanting ideas at local level, mainly due to the richness of the source material. The Solemn League and Covenant was to be renewed on Sunday 17 December 1648 with each minister explaining the Acknowledgement and Engagement in church following a public fast the preceding Thursday. The Covenant renewal was, in most cases, announced by the presbyteries in November and prior to subscription Engagers (in some cases even those who had been pressed to join the army)

⁶² ‘The Solemn Acknowledgement of Publick Sins and Breaches of the Covenant, and a Solemn Engagement to all the Duties contained therein, namely, those which do in a more special way relate to the dangers of these times’, in *RCGA*, ii, pp. 80-88.

were to be sought out and forced to repent or be debarred from Covenant renewal and communion. Of the surviving twenty-four presbytery records, twenty-two renewed the Covenant. The two that do not mention subscription are Strathbogie and Dunblane. However, both records are fairly sparse with irregular entries. Moreover, Strathbogie Presbytery investigated the minister and elders of the kirk of Botarie under suspicion of subscribing ‘the act of parliament approving ye late vnlawfull Ingagement’.⁶³ It would be surprising if the presbytery had pursued Engagers but not renewed the Covenant, so the omission could represent incomplete record keeping. This investigation of Botarie suggests at least some opposition to the hardline regime in Strathbogie, and possibly in other districts where records do not survive. Fifty-seven kirk session records with regular and complete entries survive for the year 1648. Forty-seven (82%) of these mention the Covenant renewal. The kirks of Clackmannan, Cullen, and Slains did not record subscription but did pursue Engagers, which suggests that the Solemn League may have been resubscribed in these kirks but not recorded in the session books. The kirk session of Fenwick did not record subscription but the session entries are very brief and the minister was William Guthrie, a hardline Covenanter and one of those present at Mauchline Moor. It is almost inconceivable that he would not have resubscribed the Solemn League with his congregation in December 1648.⁶⁴ If the Solemn League was indeed resubscribed in these kirks, the observance rate among surviving records rises to 89%.

While in 1638 and 1643 the Kirk had sought universal subscription to the Covenant, in 1648 only those who accepted that the Engagement was an unlawful breach of the Covenants could renew. Subscription to the Solemn Acknowledgement and Engagement is a watershed in the development of Covenanting ideology. The 1638 and 1643 Covenants could accommodate a range of positions, but in 1648 the hardline regime attempted to make Covenanting more exclusive and purge those who did not adhere to their vision. The phrase ‘Covenant and communion’ appears regularly in the session minutes in 1648, reflecting the belief that interpretations of Covenanting obligations now determined whether or not people were permitted to take communion. This is clearly exemplified in the presbytery records of Peebles, where the parishes were ordered to seek out Engagers to be ‘debarred from covenant and communion’.⁶⁵ This sentiment is repeated in the records of Linlithgow, Kirkcaldy, Ayr, Dumfries, Garioch, Cupar and Biggar Presbyteries, equating

⁶³ Strathbogie Presbytery Records, NRS CH2/342/2, p. 91.

⁶⁴ *Fasti*, iii, p. 93.

⁶⁵ Peebles Presbytery Records, NRS CH2/295/3, p. 99.

to a third of surviving records.⁶⁶ Kirkcaldy Presbytery provides a common example of how Engagers were treated: on 11 December 1648 Alexander Gibson, Lord Durie and another gentleman were ‘ordeaned to abstain from takeing the Covenant or to [pre]sent themselves to the com[m]union’ until they appeared before the General Assembly, to which they agreed.⁶⁷ The process for debarring Engagers was similar to the process of examination before communion, with those unworthy of Covenant renewal to be sought out, their names given to the presbytery, and banned from attending or forced to repent publicly. For example, on 10 December 1648 the kirk session of Midcalder recorded that ‘It is recommendit to the wholly Elderis and Deconis to be Cairfull in Taiking tryall of any w[i]t[h]in this parochie, qo [who]... consents to the lait wnlawfull Ingadgment’. On 16 December ‘These qa [who] was on the wnlawfull Ingadgment being callit one by one, and tryall takin’. The Engagers were ordered to make a one-off repentance in front of the congregation before renewing the Covenant.⁶⁸ While some presbyteries and kirks simply renewed the Covenant without pursuing Engagers, the majority of surviving records (thirty kirk sessions and fifteen presbyteries) relate detailed cases of people being sought out for their support of the Engagement and either banned outright from renewing the Covenant and taking communion or forced to repent.

Subscription to the Solemn Acknowledgement and Engagement is one of the first instances of Covenanting and communion being intertwined. Another revealing example of this is in the kirk of St Monance in Fife where two people presented testimonials before the kirk session ‘to be admitted to the Covenant’.⁶⁹ Testimonials were required from those moving to a new parish before taking communion, and, more generally, taking communion in post-Reformation Scotland required examination before a minister or member of the kirk session to confirm the communicant’s knowledge of the catechisms and good behaviour before being granted a token for admission to the communion table. The evidence presented here suggests that the language and practice of Covenanting had begun to pervade important aspects of religious life, notably preparation for communion, in late 1640s Scotland.⁷⁰ Chris Langley has shown that those who supported Montrose were often barred from the communion table in 1645–46, arguing that:

⁶⁶ Linlithgow Presbytery Records, NRS CH2/242/3, p. 319; Kirkcaldy Presbytery Records, CH2/224/2, p. 556; Ayr Presbytery Records, CH2/532/1, p. 342–343; Dumfries Presbytery Records, CH2/1284/1, p. 26; Garioch Presbytery Records, CH2/166/1, p. 32; Cupar Presbytery Records, CH2/82/1, p. 100; Biggar Presbytery Records, CH2/35/1, p. 233.

⁶⁷ Kirkcaldy Presbytery Records, NRS CH2/224/1, p. 556.

⁶⁸ Midcalder Kirk Session Records, NRS CH2/266/1, pp. 221–222.

⁶⁹ St Monance Kirk Session Records, NRS CH2/1056/2, p. 66.

⁷⁰ Tood, *Culture of Protestantism*, p. 12, 95; see also chapters 4 and 5 of this thesis.

As certain political views were defined as contrary to the aims of the Covenant, exclusion from communion represents a site where older desires to protect the sacrament and the mid-seventeenth century politicisation of sin combined.⁷¹

Combining Covenanting with communion was an innovation by the hardline regime, evident from August 1648 onwards. This session of the General Assembly passed an act ordaining that ‘all young students take the Covenant at their first entry to colledges; and that hereafter, all persons whatsoever take the Covenant at their first receiving the Sacrament of the Lord's Supper’.⁷² By making admittance to communion dependent on adhering to a certain interpretation of the Covenants, the Covenanters of the 1640s laid the foundation for the communion controversy in the 1660s and 1670s, discussed in chapter four and five.

At presbytery level, the focus was often on those active in garnering support and recruiting for the Engagement, which led to the trial of local elites and nobles on a scale unparalleled in the history of the Kirk since the Reformation. Biggar Presbytery often referred to these people as ‘committee men’ (probably in reference to a committee of nobles and gentry set up by parliament in June 1648 to recruit for the Engagement army) and in early December 1648 proceeded against lairds and baillies for their involvement in the Engagement.⁷³ Cupar Presbytery ordered Sir James Balfour of Denmilne and some of his associates to make a public declaration in which they professed ‘we doe think that engadgement to be unlaw[ful]l’ before they were permitted to renew the Covenant.⁷⁴ Balfour was a conservative Covenanter who had been a staunch supporter of Charles I and the Engagement and thus a person of interest to the hardline regime.⁷⁵ Other high profile cases can be seen in the records of Kirkcaldy Presbytery where Lord Durie was debarred from Covenant and communion (above); Haddington Presbytery where Patrick Murray, Lord Elibank, was rebuked for his ‘great weaknes’ in supporting the Engagement and, along with John Durham of Pitcairn, denied admission to the Covenant renewal; and in the records of Ayr Presbytery where Lord William Cochrane was barred from renewing the Covenant outright.⁷⁶ Cochrane was one of the biggest landowners in the west of Scotland and despite signing both Covenants and actively opposing Montrose’s forces in 1645 he supported Charles I during the Engagement and raised forces for the Engagement army.

⁷¹ Langley, ‘“A Sweet Love-Token betwixt Christ and His Church”: Kirk, Communion and the Search for the Further Reformation, 1646-1658’, in *Scotland's Long Reformation*, pp. 101-102.

⁷² ‘Acts: 1648’, in *Acts of the General Assembly of the Kirk of Scotland 1638-1842*, pp. 166-200.

⁷³ Biggar Presbytery Records, NRS CH2/35/1, pp. 235-239.

⁷⁴ Cupar Presbytery Records, NRS CH2/82/1, p. 101.

⁷⁵ Alexander Du Toit, ‘Balfour, Sir James, of Denmiln and Kinnaird, first baronet (1600–1657),’ *Oxford Dictionary of National Biography*, (Oxford University Press, 2004).

⁷⁶ Haddington Presbytery Records, NRS CH2/185/6, pp. 6-7; Ayr Presbytery Records, CH2/532/1, p. 343.

His loyalty to the crown resulted in an earldom in 1669.⁷⁷ Furthermore, Cupar Presbytery recorded that:

The magistrats counsellors and gentlemen ... who did put foorth men in the said un[l]a[w]fu[l]l Engagement being called compeiring and declarit that they did put out these men against their will being threatened with plowndering and quartering.⁷⁸

They were ordered to denounce the Engagement publicly, in front of the congregation, before being 'received into the covenant'.⁷⁹ Similarly, the presbyteries of Dunfermline, Garioch, Kirkcaldy, Lanark, and Dumfries proceeded against heritors, lairds, and baillies for their involvement in the Engagement.⁸⁰ Emboldened by the radical coup and driven by the belief that renewing the Solemn League would redress the breach of Covenant caused by the Engagement, the Kirk vigorously pursued nobles, gentry, heritors, and ministers for supporting the Engagement. The Commission of the General Assembly and some of the largest Lowland Presbyteries were clearly convinced that only the truly godly could appease God's wrath by renewing their Covenants and purging malignants regardless of their temporal status. All Covenanters were obliged to obey the Assembly, and removing Engagers meant the corporate whole could repudiate any responsibility for what the 1648 Commission saw as the sinfulness of the Engagement.

Evidence of members of the nobility and gentry being pursued by the presbyteries adds a local dimension to the depiction of the Kirk Party regime as 'an anti-aristocratic reaction against the nobility who had been at the forefront of the Engagement'.⁸¹ John Young supports this statement with evidence from the parliamentary rolls of the Engagement sessions of parliament in 1648 and the anti-Engagement sessions of parliament in 1649. The figure that stands out is the decline in members of the nobility: Fifty-six nobles in 1648, compared to sixteen in 1649.⁸² McIntyre also emphasises this point, arguing that these figures, combined with the legislation passed in the 1649 parliament (most notably the Act of Classes, discussed below) 'if not a direct attack on the social hierarchy, undoubtedly undercut noble authority'.⁸³ The move towards anti-aristocratic sentiment among the hardliners stemmed from the Whiggamore Raid. This coup d'état had significant grassroots support among those in the west who took up arms

⁷⁷ Sean Kelsey, 'Cochrane, William, first earl of Dundonald (1605–1685)', *Oxford Dictionary of National Biography* (Oxford University Press, 2004).

⁷⁸ Cupar Presbytery Records, NRS CH2/82/1, p. 101.

⁷⁹ *Ibid.*

⁸⁰ Dunfermline Presbytery Records, NRS CH2/105/1/1, p. 58; Garioch Presbytery Records, CH2/166/1, p. 35; Kirkcaldy Presbytery Records, CH2/224/2, p. 556; Lanark Presbytery Records, CH2/234/1, pp. 372–373; Dumfries Presbytery Records, CH2/1284/1, pp. 26–27.

⁸¹ John Young, *The Scottish Parliament 1638–1661*, p. 217.

⁸² *Ibid.*

⁸³ McIntyre, 'Saints and Subverters', p. 31.

and marched with Argyll, Loudon, Eglinton, Leven, and Cassillis to Edinburgh to seize control of the nation.⁸⁴ While not all localities followed the hardline, anti-aristocratic approach advocated by the Commission of the General Assembly in barring Engagers from Covenant and communion, there is evidence of this approach being implemented with vigour in Fife, the central belt, and the south west. The language of the Covenant renewal in 1648 is also important, especially in the Cupar example above where Engagers are ‘received into the Covenant’ after repentance. This mirrors the language of sinners being received back into the congregation after repentance for a moral offence and further exemplifies the appropriation of Covenanting into the fabric of everyday life in the 1640s as worship, communion, congregation, and Covenant became intertwined.

Ministers were also the subject of presbyterial censure for their support of the Engagement. Haddington Presbytery proceeded against Robert Balcanquall, eldest son of royalist polemicist Walter Balcanquall and minister of Tranent and Seton, for preaching for the Engagement, alongside twenty other accusations. These accusations are highly revealing of the ways in which ministers could avoid subscribing to hardline interpretations of the Covenants and use fast days to declare their views on the fluctuating political and religious landscape. According to the presbytery, Balcanquall had used fasting sermons as opportunities to state his allegiance to Charles I, frequently praying for him on fast days and during ordinary worship. During a fast appointed by the Commission of the General Assembly on 28 May 1648 in response to what it defined as the sins of the Engagement,⁸⁵ Balcanquall refused to preach against the Engagement, instead exhorting his congregation that:

They had reason to pray for the meanes of restoring the king and rooting out of Sectaries and yt they may be certified the cause of God will be upon them that make any opposition or obstruction to it.⁸⁶

In his reading out of the General Assembly’s denunciation of the Engagement, it was found that Balcanquall had ‘abused the declaration of the late g[ene]rall ass[emb]lie 1648. Observing in it some things not neidfull and omitting things neidfull’.⁸⁷ This highlights the important role played by individual ministers in relaying the wishes and directives of the General Assembly to their parishioners. The previous chapter showed that ideas of ‘Covenants’ and ‘Covenanters’ could have multiple meanings often dictated by how the

⁸⁴ *Ibid.*, p. 30; Stevenson, *Revolution and Counter Revolution*, pp. 115-122; Macinnes, *The British Revolution*, p. 188.

⁸⁵ The Commission ordered this fast to be held on the grounds that under the Engagement ‘the libertie of this Kirk was betrayed’. *RCGA*, ii, pp. 485-488.

⁸⁶ Haddington Presbytery Records, NRS CH2/185/6, p. 2.

⁸⁷ *Ibid.*, pp. 2-3.

Covenants had been sworn and explained in church. The example of Balcanquall shows that the directives of the General Assembly were not always observed in the localities in 1648 either. Moreover, Balcanquall used fast days as opportunities to give his verdict on the Engagement, as well as reportedly making a revealing comment on the Covenants during a fast in May 1648: 'The first Covt wes a religious and godly worke, bot for the league and Covt, I never understood it, I never knew what it meant'.⁸⁸ If Balcanquall did not understand the Solemn League, it is almost certain that his congregation did not either. This also shows that while the two Covenants were subscribed together in some areas, in others there was a clear differentiation between the two, thus further complicating early modern understandings of Covenanting.

Unsurprisingly, Balcanquall was suspended in 1649 then deposed in 1650 for his public statements.⁸⁹ According to Stevenson, in 1648 and 1649 at least seventy-two ministers were deposed, 'many of them sincere supporters of the covenants who had believed the engagement to be the best means of implementing them'.⁹⁰ Presbytery records reveal rigorous pursuit of ministers in Perth for their support of the Engagement. The presbytery showed particular concern about a supplication supposedly due to be submitted to the July–August 1648 General Assembly which explicitly denounced Presbyterianism. One of the chief architects of this letter was believed to be George Haliburton, minister of Perth, who would later become bishop of Lothian and Tweeddale on the Restoration of Episcopacy in 1662. As will be shown in chapter four, Haliburton was one of the only bishops to press the oath of allegiance onto his ministers and follow strictly the Erastian Episcopalian tenor of the Restoration settlement.⁹¹ In order to appease the presbytery of Perth he denied all knowledge of the anti-Presbyterian supplication and produced a six-point declaration on 8 November 1648 in which he promised: 1. To acknowledge 'gods mercie in deliywering this kirk from Episcopall Tyranny', 2. To adhere to the established form of church government 'and to opposs malignants and sectaries', 3. To acknowledge the danger not only of Episcopacy but of 'Independencie and Erastianisme... as destructive to religion and ye libertie of ye church', 4. To find a 'solid cours... for strentyning presbyteriall government', 5. To work towards alleviating 'unhappy differences' in the nation, opposing parliament if necessary, 6. Not to speak against the 'publick resolutiones

⁸⁸ *Ibid.*, p. 3.

⁸⁹ *Fasti*, i, p. 396.

⁹⁰ David Stevenson, 'Deposition of Ministers in the Church of Scotland under the Covenanters, 1638-1651', pp. 329-330.

⁹¹ *Fasti*, iv, pp. 230, 234.

of ye Estate befor wee be cleared in our Judgements from ye word of god'.⁹² This clearly exemplifies the hard line Covenanting position to which Haliburton had opportunistically adhered in 1648: that the defence of Presbyterianism was a key Covenanting obligation, as was the abhorrence of Episcopacy and Erastianism. The official position of the Kirk was uncompromising: those who did not follow its interpretation of the Solemn League and Covenant were no longer Covenanters. Conservatives could either repent before their presbyteries or risk deposition or (in the case of the laity) being barred from the communion table.

While the vast majority of presbytery records show that the orders of the Commission of the General Assembly were followed with zeal, some were more lenient in their approach. For example, only four ministers within the bounds of Turriff Presbytery produced the Solemn League in January 1649 'subscryved be such of thare parochiners and wes received & subscribed the same'.⁹³ There was no mention of the Acknowledgement and Engagement or if any of the remaining eight kirks resubscribed the Solemn League. Similarly, while the majority of kirk sessions followed the orders of the Commission, observance of the Covenant renewal was not always uniform. In contrast, the parishioners of the kirk of Ceres in Fife certainly would have viewed the Solemn Acknowledgement and Engagement as a Covenanting obligation. According to the session records for Ceres, on 17 December the Solemn League and Covenant was read by the minister and:

solemnlie sworne by him & all the people men & women standing ... [on their] feet swearing w[i]t[h] uplifted hands ... & engadging ymselves ... of all the dewties q[on]tained in the covenant namely thoss which [are con]tained in the public acknowledgment & engadgment.⁹⁴

It is worth noting the reference to both men and women swearing the Covenant in Ceres. Subscription took place on 19 December, two days after swearing, and the records state that all parishioners subscribed the Covenant.⁹⁵ The session records of Duffus in Aberdeenshire mirror this: they specifically mention men and women swearing the Covenant and the 'minister, elders, and all ye rest' subscribing.⁹⁶ Whether or not people understood the aims of the Solemn Acknowledgement and Engagement to be Covenanting obligations depended heavily on how the minister explained the resubscription campaign. In most cases, the renewal was explained on the fast day on 14 December, preceding subscription on 17 December. The session records do not often record how the minister

⁹² Perth Presbytery Records, NRS CH2/299/3, p. 31.

⁹³ Turriff Presbytery Records, NRS CH2/1120/1, p. 131.

⁹⁴ Ceres Kirk Session Records, NRS CH2/65/1, p. 45.

⁹⁵ *Ibid.*, p. 46.

⁹⁶ Duffus Kirk Session Records, NRS CH2/96/1/2, p. 3.

explained the Solemn Acknowledgement and Engagement, a common example being in Petty where the minister read out the Solemn League during the fast day and ‘breach of ye league and Covenant wes read and explained out of pulpit’.⁹⁷ However, the case of Robert Balcanquall (above) shows that ministers did not always take the official Kirk line on fast days which could lead to a number of different Covenanting positions emerging. This is evident in the kirks of Haddington, Forgue, Burntisland, Hamilton, Kinglassie, and Liberton where the Covenant was renewed without reference to the Solemn Acknowledgement and Engagement or pursuit of Engagers. Moreover, no Covenant renewal was recorded in the session records of Bathgate, Croy, Ormiston, Stow, Falkirk, or Anstruther Wester. It is therefore apparent that not everyone who had sworn the Covenants in 1638 and 1643 understood the aims of the Solemn Acknowledgement and Engagement as being part of their duties as a Covenanter.⁹⁸

Not only did the Kirk pursue the nobility, gentry, and ministers for their support of the Engagement, but ordinary people also. The inclusion of volunteers suggests a degree of grassroots support for the Engagement. Dumfries Presbytery listed those who were to be ‘secluded from the covenant’ as:

captaines of parishes, quho did officiat for ... the late unlawfull ingagement: all heritours quho wer malignantlie disposed ... and to all such heritours as not being fenced by sessment, and plunder, by forreine forces did contribute to the said ingagement. And to such as voluntarilie cowntenanced ... and to all women malignantlie disposed.⁹⁹

This echoes Cupar’s differentiation between those who actively supported the Engagement and those who were forced with threats of plundering and quartering. The evidence shows that in Dumfries, at least, those who were forced to support the Engagement were treated more leniently. The Dumfries list also included women and volunteers, adding a grassroots dimension to support for the Engagement. Similarly, the presbytery records of Ayr also highlight volunteers as those to be debarred from renewing the Covenant due to their support of the Engagement.¹⁰⁰ The kirk sessions also commonly pursued volunteers and soldiers. On 10 December 1648, the kirk session of Dalkeith ordered:

all common sowldiers that went out in this by lawfull ingadgment sould come to the minist[er] and show ye signes of ... repentence and give ... yr naimes yt they may be callit

⁹⁷ Petty Kirk Session Records, NRS CH2/458/1, p. 75.

⁹⁸ Only the records of Stow and Falkirk survive for the subscriptions of 1638 and 1643. Neither session recorded subscription to the National Covenant, but both subscribed the Solemn League. Given that all of the surviving kirk session and presbytery records that survive mention subscription to the Solemn League, it can be assumed with a degree of certainty that the other parishes also subscribed it.

⁹⁹ Dumfries Presbytery Records, NRS CH2/1284/1, pp. 26-27.

¹⁰⁰ Ayr Presbytery Records, NRS CH2/532/1, p. 343.

vpon before ye congregatione and to be resawit [received] to subt ye covenant and resawe [receive] the Lords supper.¹⁰¹

At the Covenant renewal a week later twenty-six soldiers appeared before the congregation having repented and subscribed the Solemn League.¹⁰² The kirks of Corstorphine, Kilconquhar, Kelso, Ayr, South Leith, Dunfermline, and Weymss similarly required soldiers to repent before renewal. South Leith parish insisted that all soldiers ‘whether yei were pressed or voluntared’ repented before the congregation, and when Dunfermline kirk called soldiers to repentance, they included ‘all those who ioned themselves as voluntires’.¹⁰³ This shows that there were two reasons for joining the Engagement army: either through obligation or voluntarily. The fact that several presbyteries and kirks pursued volunteers for their involvement in the Engagement shows that there was certainly some level of support for it at grassroots level. Moreover, the church courts identified the difference between being pressed into joining or voluntarily choosing to support the Engagement. Kirk sessions and presbyteries differed in their approach to those who were pressed. In some areas, such as Cupar, only those who freely chose to support the Engagement were required to repent. In other areas, such as South Leith, repentance was required from both volunteers and pressed soldiers. Ministers and elders in some localities were more forgiving towards those who had been forced into the Engagement army than those in other localities. The different approaches highlighted here could plausibly mark the beginning of the Protester-Resolutioner schism, at the heart of which lay different attitudes towards repentant Engagers.

As the Engagement had support at grassroots level as well as among the nobility and gentry, Covenanting in the localities must be understood as part of a spectrum. Clearly, some ordinary people as well as nobles had believed that the Engagement was consistent with the aims of the Covenants and had therefore offered it their support. However, according to the official voice of the Kirk anyone who had supported the Engagement was no longer a Covenanter. The second half of the 1640s witnessed a development in Covenanting ideology whereby Covenanting became a pervasive aspect of religious life in Scotland. This can be seen in the creation of the Westminster Directory through which worshipping in a certain way became a Covenanting obligation, and, in 1648, when admission to the communion table officially became dependent on accepting a certain interpretation of the Solemn League and Covenant: one that was incompatible with support

¹⁰¹ Dalkeith Kirk Session Records, NRS CH2/84/1, p. 42.

¹⁰² *Ibid.*

¹⁰³ South Leith Kirk Session Records, NRS CH2/716/5, p. 425; Dunfermline Kirk Session Records, CH2/592/1/1, pp. 85-86.

for the Engagement. Similarly, in the eyes of the hardline government of 1648, people who had supported the Engagement and refused to repent were no longer Covenanters. However, as outlined above, while there were remarkable instances of the presbyteries holding the nobility and gentry to ransom over their allegiance to the new regime, this was pursued with varying degrees of vigour on the ground. Crucially, this period marks the beginning of a more exclusive and less unifying vision of the Covenants, propagated at national level and in some localities. The adopting of the *Directory* and the Solemn Acknowledgement and Engagement also established an association between worship, communion and Covenanting which would later have significant ramifications for the ways in which people interacted with the Restoration church in the 1660s and 1670s as individuals negotiated their perception of Covenanting obligations to suit the changing political and ecclesiastical landscape.

Protestors and Resolutioners 1649–1652

The execution of Charles I by the English Parliament in Whitehall on 30 January 1649 precipitated a series of events which further entrenched the hardline-conservative split and led to a schism in the hardline grouping in 1650. The localities were exposed to debates surrounding the Covenants through public fasts, protestations and declarations in church. The Solemn Acknowledgement and Engagement was followed by the parliament of 1649 which sought to undo what the hardliners perceived as the sins of the Engagement. The most notable act it passed was the Act of Classes which enforced the ‘purgatioun and reformatioun of our judicatories and places of public trust’. In consequence, all those who took part in the Engagement were removed from the army and public office, pushing further the hardline decision to expel malignants from communion.¹⁰⁴ On 5 February 1649, the Scottish Parliament declared Charles II to be king of Scotland, England, and Ireland and by June 1650 he had sworn and subscribed the Covenants: the condition on which the Covenanting regime accepted his accession.¹⁰⁵ The decision to declare Charles II king has been described by Spurlock as an ‘unequivocal provocation’, leading Cromwell to prepare his forces for war in Scotland.¹⁰⁶ In the face of Cromwellian occupation, some hardliners were willing to allow former Engagers back into the army in order to defeat a common enemy. Led by notable Covenanters such as Robert Douglas and David Dickson (both involved in the creation of the Solemn Acknowledgement), this grouping was known as

¹⁰⁴ RPS, ‘Act of Classes for purging the judicatories and other places of public trust’, 1649/1/43 [accessed: 21 June 2015].

¹⁰⁵ RPS ‘Proclamation of Charles the second king of Great Britane, France and Ireland’, 1649/1/71 [accessed: 21 June 2015]; Row, *Life of Blair*, p. 230.

¹⁰⁶ Scott Spurlock, ‘Problems with Religion as Identity: The Case of Mid-Stuart Ireland and Scotland’, p. 22.

Resolutioners on account of their creation of public Resolutions to allow Engagers back into the army in 1650 and 1651. Opposing them were the Protestors who believed that only a truly godly army could defeat Cromwell. An outline of the beliefs of these factions will be given here alongside an assessment of how the localities continued to be engaged in these debates.

One way in which the localities were given a stake in the events of the 1650–52 was through public fasting. Fasting occurred during the Covenant subscriptions of 1638, 1643 and 1648 as a way of binding communities together in the pursuit of a common goal by engaging the laity emotionally, intellectually and bodily. Jeffrey Stephen argues that this was crucial to the Covenanting success as it ‘helped to forge a common political and religious identity and purpose’.¹⁰⁷ After the defeat of the Scottish army by a numerically weaker English army at Dunbar on 3 September 1650, the Commission of the General Assembly was in disarray. The defeated army had been a truly godly army that had been purged of former Engagers and those who had not taken the Covenants, and yet it had lost.¹⁰⁸ When the Commission met at Stirling on 12 September its members ordered a fast to be held for the sins which they believed had caused this embarrassing defeat: the malignancy of Charles II’s household, the unrepentant sins of those involved in the Engagement, and the general ‘iniquities’ of the people.¹⁰⁹ Charles II bore the brunt of the blame, being accused of having taken the Covenants for ‘politick interests, for gaining a crown to him selfe rather than to advance Religion and righteousness’.¹¹⁰ This declaration was included in a letter to the presbyteries which compared the nation’s current situation to that of biblical Israel and ordered them to warn their parishioners against complying with the English army, presenting the sad state of affairs as a test of the nation’s strength and faithfulness which required fasting and humiliation.¹¹¹ It is likely that James Guthrie framed both the declaration and letter to the presbyteries, as the same sentiments were echoed in his 1653 pamphlet *Causes of the Lords Wrath Against Scotland* in which he outlined where the Kirk had gone wrong. Malignancy featured heavily, as Guthrie argued that the interests of man had overtaken the interests of God ‘in a carnal politick way’.¹¹²

¹⁰⁷ Jeffrey Stephen, ‘National Fasting and the Politics of Prayer: Anglo-Scottish Union, 1707’, *The Journal of Ecclesiastical History* 60 (2009), p. 301; see also Alasdair Raffae, ‘Nature’s Scourges: The Natural World and Special Prayers, Fasts and Thanksgivings, 1541-1866’, in *God’s Bounty? The Churches and the Natural World*, ed. Peter Clarke and Tony Claydon (Woodbridge: The Boydell Press, 2010), p. 237-247.

¹⁰⁸ Wariston, *Diary*, ii, pp. 17, 19-20, Baillie, *Letters*, iii, pp. 91, 106; Row, *Life of Blair*, p. 235; MacKenzie, ‘Presbyterian Church Government and the “Covenanted Interest”’, p. 47.

¹⁰⁹ RCGA, iii, p. 52.

¹¹⁰ *Ibid.*, p. 53

¹¹¹ *Ibid.*, pp. 54-56; Holfelder, ‘Factionalism in the Kirk’, pp. 57-60.

¹¹² James Guthrie, *The Causes of the Lords Wrath Against Scotland* (1653), p. 5.

Charles II was similarly blamed for the deplorable state into which the Kirk had fallen, and the Kirk was criticised for having allowed him back into power despite ‘many clear evidences of his disaffection and enmity to the work and people of God’.¹¹³

The recorded observance of these fasts in the parishes demonstrate the exposure different Covenanting ideas enjoyed in the localities. The north eastern kirk session of Alves provides a fairly typical example of how the fast was explained in church. On 22 September, the session announced a ‘solemne fast and humiliation to be celebrated ... for the great and many provocations of the Land, the many provocations of the kings house not yet repented off, and the Lords fearfull wrath poured out bfu [before] the poore nation’.¹¹⁴ Most records echo the sentiment of Guthrie’s writings, but there were exceptions, such as Kinglassie, where the king was not mentioned in the announcement of the fast. Rather, the defeat at Dunbar was simply evidence of ‘the Lord’s wrath manifested against the land’. The people were to convene and confess ‘sinne and the sinnes of the land and begg mercy from the Lord’.¹¹⁵ The refusal to place blame on the king is indicative of a conservative outlook. Whereas the hardliners were willing to point to the malignancy of the king and his advisers, conservatives saw the defeat as divine judgement on a regime which had overlooked its Covenanted obligations to uphold the king’s majesty. The differences stem directly from alternative interpretations of the Covenants. Moreover, fasting allowed for these interpretations to be played out at local as well as national level.

The fast and declaration were a source of controversy within the Commission, as only a few ministers pushed them through without the required quorum, resulting in a split in the hardline faction. James Balfour claimed that most ministers in the Commission opposed the fast, particularly those from the synod of Fife and most notably James Wood, who would go on to become a prominent polemicist for the Resolutioner faction. According to Balfour, ‘some did not sticke to say, that 5 or 6 men wer too bolde to giue out ressons to a quhole church, without a more frequent meitting of the Commissione of the General Assembly’.¹¹⁶ However, the fast was observed anyway and the damage was done. Within the Commission a schism opened up as conservative leaning members were unwilling to place the blame for the defeat of the Scottish army on Charles II’s shoulders. As a result, the Kirk failed to present a united front in the face of the Cromwellian

¹¹³ *Ibid.*

¹¹⁴ Alves Kirk Session Records, NRS CH2/11/1, p. 17; See also Melrose Kirk Session Records CH2/386/1, p. 86.

¹¹⁵ Kinglassie Kirk Session Records, NRS CH2/406/1, p. 44.

¹¹⁶ James Balfour, *The Historical Works of James Balfour of Denmylne and Kinnaird, Knight and Baronet; Lord Lyon King at Arms to Charles the Frist, and Chalres the Second*, iv (London: Hurst, Robinson and Co, 1825), pp. 107-108.

occupation. A minority faction of western ministers and gentlemen banded together (known as the Western Association) and drew up a Remonstrance in October 1650, the aims of which bear striking similarities to those of the September fasts and Guthrie's polemics, which suggests similar authorship. The central message was that Charles II had taken the Covenants insincerely and without repenting. The nation had sinned by allowing this to happen and was guilty of 'backsliding, breach of Covenants and engagements vnto the Lord'.¹¹⁷ The Remonstrance was rejected by the Committee of Estates and the Commission of the General Assembly which went on to repeal the Act of Classes and allow former Engagers back into the army through the First Resolution of December 1650, the same month that the Western Association's army was defeated by Cromwell.¹¹⁸ Prior to December 1650, Covenanting opinion was split in three ways: hardliners, conservatives, and royalists. The Protester-Resolutioner controversy gave rise to a split in the hardline faction as those with a mildly conservative outlook favoured national unity above further purgation of the army. It will be shown below how competing interpretations of the Covenants fuelled this new division.

Although the hardliners split over who to allow into the army, their interpretation of the Covenants as limiting royal authority remained consistent. This is exemplified by Charles II's coronation at Scone on 1 January 1651. The sermon was given by Resolutioner Robert Douglas and the whole affair must have been very humiliating for the young king: he was urged by Douglas 'to be truly humbled for his own sinnes, and the sinnes of his fathers house, which have been great'.¹¹⁹ Moreover, Douglas claimed that the Scottish Government as constituted by the three Estates 'share[d] in the burthen of government', and that the king did not have 'absolute power to do what he pleaseth', but rather 'a power limited by contract, and these conditions he is bound by oath to stand up to'.¹²⁰ Douglas was espousing the contractual and limited theories of kingship hated by the Stuarts, but Charles obliged nonetheless and was crowned by Argyll. A signed copy of the Covenant subscribed by Charles II survives, which includes the National Covenant with the Glasgow Declaration and the Solemn League and Covenant. An explanation was added at the bottom in which Charles promised 'to prosecute the ends' of both Covenants and affirmed:

¹¹⁷ RCGA, iii, p. 95-107; Kyle Holfelder, 'Factionalism in the Kirk', p. 69.

¹¹⁸ Holfelder, 'Factionalism in the Kirk', p. 80; MacKenzie, 'Presbyterian Church Government and the "Covenanted Interest"', p. 47; RCGA, iii, pp. 131-132, 159; Row, *Life of Blair*, p. 249.

¹¹⁹ *The Forme and Order of the Coronation of Charles the Second, King of Scotland, England, France, and Ireland* (Aberdeen: James Brown, 1651), p. 4.

¹²⁰ *Ibid.*, pp. 8-9/

I for my ~~part~~ self and successours shall consent and agree to all Acts of Parliament enjoyning the National Covenant and the Solemn League and Covenant and fullie establish Presbyterial Government the Directory of worship, Confession of faith and Catechisms in the Kingdome of Scotland as they ar approved by the General Assemblies of this Kirk, and Parliament of this Kingdome: And that I shall give my Royal assent to Acts or ordinances of Parlement passed or to be passed enjoyning the same in the rest of my dominions.¹²¹

This description of the commitments which arose from Covenanting highlights the centrality of Presbyterianism, the *Directory*, and the authority of Parliament in hardline Covenanting thought. It further demonstrates the limited power the hardliners believed the monarch should have, and affirms the three kingdom commitment of the Solemn League. While both Protestor and Resolutioner factions supported the crowning of Charles II, there was an irreconcilable point of contention over how sincere he had been in taking the Covenants and another around whether or not former Engagers should be allowed back into the army. Protesters and Resolutioners bickered among themselves all the way to Worcester where they were, once more, defeated by Cromwell's forces on 3 September 1651.

The First Resolution opened up new lines of debate in the ranks of the Covenanters in which the localities were also involved. It identified a need for 'a more general calling forth of the bodie of the people'.¹²² Therefore all able-bodied men were permitted to join the army except 'such as are excommunicate, forfaulted, notoriously profane, or flagitious... and professed enemies and opposers of the Covenant and Cause of God'.¹²³ Between January and April 1651 ten protestations against the First Resolution were submitted to the commission from the presbyteries of Stirling, Glasgow, Aberdeen, Paisley, Deer, Irvine, Ayr, Hamilton, Lanark, and from the synod of Glasgow and Ayr.¹²⁴ The protestations shared the central hardline argument that by allowing malignants back into the army and places of trust, the Commission and parliament had broken the Covenants and the Solemn Acknowledgement and Engagement. For example, Stirling Presbytery found that the Resolution broke the third and fourth articles of the Solemn League, which promised to defend the rights and liberties of parliament and seek out and admonish those who had hindered the cause of Reformation. According to this presbytery the fourth article of the Solemn League 'is not only the debarring such persons from imployment and trust, but a further degree of duetie tending to a greater distance with them'. They also believed that 'The Solemne Acknowledgment of Publict Sinnes is so

¹²¹ This Covenant is owned by the earl of Roseberry and I am very grateful to his family for allowing me to view it.

¹²² *RCGA*, iii, p. 159.

¹²³ *Ibid.*

¹²⁴ *Ibid.*, pp. 173-393.

cleare and peremptory in this thing that it makes us tremble to thinke upon it'. To prove this, they referenced a section of the Acknowledgement that detailed breaking the Covenant by 'joyning once more with the people of these abominations ... will provoke the Lord against us to consume us until there be no remnant nor escapeing in the land'.¹²⁵ The protestation from Aberdeen Presbytery specifically cited the declaration and fasts proclaimed by the Commission the previous September, arguing that these highlighted the dangers malignants posed to the church and nation. Aberdeen Presbytery also proposed in their protestation that further purging of the army, rather than allowing malignants back in, was the proper response.¹²⁶ The Stirling protestation complained 'We are affrayed that this way will be verie scandalous and offensive to the most of all the religious and godlie in the land'; and Paisley Presbytery saw in the Resolution 'a betraying of Gods people'.¹²⁷ The Protesters categorically refused to allow former Engagers back into the army as they believed this meant breaking the Covenants which would bring down God's wrath on the nation. While not explicitly claiming to speak for the people, these local protestations provide indirect evidence of what people may have believed.

Conversely, letters of support were sent to the commission from the synods of Fife, Angus, Moray, Perth, and the presbytery of Chanonry. In the eyes of the Resolutioners, the cause in 1651 was for Kirk, king, and kingdom which necessitated a broad base of support. In response to the Stirling protestation, the Commission argued that:

in the history of the Kings and Chronicles... after a defection from religion and the Covenant of God, gracious, reforming kings arose, and had to doe against forraign invasion, we find not these kings debarring any subjects, but calling them out promiscuously for this just and necessary defence of the Kingdom.¹²⁸

The response to the Stirling protestation went on to point out that many former Engagers had taken the Solemn Acknowledgement and Engagement 'and have bound themselves to a more firm and faithfull adhering to the Cause and Covenant'. Moreover, Charles II was now a Covenanted king having bound himself 'to maintain the Covenant and Cause'.¹²⁹ The letters of support generally follow this line of argument. For example, the synod of Fife argued that the Commission was acting justly 'according to the Covenants, natural affection to our native Kingdome, loyaltie to soveraigne authoritie and tenderness to your brethren'.¹³⁰ Similarly, the northern presbytery of Chanonry commended the Commission,

¹²⁵ *Ibid.*, pp. 174-175.

¹²⁶ *Ibid.*, pp. 245-246.

¹²⁷ *RCGA*, iii, pp. 177, 257.

¹²⁸ *Ibid.*, p. 206.

¹²⁹ *Ibid.*, p. 211

¹³⁰ *Ibid.*, p. 380.

affirming that ‘Our dueties respectively owne to God, to his Kirk and cause, to the Covenant made with him, to the work of Reformation, and to our nature, King and country’.¹³¹ By spring 1651 Resolutioner leadership was solidified in the Commission of the General Assembly, and what the fasts, Remonstrance, Resolutions, and subsequent protestations reveal are different approaches to dealing with an existential crisis. Protestors believed that the insincerity of Charles II’s subscription to the Covenants combined with persistent malignancy in the Scottish army and the sins of the people more generally caused the failure of the Scottish army to defeat Cromwell. Their solution was for the nation to repent for their sins, further purging of the army, and for Charles II to repent for his insincerity in subscribing the Covenants. For Resolutioners, upholding the realm and its church was their Covenanted obligation. They believed that the 1650 purges had gone too far, and that Scots should unite in order to defeat a common enemy. This line of argument was supported by the official rescinding of the Act of Classes in parliament in June 1651 and by the Resolutions.¹³² The Protester-Resolutioner split was solidified by the two General Assemblies held in St Andrews and Dundee in July 1651. Fraught with controversy and disrupted by English invasion, these Resolutioner-dominated Assemblies ratified the Resolutions; attempted to prevent Protesters from attending; and deposed leading Protesters Patrick Gillespie, James Guthrie, and James Simpson.¹³³

In August 1651, Scottish forces prepared to invade England and the Commission of the General Assembly produced *A Short Warning and Exhortation to the right honourable the officers of the Armie and all vnder their command, and to all the noblemen, gentlemen, and others in the Kingdome of Scotland*. The people were urged ‘to walk more circumspectlie as in Gods sight in all holines, righteousnes, and sobrietie’ and uphold the ‘bonds and obligations ... in our Nationall Covenant and Solemn League and Covenant’.¹³⁴ The commission beseeched everyone ‘of all ranks’ to avoid collaborating with the English army and to support ‘fellow Covenanters’; a phrase which was repeated in the next paragraph which warned of the dangers of breaking a Covenant and hiding at home while others fought for a just cause.¹³⁵ The exhortation ended with an appeal to those who were experiencing the hardships of military occupation to be ‘neither seduced with the craftie

¹³¹ *Ibid.*, p. 431.

¹³² *RPS*, ‘Act approved; act ordered to be proclaimed’, 1651/5/11 [accessed: 14 July 2015]; *RCGA*, iii, pp. 440-442.

¹³³ Usually, only one Assembly per year was held, but the first in 1651, held at St Andrews, was adjourned early due to the victory of the English army at close-by Inverkeithing. The next Assembly was moved north to Dundee. No official records of these Assemblies survive. The most robust account of these Assemblies is contained in Holfelder, ‘Factionalism in the Kirk’, pp. 121-130.

¹³⁴ *RCGA*, iii, p. 505.

¹³⁵ *Ibid.*, p. 506.

alluirmments nor affrayed with the terror of theemie'. This was ordered to be read in every parish.¹³⁶ The Resolutioner Commission clearly recognised that if the army was to have any chance of success in England, more people had to be recruited and therefore a plausible cause had to be outlined for people to get behind. As Covenanting ideas had by this point become fragmented, the commission spoke of the Covenants in general terms, citing the importance of personal sobriety and righteousness rather than any specific element of either Covenant. This exhortation can be described as an appeal to public opinion, as it sought widespread legitimisation of military action and used the language of unity which was directed towards people of all social ranks. Nevertheless, it is important to remember that this appeal was intended more as the fulfilment of national Covenanted obligations than as a legitimisation of public opinion.

From the late 1640s, there is evidence that suggests some people had become exasperated by incessant church controversy, such as Andrew Gudlad (discussed above) and the author of the 1651 pamphlet *A Declaration and Vindication of the Poore Opprest Commons of Scotland*. This pamphlet was written anonymously and published by Cromwell's regime. Described by Stevenson as a 'genuine Scottish voice', the writer complained of the oppression the Covenanting regime imposed on the common people through high levels of taxation and incessant warring.¹³⁷ The writer sought a return to the ideals expressed in the 1580 Negative Confession: the 'first sworne Covenant' when the church courts and ministers directed ecclesiastical affairs in conjunction with the king, rather than 'lords'. This may indicate a royalist outlook. English occupation was welcomed by the writer, who criticised the Covenanting regimes for having divided the nation, brought war onto Scotland's lands and barbarically executed their opponents, such as Montrose.¹³⁸ The pamphlet finished by arguing that the events of 1638–51 had highlighted:

the innocent suffering of the poore commons and their willingness to doe and suffer for defence of the Covenant, religion, king and kingdome and the uncensurable guiltiness of those hypocriticall selfe seeking politicians whose name shall stand recorded in the blacke line of treacherous treattors to all posteritie so long as the sunne shall give light to the world.¹³⁹

The writer was willing to accept God's divine judgement in favour of the English army and welcomed the removal of both Protesters and Resolutioners from the governance of Scotland. Stevenson estimated that this pamphlet was written before the battle of Dunbar

¹³⁶ *Ibid.*, pp. 507.

¹³⁷ David Stevenson, 'Reactions to Ruin, 1648–51. "A Declaration and Vindication of the Poore Opprest Commons of Scotland" and Other Pamphlets', *The Scottish Historical Review* 84 (2005), pp. 260–262.

¹³⁸ *Ibid.*, pp. 262–263.

¹³⁹ *Ibid.*, pp. 263.

and that it was genuine rather than purely a piece of Cromwellian propaganda, as the writing style and spelling errors in the original manuscript indicate that it was written by someone with only basic education.¹⁴⁰ It is difficult to assess how widespread this opinion was, but this pamphlet may constitute evidence of grassroots royalism. It demonstrates that there certainly were people, probably of low social status who had become disillusioned by Covenanting controversy and welcomed the removal of a Covenanting regime to be replaced by a one which did not obsess over the Covenants and oppress the people.

On the other hand, the engagement of ordinary people in Covenanting controversy continued to have an influence on female activism. In 1652 around 120 armed women prevented a synod from meeting in the Perthshire kirk of Dunning. This synod was set to appoint a new minister to the parishes of Dunning and Auchterarder after contentious malignancy depositions. A riot ensued when the synod members arrived and they were driven from the town by an armed group of women, led by the wives of the deposed ministers.¹⁴¹ Accounts of this riot differ between English and Scottish sources. The English broadside *Mercurius Politicus* stated that it was solely women who fought the members of the synod:

This the Kirkmen look upon as a very ominous disaster, that the women, who began with the Bishops in the years 1638. 1639. should now likewise begin with them after a worse manner in the year 1652.¹⁴²

In contrast, the records of the synod of Perth and Stirling report that the perpetrators were ‘a tumultuous multitude of women w[i]t[h] staves ... men being among them & cled w[i]t[h] womens cloaths’.¹⁴³ Cross dressing was not an unusual feature of early modern rioting, and, as shown in chapter one, Robert Wodrow claimed that some of the rioters in 1637 had actually been men dressed as women. Regardless of which account is more accurate, both agree that women were the primary instigators of this riot. In addition, the contrasting accounts are very revealing of early modern attitudes towards women. The involvement of women is a source of derision for the English writer to hurl at the Presbyterians. This tract also claimed that it was women who led the 1638 riots and were now emboldened, turning on the Kirk leaders. While it certainly contained an element of satire, the English account suggests that female dissent was seen as having deep roots in Scotland. By stating that men dressed as women were also involved in the riot, the Perth and Stirling synod was perhaps attempting to downplay female involvement and avoid

¹⁴⁰ *Ibid.*, pp. 264-265.

¹⁴¹ Spurlock, *Cromwell and Scotland*, p. 103; *A Fight at Dunnin in Scotland, between the Scots women, and the Presbyterian kirkmen* (Edinburgh, 1652).

¹⁴² *Mercurius Politicus* (17–24 June 1652), 1682, 1686–7 [E668:13].

¹⁴³ Perth and Stirling Synod Records, NRS CH2/449/1, p. 188.

embarrassment. Clearly, women were not expected to riot in this context unless directed so by men and the incident at Dunning was thus a public affairs disaster for the Kirk as well a source of ridicule for their polemical enemies. It is likely that there was some male involvement as the leaders of the riot were the wives of the deposed ministers, but 1652 was certainly different from the 1637 prayer book riots as women were at least the primary, if not the sole, instigators of rioting. The ministers had been deposed by the hardline regime and therefore the riot could be understood as evidence of grassroots conservatism, but more evidence is needed to analyse this further. Certainly, a local group of people led by women violently protected ministers who were out of favour with the hardline regime.

Conclusion

This chapter has shown that Covenanting ideas could engender a number of different interpretations. In assessing this tumultuous period, it is not possible to offer a detailed analysis of every event which occurred. However, by focusing on certain pivotal moments we can uncover the flexibility and fragmentation of Covenanting beliefs and the extent to which ordinary people were engaged in religious and political controversy. 1645 is a significant moment in understanding Covenanting ideas: at the same time that the *Directory for Public Worship* was being implemented as a result of the Solemn League and Covenant, staunch royalists were rising in opposition to the perceived usurpation of royal authority engendered by the Solemn League. This period also marks the beginning of the appropriation of royalism into the cultural identity of non-Campbell Gaelic Scotland. In 1647 a middle grouping of conservative Covenanters emerged who fell somewhere between the hardliners and royalists. The distinction between conservatives and hardliners became entrenched by the 1648 Solemn Acknowledgement and Engagement. The hardline faction split as a result of the defeat at Dunbar in 1650 and this split was consolidated by the Resolution controversy. At each of these moments the localities were engaged in the various controversies through Covenant resubscription, petitioning, and fasting. However, this was not a deliberate appeal to public opinion by the church leaders. Rather, they sought to fulfil the promise in the Covenants for national adherence to their aims. Here lies the inherent problem of a national Covenant: it requires permanent and unbreakable corporate as well as personal commitment. This explains why the various factions of Covenanters were determined to press their interpretation of the Covenants onto each individual and why they were unwilling to compromise.

The ramifications of engaging the localities in the debates surrounding Covenanting and monarchy were wide-ranging. Ordinary men and women were given a stake in the Covenanting venture through the subscription campaigns and saddled with obligations as a result. Local communities began to raise their voices when they felt that the Covenants or their congregations had been betrayed. This is evidenced through the protests of the late 1630s and early 1640s, the anti-Engagement communion service at Mauchline Moor, the wider Engagement controversy, and the Dunning riot. Furthermore, the implementation of the *Directory* made observing certain forms of worship a Covenanted commitment and the Solemn Acknowledgement and Engagement brought communion to the forefront of Covenanting controversy. This has significant implications for the battle for conformity in the 1660s and 1670s. Having established the diverse and public nature of Covenanting controversy, the following chapter will highlight the ways in which eight years of English occupation impacted on Covenanting and royalist ideology.

Royalism, Sectarianism and the Ideological Assault on Covenanting 1652–1662

By 1662 Charles II had been restored to the throne, outlawed the Covenants and achieved a moderate Episcopalian church settlement in Scotland to which around two-thirds of the ministry conformed. Despite the many factions of Covenanters in existence by 1652 it is surprising that, on the face of it, such a high number of ministers were willing to abandon their previously held convictions. The previous chapter showed how the Solemn League and Covenant fostered further division, the range of ways in which it was interpreted by hardliners and conservatives, and how Covenanting ideas played out at local level between 1643 and 1652. This chapter seeks to understand changing perceptions of the Covenants during the interregnum and the ways in which this influenced the Restoration settlement of 1661–1662 and its reception on the ground. It will assess significant moments in the interregnum in which Covenanting ideas, particularly those fostered by the Solemn League and Covenant, influenced how people interacted with the Cromwellian government. These include the Tender of Union in 1652, the Glencairn rising of 1653–1655, and the Restoration of Charles II.

Due to the nature of the source material for this period, the analysis offered in this chapter will be focused more heavily on the nobility and the shifting of ideological positions in regard to Covenanting and royalism. Synods, presbyteries, and kirk sessions continued to meet during the interregnum but the surviving minute books offer little insight into how the localities responded to the upheaval in this decade. The lack of comment on the events of the 1650s in the church records may be a result of the General Assembly being disbanded by the Cromwellian government in 1653. This action deprived the Kirk of leadership and as a result there was not the same level of local engagement with national controversies through oath-taking and fasting as had been prevalent in the 1640s. Local evidence will be incorporated where possible, particularly from the consultation of the shires and burghs over the Tender of Union in 1652. Some shires and burghs dissented on explicitly Covenanting grounds, reflecting a prevalence of hardline Covenanting opinion among the gentry and magistrates in certain areas, particularly the west and south west of Scotland. This dissent also reflected an interest in upholding the rights of the nobility. However, the language of common consultation and consent found in some of the objections to the Tender held inadvertent implications of the validity of popular politics. Noble distaste for the Cromwellian union led to the royalist rising of 1653, led initially by

William Cunningham, eighth Earl of Glencairn and latterly by John Middleton. The ideological justifications for this rising will be assessed with particular emphasis on the relative absence of Covenanting rhetoric and the development of royalist thought. Attention will then turn to the main debates within the Kirk during the interregnum with reference to printed polemics alongside some synod record evidence before analysing the key features of the Restoration settlement and the immediate printed response. This provides the appropriate context for examining grassroots responses to the Restoration settlement discussed in the following chapter.

The Solemn League and Covenant and the 1652 Tender of Union

The Tender of Union negotiations offer an ideal opportunity to measure the flexibility of Covenanting ideas in response to political change. While Scottish acceptance of the Cromwellian incorporating union was a forgone conclusion, the familiar practice of consultation was followed by the new regime in the hope of ensuring widespread compliance in the localities. Competing Scottish and English interpretations of the Solemn League and Covenant will be analysed first to explain the absence of Covenanting language in the Tender of Union. Responses to the Tender in the shires and burghs will then be addressed to understand how the recent invasion and enforced compliance impacted perceptions of Covenanting on the ground. Covenanting language was utilised in various localities, particularly in the south west, by local hardliners and nobles as a way of critiquing the new regime which they viewed as over-riding the authority of the Estates of parliament and reneging on the Solemn League and Covenant. However, responses were not uniform, and the variety of ideas expressed in the assents and dissents to the Tender reflect the complexity and flexibility of Covenanting ideas in 1652.

In the months following the victory of the Parliamentary army at Worcester, the English Parliament agreed on a course of action in regard to their conquered northern neighbours. Deputies from the Scottish shires and burghs (gentry and burgesses) were ordered to meet at Dalkeith during February 1652 to assent to union.¹ A declaration was produced in October 1651 which was to be taken to Scotland by English parliamentary commissioners. This was proclaimed at Edinburgh mercat cross and sent to all the shires and burghs by 12 February.² The declaration stated that the commissioners were in Scotland to promote preaching of the gospel; to negotiate terms for an incorporating union

¹ Dow, *Cromwellian Scotland*, p. 36.

² *Ibid.*, pp. 32-36; *The Cromwellian Union, Papers Relating to the Negotiations for an Incorporating Union between England and Scotland 1651-1652 with an appendix of papers relating to the negotiations in 1670*, ed. C. S. Terry (Edinburgh: T and A Constable for SHS, 1902) [hereafter Terry *CU*], pp. xxiv-xxv.

‘with such convenient speed’; and to confiscate lands, goods and revenues of the crown and of those involved in the 1648 and 1651 invasions of England ‘for the vast expences and damages’ incurred.³ Finally, the declaration stated that those who were not involved in the invasions of England would henceforth be under the protection of the Commonwealth ‘and enjoy the liberties and estates as the other free people of the common-wealth of England’.⁴ Those who had been drawn into the war due to their vassalage to the nobility and gentry could place themselves under the protection of the Commonwealth, receive a full pardon, live under ‘easie rents and reasonable conditions’, and be freed from ‘their former slaveries, vassalage and oppressions’.⁵

Promoting religious toleration and excluding the nobility from the consultation process were ways in which the English solidified their regime. The instructions to the commissioners elaborated on the declaration: the commissioners would visit universities, enforce English laws in Scotland, imprison anyone disobedient to the Commonwealth, control the confiscated lands, control public revenue, and appoint judges, justices, officers, commissioners, ministers and others to execute the instructions.⁶ By the time deputies from the shires and burghs began arriving at Dalkeith, the commissioners had also published an explanation of the declaration. This stated that parliament would protect and maintain ministers of the Kirk as long as they behaved peaceably. The explanation also stated that parliament would protect ‘uthers quho not being satisfeyed in conscience to use that forme, sail serve and worschip God in ane uther gospel way, and behave thameselffis peceable and inoffensivelie thairin’.⁷ This meant that any form of Protestant worship would be tolerated, effectively breaking both Covenants which promised to defend and export the ‘true religion’.⁸ The explanation finished by placing under protection of the commonwealth those who owned land worth less than £500 or £200 sterling depending on location.⁹ As outlined in the introduction, since 1642 parliament had been formed of three Estates rather than the original four: the nobility, the gentry (comprising elected representatives of the barons and smaller crown freeholders in the shires), and the burgesses (comprising

³ ‘A Declaration of the Parliament of the Commonwealth of England, Concerning the Settlement of Scotland’, in ‘Records of the Anglo Scottish Union Negotiations, 1652-1653’, ed. Robert Landrum, *Miscellany of the Scottish History Society*, xv (SHS: 2013), p. 175.

⁴ *Ibid.*, p. 176.

⁵ *Ibid.*

⁶ ‘Instructions to the Commissioners Sent to Scotland’, in *Miscellany of the Scottish History Society*, pp. 177-180; Firth, *S and P*, pp. 393-398.

⁷ ‘Explanatioun of the foirsaid declaratioun, or an additioun thairunto, by the commissioneris of the commounwelth of England for managing the effaires of Scotland’, in *Miscellany of the Scottish History Society*, xv, p. 181; Nicoll, *Diary*, pp. 83-4.

⁸ See Spurlock, *Cromwell and Scotland*, pp. 50-51; Dow, *Cromwellian Scotland*, pp. 38-39.

⁹ *Ibid.*, p. 182.

representatives of the royal burghs).¹⁰ Removing the richest and most powerful of these three Estates in the negotiations over union in 1652 and empowering the middling sort was, as Landrum observes, a deliberate attempt by the Cromwellian regime to enact ‘a political and social revolution’.¹¹ As has been shown in the previous chapters, the Covenanters placed great importance in the authority of the Estates of parliament (with the exception of the clerical estate) and the form of the 1652 consultation was therefore a significant break with the past. The most vehement opponents of the union came from the ranks of the ministry and the dissents to the Tender of Union were made largely on religious grounds. The nobility also lost out, and noble discontent is likewise evident in the dissents even though they were not consulted directly.

As in Scotland, there was a range of interpretations of the Solemn League and Covenant in England by 1652.¹² Competing interpretations had led to a stand-off in 1649–50. By 1648, the apparent unity achieved in 1643 had unravelled. In the eyes of the Cromwellian regime, the Scottish invasion during the Engagement constituted the Solemn League’s ‘being wholly broken, and all other Treaties with it’.¹³ Similarly, Scottish hardliners saw the English as having broken the Solemn League and Covenant by executing Charles I in January 1649. After the execution of the king, the hardline Covenanters – who had previously in league with Cromwell during the 1648 Whiggamore raid – led by Guthrie, Wariston, and Rutherford vehemently denounced the actions of ‘sectaries’ who had ‘broken the Covenant, and dispised the Oath of God’. Accordingly, the English could ‘pretend no quarrel against us, unless it be that we have adhered unto the Solemn League and Covenant, from which they have so foully revolted and backslidden’.¹⁴ The Cromwellian regime believed, however, that it was the Scots who had broken the Solemn League, and that their actions towards the English were based on ‘Interest of Domination and Profit, under a pretence of Presbyterie and the Covenant’.¹⁵ The Rump Parliament did not repeal the Solemn League and Covenant, but in 1649 drew up an Engagement of loyalty to the Commonwealth. This was an oath, to be sworn primarily by

¹⁰ John R. Young, ‘Seventeenth-Century Scottish Parliamentary Rolls and Political Factionalism: The Experience of the Covenanting Movement’ in *Parliamentary History* 16 (1997), p. 150.

¹¹ ‘Records of the Anglo Scottish Union Negotiations, 1652-1653’, ed. Robert Landrum, in *Miscellany of the Scottish History Society*, xv, p. 157.

¹² See Edward Vallance, *Revolutionary England and the National Covenant*, pp. 155-166.

¹³ *A Declaration of the Parliament of England, in Answer to the Late Letters Sent to Them from the Commissioners of Scotland* (London, 1648), p. 23; *Ibid.*, p. 160.

¹⁴ *A Seasonable and Necessary Warning and Declaration, Concerning Present and Imminent Dangers, and Concerning Duties relating thereto from the General Assembly of this Kirk unto all the Members thereof* (Edinburgh, 1649), pp. 3, 6.

¹⁵ *A Declaration of the Parliament of England, upon the marching of the Armie into Scotland* (London, 1650), p. 8.

officers of state and clergy which acknowledged the lawfulness of the new regime ‘without kyng or howse of peers’.¹⁶ This phrase, which would later be repeated in the Tender of Union, was consistent with the exclusion of the Scottish nobility from the process of consultation. Edward Vallance has demonstrated that most English Presbyterians viewed the Engagement to the Commonwealth as a breach of the Solemn League, but the supporters of the Rump Parliament either perceived the two as compatible or saw the Solemn League as a ‘temporary arrangement which was now past its political sell-by date’.¹⁷ The battle of Dunbar in 1650 can thus be understood as a battle between two armies who upheld alternative – and conflicting – interpretations of the Solemn League and Covenant: the hardline Scottish interpretation upholding the continuing obligations of a sworn Covenant that excluded royalists and Engagers, and the flexible Cromwellian interpretation in which providence trumped these obligations. Spurlock emphasises the role of providential theology in this conflict, arguing that the hardline Covenanters had a fixed understanding of God’s will which was framed solely around the Covenants and Scotland’s status as a Covenanted nation. Consequently, anything that appeared to be inconsistent with the aims of the Covenants was understood by the hardliners as being against God’s will. In contrast, Cromwell and his followers had a broader understanding of God’s will which placed greater emphasis on providence. Entering into the Solemn League and Covenant with Scotland was viewed as a result of God’s providence in 1643, but it was not viewed as a definitive and final expression of God’s providence.¹⁸ Spurlock concludes that ‘Owing to these different understandings of God’s workings, the two nations had different understandings of the events of 1650, and differing interpretations of their obligations and roles in the unfolding of God’s divine will’.¹⁹

Providential interpretations of the events of 1648–51 allowed the Cromwellian regime to avoid mentioning the Covenants in their offer of union. This implied that the Covenants were no longer binding or consistent with the English occupation of Scotland. Evidence of Cromwell’s belief in providence in his dealings with Scotland can be seen as early as 1648 where he wrote to the Committee of Estates demanding the surrender of Berwick and Carlisle otherwise ‘I must make our Appeal to God, and call upon him for assistance, in what way he shall direct us’.²⁰ Moreover, days before the English victory at

¹⁶ Sarah Barber, ‘The Engagement for the council of State and the Establishment of Commonwealth Government’ *Historical Research* 63 (1990), p. 57; Vallance, *Revolutionary England*, p. 161.

¹⁷ Vallance, *Revolutionary England*, p. 178.

¹⁸ Spurlock, *Cromwell and Scotland*, pp. 14-15.

¹⁹ *Ibid.*, p. 15.

²⁰ ‘The Letter to the Committee of Estates of Scotland’, in *The Transactions of Several matters between Lieut. Gen: Cromwel and the Scots, For surrendering the Towns of Berwick, Carlisle, And all other Garisons*

Dunbar, a declaration was produced in the name of the English army, affirming that they perceived their successes thus far ‘not as the work of the policy or strength of man, but as the eminent actings of the providence and power of God to bring forth his good-will and pleasure’.²¹ Cromwell believed that the Covenanters had misinterpreted the Covenants and urged them not to maintain such a rigid stance, commenting in a letter to the Commission of the General Assembly in 1651:

Precept may be upon precept, line may be upon line, and yet the Word of the Lord may be to some a Word of Judgement; that they may fall backward and be broken, and be snared and be taken! There may be spiritual fullness, which the World may call drunkenness; as in the second Chapter of the Acts. There may be, as well, a carnal confidence upon misunderstood and misapplied precepts, which may be called spiritual drunkenness. There may also be a Covenant made with Death and Hell! I will not say yours was so.²²

God’s judgement had favoured Cromwell in 1648 and did so again in 1650. Arthur Williamson argues that Dunbar was ‘a contest between armies of saints’, each of which upheld a different interpretation of the Solemn League, and that it constituted Cromwell’s biggest victory due to its apparently divine nature, when the Cromwellian army prevailed despite being numerically weaker.²³ Although it had not officially repudiated the Covenant, the English regime included no mention of it in their offer of union in 1652. By this point the Solemn League was, in Cromwell’s eyes, no longer an issue for discussion due to his God-given victories over two factions of Scottish Covenanters.

Cromwell believed that the Scots were godly people who had been misled by their Kirk,²⁴ and treated them as such by presenting the union as voluntary. When the deputies from the shires and burghs met at Dalkeith, they were asked to assent to a three-point proposition, the Tender of Union. This stated firstly, that they agreed to be incorporated into the Commonwealth of England; and secondly, that they would live peaceably under the authority of the English Parliament in the meantime; thirdly, the deputies were asked to offer any ideas which may help bring about the union with ‘speed and best satisfaction to

belonging to the Kingdom of England. Together with the Reasons of Lieut. Gen: Cromwells entering the Kingdom of Scotland to assist the Marquis of Argyle (London: 1648), p. 12.

²¹ ‘A Declaration of the Army of England upon their March into Scotland To all that are Saints, and Partakers of the Faith of God’s Elect, in Scotland’, in *The Writings and Speeches of Oliver Cromwell*, ii, ed. Wilbur Cortez Abbott (Cambridge: Harvard University Press, 1939), p. 288. See also Crawford Gribben, ‘Polemic and Apocalyptic in the Cromwellian Invasion of Scotland’, in *Literature & History* 23.1 (Spring 2014), pp. 1-18.

²² *To the General Assembly of the Kirk of Scotland; or, in the case of their not sitting, To the Commissioners of the Kirk of Scotland: These*, (Musselburgh: 3rd August 1650) <www.olivercromwell.org/Letters_and_speeches/letters/Letter_129.pdf> [accessed 29/09/2015]

²³ Arthur Williamson, ‘Union with England Traditional, Union with England Radical: Sir James Hope and the Mid-Seventeenth-Century British State’, in *The English Historical Review* 110 (1995), p. 308.

²⁴ *Ibid.*, p. 308; Spurlock, *Cromwell and Scotland*, p. 22; David Stevenson, ‘Cromwell, Scotland and Ireland’, in *Oliver Cromwell and the English Revolution*, ed. John Morrill (Essex: Longman, 1990), pp. 159, 161, 164; Laura A.M. Stewart, ‘Cromwell and the Scots’, in *Cromwell’s Legacy*, ed. Jane A. Mills (Manchester: Manchester University Press, 2012), p. 177.

the People of Scotland'.²⁵ Assents were received from twenty-eight out of thirty shires, forty-four out of fifty-eight burghs, and the single existing stewartry.²⁶

Evidence from extant burgh records indicate that the consultation process was taken seriously at local level. The successful negotiation process and the absence of discussion on the Covenants in most localities suggests that the majority of burgh and shire representatives were willing either to repudiate the Solemn League and Covenant or to embrace a more flexible interpretation of the Covenant. After assenting to the Tender in February and March, deputies then submitted 'desires' which were negotiated in April.²⁷ The burgh of Stirling was particularly concerned with the functioning of local government, which had been suspended until the union was settled, and asked their commissioners to 'supplicat the [English] commissionares for the libertie and fredome of this burghe and uther thingis necessary, specially the electing of majestrates thairin'.²⁸ Local government was also of great concern to the burgh of Aberdeen, and when the English commissioners permitted the election of magistrates and government officials, this was announced with 'tua drumes' and the elections took place immediately.²⁹ By allowing the continuation of local forms of government once the Tender was passed, the English commissioners demonstrated that they were willing to work with the burghs to a certain degree. Some level of debate may also have taken place in localities, as demonstrated at Glasgow. On 21 February, the declaration of the English Parliament was read at a meeting of the burgh council and 'after all men wer required to declare their judgments thairintill, all present declared that they wer not satisfiet thairwith'.³⁰ Within the Kirk, kirk sessions, presbyteries, and synods continued to function under Cromwellian occupation but the extant records reveal very little about local responses to the Tender.³¹ The Kirk was trying to heal the wounds caused by internal schisms of the previous four years, and the synods and presbyteries prepared for a conference to be held in May 1652 which aimed at

²⁵ Terry, *CU*, p. 15.

²⁶ Dow, *Cromwellian Scotland*, p. 38.

²⁷ Dow, *Cromwellian Scotland*, pp. 43-44.

²⁸ *Extracts from the Records of the Royal Burgh of Stirling A.D. 1519-1666 with Appendix A.D. 1295-1666* (Glasgow: Glasgow Stirlingshire and Sons of the Rock Society, 1887), p. 201.

²⁹ *Extracts from the Council Register of the Burgh of Aberdeen, 1643-1747* (Edinburgh: Scottish Burgh Records Society, 1872), pp. 128-130.

³⁰ *Extracts from the Records of the Burgh of Glasgow 1630-1662*, ed. James Marwick (Glasgow: Scottish Burgh Records Society, 1881), p. 219.

³¹ For a discussion of the kirk session and local government during Cromwellian occupation, see Lesley M. Smith, 'Sackcloth for the Sinner or Punishment for the Crime? Church and Secular Courts in Cromwellian Scotland' in *New Perspectives on the Politics and Culture of Early Modern Scotland*, ed. John Dwyer, Roger A. Mason, and Alexander Murdoch (Edinburgh: John Donald Publishers, 1982), pp. 116-133.

reconciliation.³² There was some level of debate in certain shires and burghs, and the evidence presented here shows that the consultation process resulted in the re-establishment of a magistracy elected by the burgh council which was of significant importance to the local elites. The vast majority of burghs and shires assented. This may reflect the success of the negotiation process, or it might indicate an acceptance that it was by this point unrealistic to continue to push for the enactment of the aims of the Solemn League and Covenant, or it could show that a more flexible approach to understanding Covenanting obligations was being embraced.

There is little doubt that the Tender was in reality compulsory. Stevenson describes the consultation process as ‘a solemn farce’, and Dow argues that consultation was sought ‘in order to facilitate the execution of a predetermined policy’.³³ Moreover, the Tender changed little after the Dalkeith negotiations and the three dissenting shires and burghs were all forced to change their responses to assents. The process of consultation and consent had a long history in the legislative process in Scotland and although the 1652 negotiations had a predetermined outcome, that process may have influenced the large degree of assents. Alan MacDonald uses the reign of James VI to demonstrate the importance of consultation through the Convention of Estates. The Convention of Estates was called by the crown and met regularly between 1585 and 1603, with members discussing legislation before it came to parliament.³⁴ Once James acceded to the throne of England, his approach became less focused on consensus building and he called far fewer conventions of the Estates. MacDonald argues that this lack of regular consultation led to the court-country divide which opened up in the 1621 parliament and created ‘unease’ among the nobility which, alongside other factors, would gradually lead to revolution in 1638.³⁵ In 1652, the familiar principle of consultation was utilised by the Cromwellian regime which may have aided consensus building and helps explain why the vast majority of shires and burghs assented.

The majority of assents to the Tender were brief and formulaic: incorporation was accepted; the deputies agreed to live under English rule; and, in many cases, Scottish representation at Westminster was requested.³⁶ Dow has identified nine fairly enthusiastic assents, from Wigtownshire, Lanarkshire, Dumbartonshire, Buteshire, and the burghs of

³² *Extracts from the Presbytery Book of Strathbogie. A.D. 1631 – 1654* (Aberdeen: The Spalding Club, 1843), p. 220; Synod of Fife, NRS CH2/154/2/2, p. 252; Synod of Perth and Stirling, CH2/449/1, p. 184.

³³ Stevenson, ‘Cromwell, Scotland and Ireland’, p. 165; Dow, *Cromwellian Scotland*, p. 34.

³⁴ Alan MacDonald, ‘Consultation and Consent under James VI’, in *The Historical Journal* 54 (2011), p. 291.

³⁵ *Ibid.*, pp. 293, 296, 305.

³⁶ Terry, *CU*, for example, pp. 20-22, 27-32, 33-34, 45-48.

Wigtown, Rutherglen, Burtisland, Rothesay, and Dumbarton.³⁷ There were three formal dissents from Glasgow, Morayshire, and Kirkcudbrightshire, and sixteen constituencies failed to send representatives.³⁸ Of these sixteen, five were excused due to poverty, and with the exception of Lanark and Dumfries the others are inexplicable.³⁹ The only correspondence the English commissioners received from Dumfries was a personal assent to the Tender from the burgess Patrick Murdoch, who begrudgingly acknowledged that ‘the Burrough of Dumfries or their Deputie cannot as yet acknowledge their Acceptance of the Tender’.⁴⁰ The fact that the burgess assented but the deputy refused is indicative of serious debate at local level, and the language used by Murdoch suggests that there was a level of opposition which stretched beyond the deputy.

The dissents of Kirkcudbrightshire and Glasgow cited the Covenants in their response to the Tender. Morayshire did not mention the Solemn League yet dissented on the grounds that the authority of the Christian magistrate was threatened by toleration, the established church government was ‘cast loose’, sequestration of land was unfair, and that the exact nature of the union should have been made clear in the Tender.⁴¹ The dissent of Kirkcudbrightshire is particularly revealing of local interpretations of the Solemn League. It submitted that the first, second, and third articles of the Solemn League (preservation of reformed religion, extirpation of popery, and preservation of the king’s majesty) were broken by the Tender and by toleration.⁴² Although toleration was of Protestant sects only, the representatives from Kirkcudbrightshire understood the first article of the Solemn League and Covenant to preserve the worship, discipline, and government of the Church of Scotland, which, they protested, would be ‘destroyed by this Liberty’.⁴³ In response to the third proposition of the Tender, the shire offered ‘all the wholl contents of ye league and coven[a]nt ... as only effectuall to pr[e]serve vnion betwixt vs and England’.⁴⁴ The dissent espoused the belief that union with England was a key aim of the Solemn League, and that any union which did not follow its articles was a breach of Covenanted obligations. This adds credence to David Stevenson’s argument that the Solemn League and Covenant envisaged a federal union between the three kingdoms.⁴⁵ It is also important to note that

³⁷ Dow, *Cromwellian Scotland*, p. 42.

³⁸ *Ibid.*, pp. 40-41; Terry *CU*, pp. 34-35, 112-114, 118-120.

³⁹ Dow, p. 41.

⁴⁰ *Ibid.*, p. 153.

⁴¹ *Ibid.*, pp. 112-114.

⁴² Terry, *CU*, p. 119.

⁴³ *Ibid.*

⁴⁴ *Ibid.*, p. 120.

⁴⁵ David Stevenson, ‘The Early Covenanters and the Federal Union of Britain’ in Roger A. Mason (ed.), *Scotland and England 1286 – 1815* (Edinburgh: John Donald Publishers, 1987), pp. 163-182.

discussion on the Covenants in 1652 was focused on the Solemn League rather than the National Covenant. Indeed, as will be shown in chapter five, the Solemn League took prominence in the ideology of those who rebelled against the Restoration regime in 1666. This is largely because the Solemn League was more explicit in its rejection of Episcopacy and because it had implications beyond the border.

While consultation of the gentry and burgesses aided the acceptance of the Tender in some areas, the omission of the nobility in the negotiations may have represented grounds for opposition. Although the burgh did not formally dissent, ‘doubts and scruples’ were submitted by the representatives from Lanark which objected that although the burgh did not oppose union *per se* ‘as a maine intendment of the Covenant’, incorporation and toleration were prejudicial to the Solemn League and Covenant.⁴⁶ The statement went on to complain that the Tender ‘Is not presented to the full and frie deliberation of the people in their collected bodie’.⁴⁷ This was echoed in Glasgow’s dissent, which took the position that acceptance of the Tender meant leaving ‘the worke of Reformacon [reformation] ... without government, Covenant or what has followed vpon them’ while expressing disquiet that, ‘in a matter concerning the whole nation, there should be no Com[m]une consultation allowed’.⁴⁸ Although it is unlikely that they desired each and every person to be consulted, the phrases ‘full and free deliberation’ and ‘common consultation’ suggest that the burghs of Glasgow and Lanark believed the Dalkeith negotiations to be unrepresentative of the body politic. Both Covenants had been passed in parliament and this legal authority was essential to their initial success, particularly the National Covenant with its list of parliamentary acts asserting the legality of the church which was being defended. Hence, any political process which did not gain the consent of the established body politic, which included the noble Estate, was against the established legal practice enshrined in the Covenants. This may have influenced the statements given by the representatives of Glasgow and Lanark which argued that the Tender should have been considered by a wider body of people.

The shire of Argyll provides a revealing case study of local responses to the Tender as the synod was one of the few ecclesiastical bodies to comment on it. There are similarities between the rhetoric of Argyll’s desires and Morayshire’s dissent, which when taken together and compared with the other two dissents reveal aspects of the legacies of

⁴⁶ Terry, *CU*, pp. 74-75; *Extracts from the Records of the Royal Burgh of Lanark, with Charters and Documents Relating to the Burgh A.D. 1150-1722* (Glasgow: Carson & Nicol, 1893), pp. 147-148.

⁴⁷ *Ibid.*

⁴⁸ *Ibid.*, pp. 34-35.

the Covenants by the early 1650s. The shire of Argyll was one of the last to assent (14 May 1652) and the Marquis of Argyll did not accept the terms of union until August 1652 (and then only with reservations, discussed below).⁴⁹ The shire deputy, James Campbell, assented to the first two terms of union before offering a separate answer to the third in which he expressed his desire that:

the religion professed in Scotland these yeares bygone as it hes bin established in Doctrine, Discipline, Worshipp, Government, and through the blessing of God hes not bin without fruite may bee Continued and established according to the Nationall Covenant and the Sollemne League and Covenant ... that [God's] Wrath may bee no longer against the Land.⁵⁰

The English commissioners accepted the shire of Argyll's assent and promised that these desires 'shall be speedily represented to the Parliament of England'.⁵¹ Five days later, the synod of Argyll instigated a fast within its bounds and issued *A Short and Necessarie Warning in reference to Present Dangers and Deuties* which echoed the wording of the desires articulated by the shire. This document warned of the 'dangerous course of defection which is proposed unto this land and embraced by many already', urged the parishioners to remember that 'they are in a Covenant with God' which obliged them to the 'defence of religion in doctrine, worship, discipline, and government, both which are sworn unto, as the articles of the Covenant'.⁵² The reasons for the fast focused on appeasing God's wrath, recognising individual flaws and ignorance, divisions in the Kirk, defection from 'former principles and tyes by oath', and insincerity when observing previous fasts.⁵³ This echoes Guthrie's polemics and indicates the presence of hardline Covenanting in this synod. No parish records in the jurisdiction of the synod of Argyll survive for this period and the only two presbytery records which survive, Dunoon and Lorne, are fragmentary and do not contain any references to this fast. Nevertheless, the similarity in language between the desires of the shire in relation to the Tender and the fast pronounced by the synod may reflect co-operation between local civil and ecclesiastical government.

References to the Covenants reflect the shared goal of appeasing God's wrath by standing firm by the Covenants. Morayshire did not mention the Solemn League yet dissented on the grounds that the authority of the Christian magistrate was threatened by toleration, the established church government was 'cast loose', sequestration of land was

⁴⁹ Terry, *CU*, p. 170; Firth, *S and C*, pp. 48-50.

⁵⁰ Terry, *CU*, p. 170-171.

⁵¹ *Ibid.*, p. 174.

⁵² *Minutes of the Synod of Argyll 1652-1661*, ed. Duncan C. MacTavish (Edinburgh: T and A Constable, 1944), ii, pp. 6-7.

⁵³ *Ibid.*, pp. 9-10.

unfair, and that the exact nature of the union should have been made clear in the Tender.⁵⁴ As with the dissent of Morayshire, the synod of Argyll understood Covenanted obligations to rest on the defence of established church and government, both of which were threatened by the Tender. As argued in chapter one, the federal theology underpinning the Covenants meant that the future of the movement rested on the continual loyalty of each congregation. Given the schisms of the 1640s, universal adherence to a single interpretation of the Covenants was difficult, if not impossible, to attain. The evidence from the Covenanted areas of Glasgow, Lanark, Kirkcudbrightshire, Morayshire and Argyll indicate that the early legacy of the Covenants in these areas was characterised by a commitment to the defence of the established church government, commitment to attaining a particular form of federal union, and defending the political status quo.

Two of the three dissents to the Tender came from the west and south west of Scotland (Glasgow and Kirkcudbrightshire), and there is evidence of at least some opposition in other western and southern areas (Lanark, Argyllshire, and Dumfries). However, eight out of the nine enthusiastic assents identified by Dow came from the same area. This presents a paradox which is presented by Dow as such:

Clearly therefore the west and south-west not only differed in the pattern of its response to the Tender from the rest of Scotland but was an area much divided within itself. Feuds and hatreds within the Scottish community – hatred of Protester for Resolutioner, of Covenanter for Malignant, and feuds of a more local character – probably lay behind the particularity of the region in 1652.⁵⁵

It is also likely that the range of responses in this area stems from the legacy of the Western Association. Set up in 1648 as a backlash to the Engagement and increasing domination of conservative Covenanted opinion, a group of hardline ministers, lairds, burgesses and commons constituted a military association which subsequently aligned with the Marquis of Argyll and Cromwell to oust the conservatives in September 1648.⁵⁶ Supporters of the Association formed the bulk of the Kirk Party who ruled Scotland until the battle of Dunbar, previously defeating an army led by Montrose and executing him in 1650.⁵⁷ They were also responsible for drawing up the Western Remonstrance under the leadership of Patrick Gillespie, discussed in the previous chapter. The shires of Lanark, Dumbarton, Bute and Wigtown were all part of the Association and all provided enthusiastic responses to the Tender. The burgh of Lanark and the stewartry of

⁵⁴ *Ibid.*, pp. 112-114.

⁵⁵ Dow, *Cromwellian Scotland*, p. 42.

⁵⁶ Stevenson, *The Covenanters and the Western Association, 1648-50*, p. 149; Spurlock, *Cromwell and Scotland*, p. 12; Kirsteen MacKenzie, 'Presbyterian Church Government and the "Covenanted Interest"', p. 40.

⁵⁷ MacKenzie, 'Presbyterian Church Government and the "Covenanted Interest"', p. 47.

Kirkcudbrightshire provide contrasting examples. To complicate the matter further, by 1650 Bute and Dumbarton had left the Western Association.⁵⁸ Clearly, the actions of the Association left mixed messages. They were able to reconcile upholding hardline Covenanting beliefs while colluding with Cromwell in 1648 as the alliance led directly to the establishment of a hardline regime. For some, assenting to the Tender in 1652 and incorporation was compatible with hardline Covenanting. For others such as Kirkcudbrightshire and the burgh of Lanark, compliance with the Cromwellian regime directly contradicted the Solemn League and Covenant.

The events and negotiations surrounding the Tender of Union are revealing of how the Covenants, particularly the Solemn League, continued to influence the political process in Scotland. While the terms of union, chiefly a level of religious toleration, the dissolution of the Scottish parliament, and the removal of the nobility from the political process, were incompatible with the aims of the Covenants, the Solemn League was not openly repudiated by the Cromwellian regime. The regime promulgated the argument that the execution of Charles I and successful invasion of Scotland were evidence of God's providence. In omitting any mention of the Solemn League, the regime also avoided ground which might have led to widespread dissention due to the divisiveness of Covenanting by 1652 and the obvious implications that deposing the king and incorporating union held for the Covenants. This, combined with the Cromwellian regime's use of the tradition of consultation in the legislative process of Scotland and granting small concessions, enabled a high level of assents to be attained. On the other hand, the dissent of Glasgow and the doubts and scruples of Lanark suggest that hardline Covenanters may have perceived the presentation of the Tender to the gentry and burgesses and not the nobility as overriding the long standing authority of the Estates. Moreover, the Tender broke the articles of the Solemn League and Covenant by imposing toleration (a policy which threatened the established church), dissolving the Scottish Parliament, and establishing a form of union incompatible with the Solemn League. Opposition stemmed from the west and south west of Scotland (with the exception of Morayshire) which highlights the prevalence of hardline Covenanting ideas in that area. However, the large number of assents from the same area suggests that some hardliners viewed the Tender as compatible with Covenanting and highlights the complex legacy of the Western Association. Crucial to this discussion is the flexibility of Covenanting ideas in response to changing political circumstances. With the General Assembly in disarray by

⁵⁸ Stevenson, *The Western Association*, pp. 151-155

1652 and forcibly banned from meeting by 1653 (discussed below), ‘official’ Kirk responses to the Tender could not be relayed to the localities. Thus, representatives from each locality interpreted their Covenanting obligations at their own discretion. By looking beyond the confines of the hardline/conservative split we can see that this flexible approach characterised the legacy of the Covenants for the remainder of the century.

The Glencairn Rising and the Resurgence of Royalism 1653–1655

Noble dissatisfaction with the Cromwellian Union and continuing royalist sentiment among certain nobles led to full scale revolt in 1653. It is the purpose of this section to identify the reasons behind the absence of Covenanting rhetoric in the rising and to assess the development of royalism in the 1650s. The rising garnered a large degree of support from Highland nobles and it had a distinct Gaelic element. The reasons for this will be discussed, and the range of motivations for support will be highlighted. The 1653 declaration of war will be addressed, as will the lack of support provided by the Kirk, to show that the rising precipitated an ideological shift to a form of royalism akin to absolutism. This type of royalism had roots in the Montrose-MacColla rising of 1644 and provided fuel for the Restoration settlement.

The supporters of the 1653 rising were from a range of different backgrounds, an issue which caused divisions from the start. The Earl of Glencairn was a conservative Covenanter who had fought for Hamilton during the Engagement. Some had links to staunchly royalist Covenanters such as Alexander Lindsay, first Earl of Balcarres, supporter of early Covenanters who defected in defence of Charles I; John Murray, second Earl of Atholl, committed royalist and signatory to the Cumbernauld band; John Erskine, Earl of Mar, signatory to the Cumbernauld band; James Graham, second Marquis of Montrose and son of the executed royalist Covenanting leader; Kenneth MacKenzie, third Earl of Seaforth whose father had signed the Cumbernauld band; and Lewis Gordon, third Marquis of Huntly, whose father had fought for Montrose.⁵⁹ Others did not have Covenanting links and had not subscribed the Covenants such as Angus MacDonald, Earl of Glengarry and Archibald Campbell, Lord Lorne. Glengarry was Catholic and Lorne was an ardent royalist who had poor personal relations with his father, the Marquis of Argyll, who did not join the rising.⁶⁰ Lorne and Glengarry were particularly committed to the

⁵⁹ Dow, p. 74-89; Baillie, *Letters*, ii, pp. 467-468; *Memorials of Montrose and his Times*, i, pp. 254-5; *Memoirs of Sir Ewen Cameron of Locheill, Chief of the Clan Cameron. With an Introductory account of the History and Antiquities of that Family and of the Neighbouring Clans*, ed. James MacKnight (Edinburgh: Abbotsford Club, 1842), p. 97-98.

⁶⁰ Dow, pp. 67, 74; Allan Macinnes, *The British Confederate*, pp. 278-280.

royalist cause and were the last to surrender in 1655.⁶¹ Noble support seems to have been more geographically diverse than the current historiography portrays.⁶² As in 1644, much support was drawn from clans who opposed Argyll, particularly after July 1653, once it had become clear that he would not support the rising, and the majority of the warfare took place in Gaelic Scotland or regions on the periphery of the Highland line.⁶³ However, Glencairn and Balcarres were Lowlanders, and other leaders held lands bordering the Gàidhealtachd such as Atholl, Montrose, and Huntly. Royalism was the primary motivation of these Lowland leaders, and it is important to note that mixed motivations (ideological, local, cultural) drove the leaders of the rising.

By 1653 there was an evident rift between the values of clanship and Covenanting which led to the ongoing adoption of royalism into Gaelic culture. It has been well established that there was a growing cultural divide between Highlands and Lowlands exacerbated from the early 1640s onwards by the drive towards centralisation. Allan Macinnes has argued convincingly that centralisation was ideologically contradictory to the clan system.⁶⁴ As outlined in chapter one, the Covenants were subscribed in the Gàidhealtachd but not to the same degree as the Lowlands. As explained in chapter two, the three factors of ideological opposition to centralisation, uneven subscription to the Covenants, and dislike of Clan Campbell led many large clans such as MacDonald, MacKenzie, and Gordon to join the rising of 1644 led by the Marquis of Montrose. Many of Montrose's supporters went on to join the rising of 1653 and some of the key positions of power in the Restoration parliaments of 1661 and 1662 went to previous followers of Montrose: the implications of this are outlined at the end of this chapter. The clash of cultures in the 1640s between the centralised Covenanting regime and Gaeldom is evident in surviving Gaelic poetry, particularly poetry composed by the bard of Clan Donald, Iain Lom. In his 1649 poem *Lament for the Marquis of Huntly* he asks God: 'Do Thou who redeemed us from the beginning lay our cause boldly and firmly upon the lying Covenanters who made a practice of injustice[?]'.⁶⁵ The valiant, warrior-like characteristics of Highland soldiers are emphasised throughout the Gaelic poetry of this era. In contrast, the predominantly Lowland army of the Engagement is accused by the anonymous

⁶¹ *Ibid.*, pp. 74, 79, 140-141.

⁶² The only robust account of this rising is offered by Dow, who presents it as a primarily Highland rising in terms of ideology, geography, and leadership. See Dow, *Cromwellian Scotland*, pp. 75-141.

⁶³ David Menarry, *The Irish and Scottish landed elites from Regicide to Restoration*, pp. 158, 161.

⁶⁴ Macinnes, *The British Confederate*, p. 197; Allan I. Macinnes, 'Seventeenth-Century Scotland: The Undervalued Gaelic Perspective' in *Celtic Languages and Celtic Peoples*, ed. Cyril J. Byrne, Margaret Harry and Pádraig Ó Suidhail, pp. 535-555.

⁶⁵ 'A Lament for the Marquis of Huntly', *Orain Iain Luim: Songs of John MacDonald, Bard of Keppoch*, ed. Annie M. MacKenzie (Edinburgh: Oliver & Boyd, 1964), p. 53.

composer of *An Cobhernandori* of bringing ‘shame and disrepute’ upon itself by surrendering to a numerically weaker English army at Preston ‘like captive soft white sheep’.⁶⁶ Macinnes argues that the title *an cobhernandori* translates to ‘the help to the tories’, providing an early example of Engagers being labelled tories. This is significant as it predates the use of the term tory (meaning the political status quo) in the Lowlands by over 30 years.⁶⁷ Danielle McCormack offers a different perspective, claiming that *an cobhernandori* can be directly translated as ‘the Covenanters’.⁶⁸ Regardless of the precise meaning of the term, both this poem and Iain Lom’s poetry place the ideology of the various Covenanting factions in the 1640s in opposition to the values of clanship. David Findlay has argued that royalist sentiment became increasingly evident in Gaelic poetry from 1650 to 1750 as poets such as Lom attempted to ‘mould together Gaelic beliefs with an intense spirit of Royalism, which Iain Lom believes is the natural and just Gaelic response to the tumultuous events of the 1640s’.⁶⁹ While the development of Highland royalism depended on a complex set of beliefs and motivations (as shown in the previous chapter), seventeenth century Gaelic poetry was recited at *ceilidhs* to a clan-wide audience and this provides insight into the ideas to which ordinary people were exposed in the Gàidhealtachd.

By 1653 Scotland was centralised to a greater degree, having submitted to Cromwell and been incorporated into the Commonwealth governed from London. This was the first time that a centralised government had full military control over the Gàidhealtachd.⁷⁰ The nobility had been stripped of their political power, and it was only in the Highlands that an army could be raised. Lowland armies under the Covenanters had been raised by committees of war by order of parliament or Committee of Estates. By 1653 all of these organisations had been dissolved and it was therefore almost impossible for a large-scale army to be raised from the Lowlands. In the Gàidhealtachd, in contrast, clan chiefs raised armies directly, and an alliance of chiefs in 1653 allowed for a full-scale rebellion to take place.⁷¹ The royalist rhetoric of this alliance and its roots will be the main focus here, as this was pivotal to the achievement of a royalist settlement in 1662.

⁶⁶ ‘An Cobhernandori’, in *Gàir nan Clàrsach: The Harps’ Cry*, ed by Colm Ó Baoill, trans. By Meg Bateman (Edinburgh: Birlinn Ltd, 1994), p. 119.

⁶⁷ Allan I. Macinnes, ‘The First Scottish Tories?’ in *The Scottish Historical Review* 67 (1988), pp. 56-66.

⁶⁸ Danielle McCormack ‘Highland Lawlessness and the Cromwellian Regime’, in *Scotland in the Age of Two Revolutions*, ed. Sharon Adams and Julian Goodare (Woodbridge: The Boydell Press, 2014), p. 125.

⁶⁹ David Findlay, ‘Divine Right and Early Modern Gaelic Society’, in *Rannsachadh Na Gàidhlig 2000*, pp. 249-250.

⁷⁰ Dow, p. 74-89.

⁷¹ Edward M. Furgol, *A Regimental History of the Covenanting Armies 1639-1651* (Edinburgh: John Donald, 1990), pp. 3-4.

Moreover, when analysed alongside the growth of sects and the internal schisms in the Kirk during the interregnum, the resurgence of royalism offers a further explanation for the failure of Covenanting arguments in national politics by 1660.

Despite divisions among the leading nobles, Glencairn managed to present the rising as ideologically cohesive. This was no mean feat, as the rising needed to attract support from both Lowland Covenanters and continental sympathisers. Covenanting language was avoided due to the risk of alienating potential noble support and support from Catholic France (where Charles was in exile). As outlined above, many of the leaders were themselves, or had immediate familial links to, royalist Covenanters. It is not unlikely, therefore, that they still upheld certain aspects of the National Covenant and even the Solemn League. According to Robert Baillie, Balcarres argued that ‘all admitted to counsels and command in the army should declare for the Solemn League and Covenant’.⁷² By autumn 1653 the idea of including the Covenants in a declaration for the king had been dismissed. Sir Edward Nicholas, Secretary of State, wrote to Cromwell in September stating that Glencairn and his followers ‘do declare that they are for his Majesty’s interests without any Conditions, Covenant, Restrictions, or Preserve’, as fighting for the king with said restrictions had ‘always proved fatal and destructive to all his Majesty’s Affairs’.⁷³ Moreover, an undated letter from Glencairn in autumn 1653 stated that ‘if a declaration be put forth, it may be prejudicial abroad if the Covenant be much mentioned’.⁷⁴ Including Covenanting rhetoric in the polemics of the rising was calculated as too great a risk. Charles’ preferred leader was John Middleton, commander of the royalist army defeated at Worcester, but the movement had to wait until February 1654 for Middleton to return from exile in France, bringing (it was hoped) reinforcements from the continent.⁷⁵

The royalists could not afford to alienate potential followers and also tried to appeal to Covenanters for support. In June 1654, Middleton met with a group of ‘young Presbyters’ in Thurso to discuss a declaration for the king, but they expressed concerns that ‘there was not enough concerning religion’. When Middleton tried to allay their fears, he was advised by ‘other friends’ to be ‘very tender therein, to use only general words, and not to make it his practice to communicate such things’.⁷⁶ It is likely that the ‘other friends’ here refers to the other leaders such as Glencairn, which reflects a broad understanding that

⁷² Baillie, *Letters*, iii, 250.

⁷³ *The Nicholas Papers. Correspondence of Sir Edward Nicholas, Secretary of State*, ii, ed. George F. Warner (London: 1892), p. 22.

⁷⁴ *Calendar of the Clarendon State Papers Preserved in the Bodleian Library*, ii, ed. Rev. W. Dunn Macray (Oxford: The Clarendon Press, 1869), p. 290.

⁷⁵ Dow, p. 85.

⁷⁶ *Calendar of the Clarendon State Papers*, p. 373.

making guarantees on Covenanting grounds would open Pandora's box. The lack of Covenanting rhetoric in the rising goes a long way in explaining why the hardliners did not offer support, and the commitment to discussing the Covenants in only general terms indicates that the royalists did not expect hardliners to join. The schisms which plagued the Covenanters from 1648 to 1651 were a result of competing interpretations of the Covenants and the royalists henceforth avoided them almost entirely in an attempt to gain broad support under the banner of the king. Glencairn and his followers were not rejecting the Covenants outright, but understood the implications of invoking them. Lessons had been learned from the ill-fated Engagement and the disputes which followed.

In October 1653, Glencairn produced *A Declaration of his Majesty's forces now on foot within the kingdom of Scotland*. Intelligently crafted and eloquently written, this tract outlined the case for royalism which attempted to attract both Scottish Covenanters and foreign royalists. The opening section reflected the range of supporters those leading the rising hoped the gain: 'we thought it expedient to declare the grounds and reasons of this present war to all the world, and more particularly to all within the kingdom of Scotland (his majesties dominions) England and Ireland'.⁷⁷ The declaration was both a patriotic appeal to the Scots and a sales pitch to continental sympathisers. It stated that Scotland had defended itself against 'Picts, Danes, and Britons, Saxons, Irish, English, and the conquering Romans', and had remained unconquered 'always under the government of one race of kings'.⁷⁸ Despite this 'ancient and Scottish race' being under 'foreign bondage', people who were regarded as 'good patriots' were standing by and watching:

it seems they never heard or read of king Robert Bruce of famous memory, sir William Wallace, and many others registered in the records of fame, who with small beginnings and numbers, through their unwearied labours, firm confidence, valiant resolute attempts, have expelled usurpers out of their lands even in the days of darkness.⁷⁹

Glencairn was appealing for the people of Scotland to unite and in order to achieve this he constructed a Scottish royalist identity rooted in pre-Covenant history.

The declaration only mentioned the Covenants in passing which probably alienated both Protester and Resolutioner factions of the Kirk. In regard to religion, it stated that God brought Scotland 'purity of ordinances, and established in some measure church government according to the apostolic institution and the pattern of the best reformed

⁷⁷ 'A Declaration of his Majesty's forces now on foot within the kingdom of Scotland, under the command of the right honourable earl of Glencairn', in *A Collection of the State Papers of John Thurloe, Esq; Secretary, First, to the Council of State, And afterwards to the two Protectors, Oliver and Richard Cromwell*, i, (London: 1742) pp. 510.

⁷⁸ *Ibid.*, p. 511.

⁷⁹ *Ibid.*, p. 511-512.

churches'. This pure church was under threat from sects who pressed 'their idol of toleration' on the people of Scotland to 'the hindrance of reformation according to the covenant and the advantage and rejoycing of enemies of true protestant religion'.⁸⁰ The Covenant referred to here is purely in relation to the protection of Protestantism which was threatened by toleration. This marks a significant departure in royalist thought as the campaigns of the 1640s and 1651 (discussed in chapter two) had been accompanied by bonds or declarations asserting a particular interpretation of the Covenants, such as the Cumbernauld band and declarations preceding invasion of England in 1647 and 1651. The fact that neither Covenants were given much attention in the Glencairn declaration probably alienated both Protesters and Resolutioners (and indeed, none supported the rising), but the wording was broad enough for conservative Covenanters or Episcopalians to offer their support.

The declaration's statement on kingship also marks a watershed in royalist thought as it included elements of absolutist theory. The Cromwellian regime was criticised for having 'stretched forth their hands against the Lord's anointed', Charles I, and 'reared up a monstrous republic, builded with bones and cemented with the blood of their dread sovereign'.⁸¹ Moreover, the king is described as 'God's viceregent on earth', and the Scots were duty bound to 'defend and maintain him in his just power and dignity'.⁸² This was perhaps a deliberate parallel to the National Covenant and the pairing of the statement of divine right with the duty to defend the king could be understood as a royalist interpretation of Covenanted duties. When the issue of kingship had come before the Covenanters prior to 1653, the debate had been whether adherence to the true religion took precedence over loyalty to the king's majesty or whether it was acceptable to rebel against a king who threatened the purest form of worship. The phrases 'Lord's anointed' and 'God's viceregent' bear striking similarities to James VI's *Trew Law* and *Basilicon Doron*, both of which describe the monarch as God's 'lieutenant'. Moreover, in *Basilicon Doron* James had argued that the king is 'a little God'.⁸³ In asserting that the king was God's viceregent on earth and the Lord's anointed, whom the people were duty bound to protect and defend, the royalists moved towards a political theory akin to divine right of kings; a theory abhorred by both conservative and hardline Covenanters. However, this was a theory that would have resonance abroad, particularly in France, where Middleton

⁸⁰ *Ibid.*, p. 511.

⁸¹ *Ibid.*, pp. 511-512.

⁸² *Ibid.*

⁸³ James VI, 'The Trew Law of Free Monarchies: Or The Reciproock and mutuall duetie betwixt a free King, and his natural Subjects', in *King James VI and I: Selected Writings*, p. 262; James VI, 'Basilicon Doron', in *Selected Writings*, pp. 200, 211.

was attempting to drum up support for the Scottish royalists.⁸⁴ Thus, although he did not necessarily abandon the Covenants or favour absolutist theory personally, Glencairn moved to a position aimed towards maximising support for the rising. This involved crafting an argument which was inexplicit in regard to religion, simply denouncing sects and toleration and asserting the purity of the Scottish church to try and gain support from some Covenanters while simultaneously appealing to continental sympathisers by asserting the divine right of Charles II.

Both Protester and Resolutioner factions of the Kirk failed to provide support for the rising. In July 1653 the General Assembly was dissolved by English troops as proceedings began, a response to rumours that Robert Douglas was helping to drum up support for the rising and to fears that the Assembly would declare support for Glencairn.⁸⁵ Robert Lilburne stated that after the dissolution of the Assembly the ministers became ‘more fierce than ever in praying for the king (as they call him), especially the Remonstrators [Protesters], who till now have been either silent, or but cold in their petitions for him’.⁸⁶ This may indicate a degree of sympathy for a rising, yet there is no evidence to show that the Kirk gave any further support and the rumours surrounding Douglas appear to have been unfounded. In 1654 Charles wrote to the Commission of the General Assembly thanking them for their prayers and urging them ‘to do your parts ... for the vindication of me and their Country from the oppression of impious, bloody, and prophaine Rebels’.⁸⁷ The Kirk failed to respond, yet it did not denounce the rebellion, which is indicative of a significant degree of indecision. This is exemplified by Resolutioner Alexander Brodie of Brodie who wrote in his diary:

While matters are thus, while the lion still roars, shall we not tremble? Is it time to be still? Shall we not meet the Lord, and beseech him for these things, and turn away his wrath? Oh let him forgive, and shew mercy for his own name’s sake.⁸⁸

Clearly, Brodie did not know what to do. In his eyes, God was continuing to punish the Scots and his solution was to do nothing but ask pray mercy. MacKenzie has argued that the Resolutioners provided support for the rising which stretched further than prayers for the king, suggesting that the church structures were used ‘as a tool for communication with the wider population and as a makeshift postal service’.⁸⁹ This is supported by evidence

⁸⁴ Stevenson, ‘The “Letter on Sovereign Power” and the influence of Jean Bodin on Political Thought in Scotland’, pp. 31-32; Dow, p. 85.

⁸⁵ Dow, p. 103; Holfelder, p. 190; MacKenzie, ‘Presbyterian Church Government and the “Covenanted Interest”’, p. 165; Firth, *S and C*, pp. 160-165, 192 f.n. 2.

⁸⁶ Firth, *S and C*, p. 192 f.n. 2.

⁸⁷ Firth, *S and P*, pp. 32-33.

⁸⁸ Brodie, *Diary*, p. 81.

⁸⁹ MacKenzie, ‘Presbyterian Church Government and the “Covenanted Interest”’, pp. 167-169, 180.

from various parishes in Perthshire where Lord Kenmore and John Graham ordered the payment of cess to the rebel army rather than to the English and the raising of fencible men directly from the parishes.⁹⁰ However, the orders came from Kenmore and Graham and not from the Kirk. Atholl also had influence in Perthshire and he, Kenmore and Graham were all supporters of the rising. Moreover, the raising of fencible men from parishes was not uncommon in rural areas and is indicative of the interests of the nobility rather than the church.⁹¹ The parish was a civil as well as an ecclesiastical institution and since the raising of men from parishes did not reflect the allegiance of the church, there is little evidence to support MacKenzie's claim that the Kirk actively supported the rising.

The most notable Highland noble who refused to join the Glencairn rising was the Marquis of Argyll. In spring 1652, most clan chiefs had still not formally acknowledged the Cromwellian regime in Scotland. Major General Richard Deane targeted Argyll and moved his army into Argyllshire before gaining a personal submission from the Marquis.⁹² Argyll signed a four-point document in August 1652 stating that he and his tenants agreed to 'live peaceably and quietlie under the said Government'.⁹³ However, the Marquis added his own declaration to the agreement which stated: 'My duty to Religion, according to my Oath in the Covenant always reserved, I doe agree (for the Civill part) of Scotland being made a Commonwealth with England'.⁹⁴ As with the shires and burghs that dissented from the Tender of Union, Argyll viewed the Covenants as being incompatible with total incorporation. Therefore, he gave his personal assent to civil union after being backed into a corner while reserving the religious clauses in the Solemn League and Covenant. Following Argyll's submission in 1652, some of his rivals jumped at the chance to oppose the Cromwellian regime and Clan Campbell simultaneously by joining the Glencairn rising the following year. The mixed motivations for rising in 1653 bear some similarities to the 1644 rising. The rebels in 1653 included those who had previous association with Montrose such as his son, James Graham, second Marquis of Montrose, Atholl, Mar, Seaforth, and Huntly; those who held deep cultural feuds with Argyll such as the MacDonalds of Glengarry; and those who had feuds with the Marquis of Argyll of a more personal nature such as Lord Lorne. Glencairn himself was an ally and cousin of the Duke

⁹⁰ Firth, *S and C*, pp. 228, 263.

⁹¹ Edward M. Furgol, *A Regimental History of the Covenanting Armies*, p. 4

⁹² Dow, pp. 62-65.

⁹³ Firth, *S and C*, pp. 48-50.

⁹⁴ *Ibid.*; John Willcock, *The Great Marquess: Life and Times of Archibald, 8th Earl, and 1st (and only) Marquess of Argyll (1607-1661)* (Edinburgh: Oliphant Anderson and Ferrier, 1903), pp. 282-3; Dow, p. 65-66.

of Hamilton, a conservative Covenanter and political opponent of Argyll.⁹⁵ This further exemplifies the complex and diverse motivations for the risings in both 1644 and 1653. What is evident in 1653 is the resurgence of a brand of royalism akin to absolutism and the continual appropriation of royalism into Gaelic culture.

Covenanting disunity and the Restoration of Charles II 1652–1662

The resurgence of royalism was twinned with the stagnation of Covenanting debate in mainstream political discourse. During the interregnum the Kirk fractured further, with the factions failing to unite in the face of religious toleration and remaining immovable on their interpretations of the Covenants. By 1662, the majority of ministers had accepted a moderate Episcopalian settlement, many of whom were able to reconcile adhering to Episcopalianism while upholding the Covenants in spirit. In the Glencairn rising, Covenant discourse was avoided due to the failure of earlier Covenanting armies and the divisiveness of its associated rhetoric. Pamphlets produced by the Resolutioner and Protester factions remained entrenched in their positions established in 1651 and by 1660 the Covenanting argument was significantly weakened. The remainder of this chapter will uncover the key debates and defections the Kirk experienced during the interregnum and demonstrate that the acceptance of Episcopalianism in 1662 was rooted in unresolved interpretative issues in, and an inherent flexibility of, both the Covenants and the resurgence of royalist rhetoric.

The Protesters remained resolute in their opinion that by allowing malignants back into public office, ‘and hugging them in their arms’ the Resolutioners broke the Covenants and the Solemn Acknowledgment.⁹⁶ They also maintained that the 1651 General Assemblies discriminated against ‘all those who did plead, and bear testimony against the open breach of Covenant and Engagement’.⁹⁷ In response to James Guthrie’s *Protesters no Subverters, and Presbyterie no Papacie* (1658), leading Resolutioner polemicist and minister of St Mary’s (New College) in St Andrews, James Wood, appeared to acknowledge that an agreement on the Covenants was at this point impossible. In regard to the 1651 General Assembly, he observed ‘they [the Protesters] prove them [Acts of the 1651 Assembly] to be open breaches of Covenant and Engagement, they remain to us truths of God’.⁹⁸ Wood went on to emphasise that the Resolutioners were committed to the defence of the ‘Doctrine, Worship, Discipline and Government of this Kirk, to which we

⁹⁵ Dow, p. 97-98; Menarry, *The Irish and Scottish landed elites*, p. 161.

⁹⁶ James Guthrie, *Protesters no Subverters, and Presbyterie no Papacie; Or, A Vindication of the Protesting Brethren and of the Government of the Kirk of Scotland* (Edinburgh, 1658), p. 16.

⁹⁷ *Ibid.*, p. 77.

⁹⁸ James Wood, *A Review and Examination of a pamphlet lately published, bearing the Title of Protesters no Subverters, and Presbyterie no Papacy etc* (Edinburgh, 1659), p. 68.

are tied by Covenants and Engagements’.⁹⁹ The Protesters remained immovable in their stance that the Resolutioners had unforgivably broken the Covenants in 1651 whereas the Resolutioners claimed to remain committed to the Covenants through their determination to uphold Presbyterianism. While Kirsteen MacKenzie has argued that during the interregnum the two factions co-operated in the face of Cromwellian occupation,¹⁰⁰ contemporary accounts suggest that in fact the schism worsened and became very bitter. William Row claimed that animosities were exacerbated due to the pamphlet debate (which was encouraged by Cromwell to foster division), stating that by 1655 the two sides ‘stood at greatest distance’;¹⁰¹ Alexander Jaffray lamented that the church was so divided that the two major factions were ‘ready, in bitterness to pursue and persecute one another’;¹⁰² and Baillie went as far as to suggest that when Protester Patrick Gillespie fell ill in 1658 many people ‘would not have sorrowed his death’.¹⁰³

While the Protester-Resolutioner split was very real, it does not show the full picture. There were also divisions within the two factions, particularly the Protesters, and those who co-operated with the English regime. A group of previously hardline Covenanters defected to Independency in 1652. This faction included ministers and laymen operating in Aberdeen such as Alexander Jaffray (baillie in Aberdeen and member of the 1644 and 1650 parliaments), John Row (minister of Aberdeen, third charge), John Menzies (minister of Greyfriars church, Aberdeen, and professor of divinity at Marischal College), William Muir (principal of Marischal College), and Andrew Birnie (regent in Marischal College).¹⁰⁴ For Jaffray, the Covenants had become ‘a snare and temptation’ which had distanced the church from God. On reflection, Jaffray deduced that ‘the maintaining of Presbytery was one, if not the main and chief end proposed by those ...contriving and carrying on the Covenant’. Enquiring further, he came to the realisation that God had given his judgement on Presbyterianism at Dunbar. In his eyes, the Covenants explicitly advanced the Presbyterian form of church government which they saw as being ‘a human invention’ which was ‘very far from being the only way of Christ’.¹⁰⁵ After discussing their concerns with other leading Protesters, Jaffray’s faction expressed these sentiments in a letter to Protesters in Edinburgh in which they formally separated from the Presbyterian

⁹⁹ *Ibid.*, p. 78.

¹⁰⁰ MacKenzie, ‘Presbyterian Church Government and the “Covenanted Interest”’, p. 279.

¹⁰¹ Row, *Life of Blair*, p. 325.

¹⁰² Alexander Jaffray, *Diary of Alexander Jaffray*, ed. John Barclay (Aberdeen: George and Robert King, 1856), p. 63;

¹⁰³ Baillie, *Letters*, iii, p. 356; Spurlock, ‘Problems with Religion as Identity’, p. 25.

¹⁰⁴ Row, *Life of Blair*, p. 300; Spurlock, *Cromwell and Scotland*, p. 107.

¹⁰⁵ Alexander Jaffray, *Diary*, pp. 60-65; Spurlock, ‘Problems with Religion as Identity’, p. 25; Holfelder, pp. 175-176.

Church.¹⁰⁶ This faction had a very tense relationship with the Resolutioners who controlled the synod and presbytery of Aberdeen.¹⁰⁷ These ecclesiastical bodies proceeded against the separatists for refusing to acknowledge their authority, and in July 1652 the synod of Aberdeen forbade them ‘either privately or publickly, to vent any doctrine, or practise any thinge towards separation, or against thie present government of this church ... under the paine of thie highest censures of the Church of Scotland’.¹⁰⁸ After being warned by the synod, Muir appealed to the Commissioners for Visiting Universities who removed Resolutioner William Guild as principal of King’s College and replaced him with Row. The commissioners also protected Menzies from Aberdeen Synod’s attempt to remove him from his pastorate and professorship at Marischal College.¹⁰⁹

The Jaffray faction provides a good example of how interpretations of the Covenants could be altered by conquest. The defeat of the Covenanting army by Cromwell, regarded as an act of providence, led the Jaffray faction to question what the Covenants aimed to achieve and whether or not this was in line with the word of God. Having come to the conclusion that the Covenants were fuelled by the desire to maintain and export Presbyterianism, which in their eyes was a human invention, Jaffray, Row, Muir, Menzies and Birnie abandoned their commitment to the Covenants and colluded with the English regime. Moreover, Jaffray sat on the Barebones Parliament of 1653.¹¹⁰ While he was no longer a Covenanter, there were also some who remained committed to the Covenants whilst collaborating with the new regime, such as Patrick Gillespie (discussed below) and other Scottish representatives in parliament. One such representative was James Hope of Hopetoun: a remarkable figure who subscribed both Covenants, opposed the Whiggamore Raid but also the crowning of Charles II, supported the Remonstrance, and accepted a seat on the Barebones Parliament.¹¹¹ Moreover, Sir Archibald Johnston of Wariston accepted a role in public office in 1656 and sat in Richard Cromwell’s parliament of 1659. In his diary, Wariston states that he regularly renewed his commitment to the Covenants, but when asked to serve the Commonwealth he thanked God for ‘providentially’ making Cromwell ‘Thy depute on earth’.¹¹² These examples show that Covenanting ideology could be

¹⁰⁶ Spurlock, *Cromwell and Scotland*, pp. 122-125.

¹⁰⁷ Holdelder, p. 176.

¹⁰⁸ *Selections from the Records of the Kirk Session, Presbytery, and Synod of Aberdeen*, ed. John Stuart, pp. 218-220.

¹⁰⁹ Holfelder, pp. 176-178; Row, *Life of Blair*, p. 301.

¹¹⁰ John Coffey, ‘Jaffray, Alexander (1614–1673),’ in *Oxford Dictionary of National Biography*.

¹¹¹ Williamson, ‘Union with England Traditional, Union with England Radical’, *English Historical Review*, pp. 310-313.

¹¹² Wariston, *Diary*, iii, p. 54.

flexible enough to allow those who held it to collaborate with the English regime while remaining committed to the Covenants.

The flexibility of Covenanting can also be seen in the actions of the Protester Patrick Gillespie. In 1653, crisis gripped the presbytery of Glasgow, which was fairly equally divided between Protesters and Resolutioners. The Resolutioner faction caused great offence when they appointed James Ramsay as minister to the vacant kirk of Lenzie without the consent of the majority of the presbytery. Gillespie appealed to the English commissioners who forbade Ramsay from preaching at Lenzie under pain of civil punishment.¹¹³ Subsequently, Gillespie and his faction of Protester supporters in Glasgow entered into an informal coalition with the English commissioners who forced Glasgow University to appoint the Protester John Young as professor of divinity before appointing Gillespie himself as Principal. In return, Gillespie agreed to place Independent John Beverly as minister of Lenzie. The coalition continued to the point where most disputed ministerial appointments in Glasgow were referred to the commissioners and Gillespie began filling vacant charges with, as Baillie put it, 'no others but opposers of the last Generall Assemblie'.¹¹⁴ By October 1655, Gillespie had gone as far as to pray for Cromwell as described by Nicoll:

in his prayer eftir sermound, did earnestlie pray for his Heynes the Lord Protector, and for a blissing to all his proceedingis: and this wes the first Scottis minister that did publictly pray for him within Scotland.¹¹⁵

Just weeks after Gillespie publicly prayed for Cromwell in 1655, *An Ordinance for the Better Support of the Universities in Scotland, and the Encouragement of Publik Preachers* There was read at Edinburgh mercat cross. Gillespie and the Aberdeen separatist John Menzies had helped in the creation of this ordinance which became known as 'Gillespie's Charter'.¹¹⁶ Its most significant aspect was the requirement for ministers to be certified by four or more people named in the Charter before receiving a stipend administered by the English commissioners. The certifiers were split into five geographical regions, and were made up almost entirely of Protesters.¹¹⁷ Despite being opposed by both Resolutioners and the majority of Protesters, Gillespie's Charter is significant as it was influenced, or at least supported, by a hardline Covenanter (Gillespie himself). Dow states that under the Charter 'the authority of the presbyterian church courts was to be circumvented in favour of a

¹¹³ Holfelder, p. 182; Baillie, *Letters*, iii, pp. 202.

¹¹⁴ Baillie, *Letters*, iii, 207, 209, 211, 214; Holfelder, pp. 182-183;

¹¹⁵ Nicoll, *Diary*, p. 162.

¹¹⁶ Spurlock, *Cromwell and Scotland*, pp. 145-7; Holfelder, p. 207; Dow, p. 101; Nicoll, *Diary*, p. 163.

¹¹⁷ *Ibid.*, pp. 166-167; Holfelder, p. 208.

system not unlike the English brand of Independency'.¹¹⁸ Baillie records that the Protesters in the synod of Glasgow-Ayr began to take advantage of their new-found power immediately.¹¹⁹ This marks another schism in the Protesting faction, as Wariston, Guthrie, and Rutherford all opposed the Charter.¹²⁰ However, the fact that some Protesters were willing to adhere to a form of church government that contradicted Presbyterianism reflects a departure from the expansionist military strategy espoused by hardline Covenanters in the 1640s, and further highlights the flexible ways in which Covenanting thought was interpreted.

While the Covenanters continued to split into factions, the religious toleration established in the Tender of Union led to the proliferation of Protestant sects, particularly Quakers, Baptists, and Independents. Toleration was directly contrary to the Covenanting commitment to maintain a national church, and thus the existence of sects demonstrates an assault on the domination of Covenanting ideology in Scotland. Indeed, it has been shown above that toleration was a key point of contention for those localities who opposed the Tender on Covenanting grounds. Once Cromwell declared himself Protector, his regime turned its back on those religious radicals who had fought in the Commonwealth army and successfully invaded Scotland. Baptists and Quakers were looked on with increasing suspicion and tarred with the same brush as Fifth Monarchists.¹²¹ Gillespie's Charter provided Protesters with ecclesiastical agency which was extended to the Resolutioners in 1656 after they promised Lord Broghill (Richard Boyle, president of the council in Scotland) that they would cease praying for the king.¹²² Three years of aggressive action (in the form of deprivation of civil and ecclesiastical office) towards Baptists and Quakers followed, before the three major sects in Scotland petitioned the Commonwealth Parliament for toleration in what Spurlock describes as 'an unprecedented ecumenism'.¹²³ The subscribers asked parliament to secure 'upon a solid founda[ti]one the rights & liberties of the trulie godlie in these nations as men & as Christians'. They asked for all laws or acts contrary to toleration to be abolished and by an act of union '[so] that we may shair of those gospel priviledges that the truly Godly in England contend for, and expect to be secured in by you'.¹²⁴ Spurlock has shown that more than 200 signatures were appended

¹¹⁸ Dow, p. 101.

¹¹⁹ Baillie, *Letters*, iii, p. 282.

¹²⁰ *Ibid.*, p. 283; Nicoll, *Diary*, p. 135; Holfelder, pp. 209-210.

¹²¹ *Ibid.*, p. 158-187.

¹²² *Ibid.*, p. 187; Dow, p. 204-205.

¹²³ Spurlock, *Cromwell and Scotland*, pp. 158, 188.

¹²⁴ 'To the parliament of the com[m]onwealth of England the humble pettion and address of some wel affected persons in and about Edinburgh in Scotland in name of themselvs & severall others in that nation', NLS, Wodrow folio XXX, vol 2, folios 105-106.

from people of diverse religious backgrounds, including Independents, Baptists, Quakers, and former hardline Covenanters such as Thomas Ireland. Spurlock concludes that:

Putting aside the habit of measuring the success of the church by numerical membership, we may be able to appreciate the degree of change experienced by those who in the space of a decade went from supporting violent expansion of a particular ecclesiastical structure to embracing Cromwell's desire for Christian unity and toleration.¹²⁵

The degree of change was clearly significant and is symptomatic of the failure of the Kirk to maintain the levels of control the National Covenant had been intended to create and the relative unity that had been fostered until 1648. The pamphlet debates, the defection of Jaffray's faction and the actions of Covenanters who colluded with the English commissioners is evidence of the diminishing of a coherent Covenanting position which helped pave the way for widespread acceptance of the Episcopalian settlement of 1662.

All Covenanting positions were marginalised by the acts of the reconstituted Scottish Parliament in the 1661 and 1662 sessions. The petition for Gospel Privileges did not come before the English Parliament as the session of 1659 was pre-occupied with constitutional matters after a faction of the English army removed Richard Cromwell as Lord Protector and restored the Rump Parliament. The republican regime was very divided by this point and Monck, seeing an opportunity to seize power, marched south with his army. He took control of parliament and, according to Hutton, 'came to consider the Commonwealth not worth saving', due to the schisms between the republican leaders.¹²⁶ Monck subsequently treated with Charles II at length and on 8 May 1660 he was proclaimed king in all three realms.¹²⁷ Charles reinstated the Committee of Estates and Parliament of Scotland, filling the key positions with conservative Covenanters and royalists who had been part of the Cumbernauld band, the Engagement and the 1653 rising. The Secretary of State was John Maitland, Earl of Lauderdale, a conservative Covenanter and Engager who had fought with Charles at Worcester and was subsequently imprisoned throughout the interregnum.¹²⁸ The king appointed the leaders of the 1653 royalist rising to key posts, making Middleton his royal commissioner for Parliament and Glencairn Lord Chancellor.¹²⁹ Two other prominent positions went to former Engagers who had spent the interregnum in prison: the Treasurer John Lindsay, Earl of Crawford-Lindsay; and the

¹²⁵ Spurlock, *Cromwell and Scotland*, pp. 190-191, 202.

¹²⁶ Ronald Hutton, *The Restoration: A Political and Religious History of England and Wales 1658-1667* (Oxford: Clarendon Press, 1985), Part Two, particularly pp. 119-123.

¹²⁷ *Ibid.*, pp. 107-126.

¹²⁸ Maurice Lee Jnr, 'The Worcester Veterans and the Restoration Regime', in *Scotland in the Age of Two Revolutions*, p. 137.

¹²⁹ *Ibid.*, pp. 139-140; Dow, p. 269.

Lord Privy Seal William Keith, Earl of Marischal.¹³⁰ Bizarrely, hardline Covenanter John Kennedy, Earl of Cassilis was appointed as Justice General. Maurice Lee suggests that this appointment may have been due to Cassilis' good relations with Lauderdale and that it represents an attempt by the royalists to appease the hardliners.¹³¹ The attempt failed as Cassilis refused to swear the oath of allegiance and he was replaced by Atholl, a leader in the 1653 rising.¹³² Atholl and Marischal were both signatories of the Cumbernauld band, the ideology and leadership of which strongly influenced the 1653 rising. Thus, what had begun in 1640 as a conservative reaction in the north east of Scotland to the perceived rebelliousness of the hardline Covenanters and the political ambitions of Argyll evolved into the ardent royalism of the government formed by Charles II.

The following chapter provides a full analysis of the key debates from the Restoration of Charles II until 1669. An overview of the acts of the 1661 and 1662 parliament relating to the Covenants will be outlined here and the implications this had for those who continued to uphold the Covenants. In January 1661 the Scottish Parliament opened for the first time in a decade. Where this parliament stood on the royalist and Covenanting spectrum could not be clearer. Kirkton claimed that Middleton was determined 'to make the king absolute, and to make the tyrant described in 1 Sam. 8. to be received and acknowledged for the true lawful king according to K. James his interpretation'.¹³³ Although Kirkton was not an impartial source, the evidence favours his assertion. The acts of Parliament in 1661 and 1662 affirmed the king as head of church and state, agreed that he received his power directly from God, and instructed that people who opposed these ideas were to be barred from places of public trust. All acts that had been passed by parliament by either faction of Covenanters, with the exception of the 1651 parliament which had sent an army into England for the king, were rescinded with the Act Rescissory on 28 March 1661.¹³⁴ This act was infused with the language of absolutism, stating that the Covenanters acted against Charles I's explicit commands 'notwithstanding that by the sacred right inherent to the imperial crown (which his majestie holds immediatly from God Almighty alone) and by the antient constitution and fundamentall laws of the kingdom'.¹³⁵ The idea that the monarch received authority directly from God was repeated to explain why the parliamentary acts were being rescinded: these parliaments encroached

¹³⁰ *Ibid.*, p. 140.

¹³¹ *Ibid.*, p. 141.

¹³² *Ibid.*; Dow, p. 269.

¹³³ Kirkton, *History*, p. 87.

¹³⁴ *RPS*, 'Act rescinding and annulling the pretendit parliaments in the yeers 1640, 1641 etc', 1661/1/158 [accessed 14 December 2015].

¹³⁵ *Ibid.*

upon 'that soverane power, authority, prerogative and right of government, which by the law of God ... doth reside in and belong to the king's majestie'.¹³⁶ This notion of divine right of kings was held to be directly contradictory to the constitutional approach of the Covenants. While the Covenants presented the king's power as being limited and defined by the laws of the nation, the acts of parliament at the Restoration advocated the absolutist notion that the king was the sole and supreme head of church and state, receiving his power directly from God.

Perhaps the most significant legislation passed by the 1661 parliament was the imposition of the oath of allegiance. This replaced the Covenants as the compulsory oath to be taken by those who held positions in national government.¹³⁷ The oath of allegiance was a short statement affirming that the monarch was the 'only supream governour of this kingdome over all persones and in all causes' and that 'no forraign prince, power, state or person civill or ecclesiastick hath any jurisdiction, power or superiority over the same'.¹³⁸ The phrase 'supream governour' uses the description of the monarch's role in the church and nation found in the English Act of Supremacy of 1559.¹³⁹ The subscribers of the oath of allegiance were then required to acknowledge 'his majesties' prerogative'. In this final part of the oath regarding the prerogative of the crown, the subscribers promised not to renew the Covenants 'upon any pretext of any authority whatsoever', and that:

the League and Covenant and all treaties following therupon and acts or deids that doe or may relate thervnto, are not obligatory, nor doe infer any obligation upon this kingdome, or the subjects therof, to medle or interpose by armes or any seditious way in any thing concerning the religion and government of the churches in England and Ireland, or in what may concerne the administration of his majesties' government ther.¹⁴⁰

Thus, the 1661 parliament sought to overturn the Covenants and enforce adherence to an Erastian government. Moreover, the absolutist language used by Glencairn in 1653 was put into practice in 1661. Whereas Glencairn had sought to harness support for a military cause in 1653, the commissioners in the 1661 parliament (which included Glencairn) had moved to enact a strictly royalist settlement with elements of absolutism.

The acts of the 1662 parliament went even further in endorsing this type of settlement, making it very difficult for Covenanters, especially hardliners, to support the

¹³⁶ *Ibid.*

¹³⁷ Alasdair Raffe, 'Scottish State Oaths and the Revolution of 1688-1690', in *Scotland in the Age of Two Revolutions*, pp. 173-4.

¹³⁸ *RPS*, 'Act for takeing the oath of alledgeance and asserting the royall prerogative', 1661/1/88 [accessed: 14 December 2015].

¹³⁹ Jacqueline Rose, *Godly Kingship in Restoration England: The Politics of Royal Supremacy* (Cambridge: Cambridge University Press, 2011), pp. 45-6. For further analysis, see pp. 155-156 of this thesis.

¹⁴⁰ *Ibid.*

regime. Bishops were restored to their ‘presidencie in the church’ and their place in parliament.¹⁴¹ The office of bishop, as with ruling by monarchy, was the ‘antient and right government’ of Scotland, and thus Episcopacy was reintroduced to the Scottish Church.¹⁴² Those ministers who had entered their charges after the abolition of patronage in 1649 were required to ‘obtaine a presentation from the lawfull patron, and have collation from the bishop of the dyocie wher he liveth’ or be deprived of their charges.¹⁴³ Patronage had been abolished by the hardliners in 1649 and became a key tenet of the hardline Covenanting position (and after 1662 the nonconformist position). According to this act, clergy had to accept the authority of bishops and the principle of patronage to retain their posts. Hardline clergy would, and did, struggle to conform to this act. On 1 October 1662 the Privy Council found that several ministers had refused to obey the act of parliament ‘in manifest contempt of his Majesties royall authority’.¹⁴⁴ As a result, around 270 ministers were deprived which accounted for roughly one third of the ministry.¹⁴⁵

The civil and ecclesiastical settlement sought to denounce and marginalise Covenanting opinion. Where the Covenants had been ambiguous in their approach to royal authority, the 1662 act of supremacy was explicit: the king is the supreme authority and it is unlawful to take up arms against him under any circumstances. Moreover, the Covenants themselves ‘wer and ar in themselffs unlawfull oaths’. Anyone who henceforth upheld the Covenants or attempted to ‘stir up the people to the hatred or dislyk of his majesties’ royall prerogative and supremacie in causes ecclesiastick or of the government of the church by archbishops and bishops’ would be deprived of office, be that civil or ecclesiastical.¹⁴⁶ To ensure adherence to this act, another oath was to be sworn by all those who held civil office which affirmed that it was unlawful ‘to enter into leagues and Covenants or to take up armes against the king or those commissioned by him’ and further that:

ther lyeth no obligation upon me or any of the subjects from the saids oaths [National Covenant and Solemn League], or either of them, to endeavour any change or alteration of the government either in church or state as it is now established by the lawes of the kingdom.¹⁴⁷

¹⁴¹ RPS, ‘Act for calling in the bishops to the parliament’, 1662/5/4; ‘Act for the restitution and reestablishment of the antient government of the church by bishops’, 1662/2/9 [accessed: 14 December 2015].

¹⁴² *Ibid.*

¹⁴³ RPS, ‘Act concerning such benefices and stipends as have been possest without presentations from the lawfull patrons’, 1662/5/15 [accessed: 15 December 2015].

¹⁴⁴ RPC, series iii, vol. i, p. 269.

¹⁴⁵ Dow, p. 274; Raffe, *The Culture of Controversy*, p. 33.

¹⁴⁶ RPS, ‘Act for preservation of his majesties’ person, authoritie and government’, 1662/5/20 [accessed: 14 December 2015].

¹⁴⁷ RPS, ‘Act concerning the declaration to be signed by all persons in publict trust’, 1662/5/70 [accessed: 14 December 2015].

Essentially, the government in 1662 sought to make it impossible for anyone who upheld the Covenants to hold civil office. The church was to be closely controlled by the bishops, with any nonconformists deprived. Even for a conservative Covenanter, these acts of parliament would have been unpalatable as they reneged on the reciprocal and constitutional aspect of the Covenants.

Conclusion

If the Restoration settlement was indeed unpalatable for all Covenanters, why then did two-thirds of the Scottish ministry conform to the Restoration settlement? The analysis presented here has shown that by 1660 Covenanting ideology in mainstream political discourse had run its course. Moreover, English republican occupation sparked a resurgence of royalism that was not wholly incompatible with Covenanting commitments to the Stuart monarchy. This had roots in the 1644 rising in Scotland, incorporated hints of absolutist rhetoric in 1653, and emerged with a more explicit Erastian and absolutist agenda in 1662. The events and experiences of the interregnum led some, such as the Jaffray faction, to abandon the Covenants entirely. Others joined one of the sects that emerged through the toleration policy and petitioned the commonwealth parliament in 1659, implicitly abandoning commitment to the Covenants. The malleability of Covenanting ideology is evident in the responses to the Tender of Union and allowed some Protesters, such as Gillespie and Wariston, to reconcile collaborating with the English with their hardline Covenanting ideas. The Kirk remained entrenched in the Protester-Resolutioner camps which continually attacked each other in print. Thus, by 1662 there was no realistic possibility of achieving a Covenanted settlement. This does not mean that those who conformed to the Restoration settlement abandoned the Covenants entirely. There was ideological justification for conforming to the regime while upholding the Covenants which will be explored with a full analysis of conformity in the following chapter. This chapter has shown that Covenanting ideology during the interregnum was flexible. This flexibility continued throughout the Restoration period as ordinary people negotiated their Covenanting commitments with an explicitly anti-Covenanting regime.

Negotiating Covenanting Commitments: Partial Conformity 1662–1669

The purpose of this chapter is to identify a previously unrecognised middle ground of opinion in Restoration Scotland: those who conformed but refused to take part in aspects of worship which offended their sensibilities. It will show how degrees of Covenanting commitment and variation in Episcopal enforcement made partial conformity a realistic approach to dealing with the Restoration authorities. The range of partial conformity will be assessed at local level, demonstrating that there were a number of ways in which people could avoid fully conforming to the regime. This and the following chapter offer fresh perspectives on Restoration Scotland. Evidence of former Covenanters comfortably conforming to the new regime confirms the argument offered earlier in this thesis that Covenanting opinion was broad and flexible enough for people to negotiate their Covenanting commitments with an explicitly anti-Covenanting regime. Evidence from local records substantiates and adds further dimensions to this premise. As this chapter focuses on an era which is generally dealt with separately from the previous three decades, it will begin with a brief review of the main historiographical trends. This will show that analyses of the Restoration period tend to give a dualistic portrayal of conformity and nonconformity. Attention will then turn to the polar ends of conformity and nonconformity to show that there was, in theory, a significant range of space for partial conformity. Finally, the chapter will investigate partial conformity in detail through an analysis of the kirk session and presbytery records at key moments between 1662 and 1669, namely: the observance of a thanksgiving for Charles II's birthday and restoration on 29 May; the imposition of oaths of loyalty on the clergy; the reintroduction of forms of worship that contradicted the *Westminster Directory*; and more personal moments among the laity such as choosing whether or not to hear sermons by a minister who had denounced the Covenants, to attend readers' services, and recognise communion, baptism, and marriage ceremonies carried out by a conformist minister who had sworn an oath of loyalty to the new regime. Throughout this period, the clergy and laity negotiated their Covenanting commitments with changing national, local, and personal obligations.

Historiography, Terminology, and Sources

The vast majority of historiography on Restoration Scotland provides a dualistic picture of grassroots conformity and nonconformity. As highlighted in the introduction, the

eighteenth and nineteenth century historians Robert Wodrow and Thomas M'Crie produced hagiographic accounts of nonconformist Presbyterians who were praised as principled freedom fighters who held steadfast to their Covenant with God. Despite their obvious confessional bias, these studies, alongside James Kirkton's contemporary history of the Kirk from the Restoration to the Revolution, offer an outline of nonconformist belief as well as identifying, and in Wodrow's case providing, a wealth of primary source material with which to engage.¹ Walter Roland Foster's 1958 book *Bishop and Presbytery* signalled a shift from confessional history to a more objective analysis. Foster closely studied the functioning of the church at all levels and concluded that Presbytery and Episcopacy did not exist in 'watertight compartments' and that there was significant 'synthesis' between the two.² This is an important argument which has too readily been overlooked. Ian Cowan's 1976 study is largely a history of nonconformity, providing an authoritative account of how the Restoration regime pressed for conformity to Episcopacy and royal supremacy while provoking a backlash among those loyal to the Covenants, including a large body of ministers in the south west, lesser landowners, and laymen and women of low social standing.³ Cowan's work is complemented by Julia Buckroyd's 1980 analysis of the Restoration church and state in which all the major policies, political intrigues and characters are scrutinised. Buckroyd argues that the 1669 and 1672 Indulgences (attempts at reconciliation discussed in the following chapter) were measures which would have been successful had it not been for the vehement opposition of bishops James Sharp and Alexander Burnet. Personal political interest drove policy and was responsible for the repression of the nonconformists and subsequent violence, an argument which implies that a middle ground could have been found had it not been for the intransigence of the bishops.⁴

Further work has been done on the political thought of the nonconformists as well as the geographical and social aspect of nonconformity. I.M. Smart's 1980 article on the political ideas of the Scottish Covenanters covers the period 1638–1688 which allows him to break the linear and monolithic portrayal of Covenanting. He argues that while the Covenanters of 1637 advocated noble-led resistance with popular support when faced with a ruler who subverted God's will, the Restoration Covenanters adapted Samuel

¹ Robert Wodrow, *The History of the Sufferings of the Church of Scotland, from the Restauration to the Revolution*, 4 vols; Thomas M'Crie, *The Works of Thomas M'Crie*, 4 vols; James Kirkton, *The Secret and True History of the Church of Scotland from the Restoration to the year 1678*.

² Walter Roland Foster, *Bishop and Presbytery: The Church of Scotland, 1661-1688* (London: SPCK, 1958), pp. 170-171.

³ Ian B. Cowan, *The Scottish Covenanters 1660-1688*.

⁴ Julia Buckroyd, *Church and State in Scotland 1660-1681*.

Rutherford's ideas on parliamentary sovereignty into an ideology which vindicated resistance by people regardless of social status while not necessarily requiring the consent of parliament.⁵ Caroline Erskine reiterated this argument in a 2014 book chapter in which the Restoration Covenanters were portrayed as religious fanatics of weak intellectual calibre and 'a branch off the main line [of intellectual thought] and ultimately a dead end'.⁶ The work of Erskine and Smart provides an insight into nonconformist ideology, but no acknowledgement is given to those who may have remained committed to the Covenants without separating from the established church.

The studies cited so far focus almost entirely on the nonconformists in the south west of Scotland. Indeed, this was where the government focused their policies and from where two risings stemmed, but a full picture of Restoration Scotland is not gleaned by only concentrating on one area. This was recognised by Elizabeth Hyman in a 1995 article that made the distinction between eastern and western nonconformists. Conventicling was more prevalent in the east as ministers were not offered indulgences in Fife due to Archbishop Sharp's opposition. In the west, dissent was sophisticated and organised as ministers who accepted Indulgences often co-operated with the non-indulged and operated essentially as a separate church.⁷ According to V.G. Kiernan, those who followed nonconformist ministers were largely from the lower end of the social spectrum. Kiernan's class-based analysis concludes that the reason why dissent was prevalent in the south west was the emergence of 'capitalist landowning and industry' in the area, which exacerbated social divisions. The lesser landowners and lowest classes thus upheld the Covenants as a symbol of shared past based on unity, equality and trust.⁸ Although conventicling is discussed by every historian of the Restoration period, no detailed study of these meetings was carried out until Neil McIntyre's 2016 doctoral thesis. McIntyre's work provides examples from regions throughout Scotland, and central to his thesis is the well organised, subversive, and lay nature of conventicling, in direct contrast to Erskine's focus on the fanaticism of Covenanting polemicists.⁹

⁵ I.M. Smart, 'The Political Ideas of the Scottish Covenanters, 1638-88', *History of Political Thought* 1 (1980), pp. 167-194.

⁶ Caroline Erskine, 'The Political Thought of the Restoration Covenanters', in *Scotland in the Age of Two Revolutions*, ed. Sharon Adams and Julian Goodare (Woodbridge: The Boydell Press, 2014), p. 172.

⁷ Elizabeth Hyman, 'A Church Militant: Scotland, 1661-1690', *The Sixteenth Century Journal* 26 (1995), pp. 49-74.

⁸ V.G. Kiernan, 'A Banner with a Strange Device: the Later Covenanters', in *Covenant, Charter, and Party: Traditions of Revolt and Protest in Modern Scottish History*, ed. Terry Brotherstone (Aberdeen: Aberdeen University Press, 1989), p. 44.

⁹ Neil McIntyre, 'Saints and Subverters: The Later Covenanters in Scotland c. 1648-1682', chapter 4; see also Neil McIntyre, 'Conventicles in Post-Restoration Scotland', in *Records of the Scottish Church History Society* 45 (2016), pp. 66-81.

In short, nonconformity during the Restoration period is well-trodden ground. Not much work has been done on conformity or on shades of opinion. Around two-thirds of the ministry conformed, and Alasdair Raffe has done much to further our understanding of how conformists slowly developed an Episcopalian confessional culture in contrast to nonconformist Presbyterian confessional culture, while noting the existence of a middle ground that was particularly evident before 1680.¹⁰ Moreover, Colin Kidd and Clare Jackson have both stressed that there was a significant degree of latitude among moderate intellectuals in both camps.¹¹ However, much more remains to be done in regard to middle ground opinion outside the intelligentsia. This grouping will be referred to in this study as partial conformists: those who do not fit comfortably in either the conformist or nonconformist groupings. The existence of partial conformity has long been acknowledged by historians of Restoration England, but Raffe was the first historian of Scotland to broach the topic.¹² He argued that there was a fluid spectrum of conformity but that partial conformity was essentially a moderate wing of nonconformity or a stepping stone to full nonconformity, concluding that government repression of nonconformists after 1679 virtually ended a visible middle ground as those who had been partial conformists were forced to choose sides.¹³ Raffe outlined three tenets of partial conformity: avoidance of regular attendance at services given by conformist ministers; hearing sermons in parishes in other towns; and refusal to receive the sacraments from a conformist minister. This chapter will reveal a broader range of ways in which ministers and the laity could avoid conforming to Episcopacy without separating from the church entirely. The beliefs and practices of those who partially conformed varied significantly, and partial conformity was not simply a form of nonconformity. There was a range of practical motivations for not fully conforming, which will be explored, but the most common ideological reason was an aversion to forms of worship which contradicted the 1645 *Westminster Director*, twinned with an unwillingness to incur the consequences of separating from the church entirely.

¹⁰ Alasdair Raffe, *The Culture of Controversy*; Alasdair Raffe, 'Presbyterians and Episcopalians: the Formation of Confessional Cultures in Scotland, 1660-1715', *The English Historical Review* 125 (2010), pp. 570-598.

¹¹ Clare Jackson, *Restoration Scotland, 1660-1690: Royalist Politics, Religion and Ideas*, p. 216; Colin Kidd, 'Religious realignment between the Restoration and the Revolution' in *A Union for Empire: political thought and the British Union of 1707* ed. John Robertson, pp. 145-168.

¹² Mark Knights, 'Occasional conformity and the representation of dissent: hypocrisy, sincerity, moderation and zeal', in *Parliament and Dissent*, ed. Stephen Taylor and David Wilkes (Edinburgh: Edinburgh University Press, 2005), pp. 41-57; Christopher Hill, 'Occasional conformity', in *Restoration Conformity and Dissent: Essays in honour of Geoffrey Nuttall*, ed. R. Buick Knox (London: Epworth Press, 1977), pp. 199-220; John Flaningham, 'The Occasional Conformity controversy: ideology and party politics, 1697-1711', *Journal of British Studies* 17 (1977), pp. 38-62.

¹³ Raffe, *The Culture of Controversy*, pp. 180-188.

This strongly suggests that the reasons for partially conforming were often rooted in a continuing of commitment to the Covenants.

In chapter one, a Covenanter was defined as anyone who swore the Covenants. Chapter two highlighted the Engagement crisis as a pivotal moment in the development of Covenanting ideology as a hardline regime attempted to make Covenanting more exclusive by enforcing subscription to the Solemn Acknowledgement and Engagement and barring unrepentant Engagers from ‘covenant and communion’. By 1662, twenty-four years had passed since the initial swearing of the National Covenant and an analysis that focuses on Covenant subscriptions is no longer entirely applicable. The post-Restoration generational shift meant that many of those who upheld the Covenants were not old enough to have subscribed them. It is important to remember that the Covenants were both personal and national, and those who remained committed to the Covenants post-1662 did so because they believed that the nation was perpetually bound to their aims. Those who took the oath of allegiance swore that the Covenants were illegal and promised not to pursue their aims, thus ceasing to be Covenanters. Anyone who held a position in local or national government took this oath, as did some ministers. Existing historiography tends to focus on those ministers who refused to accept collation from a bishop and were deprived of their charges, subsequently holding conventicles in house and field. These ministers, alongside their lay followers, are traditionally understood to be the Covenanters of the Restoration period. But what of those who conformed? Did every minister who accepted collation from a bishop or continued to serve in the ministry during the 1660s break their solemn oath to uphold the ‘true religion’? Accepting collation from a bishop or continuing to serve in the Restoration church usually meant taking an oath: either the oath of allegiance, the oath of canonical obedience, or another oath drawn up by the kirk session or the presbytery. As will be shown, the oath of allegiance was rarely used in church, and the other oaths made no mention of the Covenants. Ministers who continued to serve in the church could find ways of expressing dissent without eliciting too much attention from the authorities. This included avoiding observance of the annual celebration for Charles’ restoration on 29 May, avoiding taking oaths, and refusing to adhere to changes in worship. The ministers who continued to serve in the 1660s but expressed mild dissent through these channels will be defined here as partial conformists.

Although partial conformists were not as hardline as those who separated from the church entirely, they can still be defined as Covenanters as they did not disown the Covenants and displayed a degree of discontent with the explicitly anti-Covenanting

regime. Moreover, by refusing to observe changes in worship, partially conformist ministers stood by the *Westminster Directory*, the ministerial guidelines for worship agreed upon during the Westminster Assembly and ratified by the Scottish parliament in 1645. As shown in chapter two, the implementation of the *Directory* was a direct result of the Solemn League and Covenant, and perceived by many as a crucial component to Covenanting. Thus, refusing to observe forms of worship which contradicted it is highly indicative of Covenanter sensibilities.

Partial conformity also provided an avenue through which the laity could express dissent with the new regime without participating in conventicling, or a way in which they could negotiate their personal obligations to the Covenants in the face of the regime's new policies. Regularly attending services outlawed by the *Directory* reneged on the Solemn League and Covenant and implicitly recognised the legality of the 1662 settlement. Therefore, those who attended church and did not display any dissent can be understood as disowning the Covenants. However, like ministers, some laypeople refused to attend services which contained forms of worship not found in the *Directory*, such as readers' services. Baptism now required parents to recite the Apostles' Creed, another practice which had been dispensed with in 1645 and created a problem for those who understood the achievements at Westminster to be a facet of the Solemn League and Covenant and therefore an unbreakable commitment. Other forms of dissent shown by the laity involved refusal to acknowledge the authority of a fully conformist minister, evidenced by avoidance of weekly services; refusal to take communion; and moving parish. These are also actions which suggest the prevalence of Covenanter predilections as they hinged on a refusal to acknowledge the authority of a clerical conformist, or an 'intruder' on the Covenanted church (a point raised by Raffe and discussed in more detail below). As will be shown, people who engaged in these acts of mild dissent in the 1660s were often punished lightly, if at all, which allowed for the possibility of sustained commitment to the Covenants to survive at grassroots level.

It should also be noted that the term 'Covenanter' does not appear in the church or Privy Council records during the 1660s and there is no evidence that partial conformists labelled themselves as 'Covenanters'. As outlined below, the 1662 settlement aimed at removing all traces of Covenanting and Covenanting language. The absence of Covenanting rhetoric among partial conformists is likely to reflect their fear of the consequences, but may also be due to the divisive experiences of the 1650s. The majority of Protesters held on to their hardline Covenanting identity, renewing the Covenants and

rebelling against the regime in 1666 and 1679 (discussed in the following chapter). On the other hand, the Resolutioner camp split as some joined the nonconformists while the majority conformed with varying degrees of enthusiasm. Those who conformed recognised the divisiveness of the debates which had plagued the Covenanting movement since at least as early as 1648 and quietly discarded overt support for the Covenants in 1662. This does not mean, however, that all conformists no longer upheld Covenanting principles: some worked with the regime as far as their consciences allowed. This is one of the great lacunas in the historiography of early modern Scotland: how did former Covenanting ministers and ordinary laymen and women reconcile conforming to the Restoration settlement? The framework highlighted above provides a means through which this crucial question can be addressed.

There is not much evidence for partial conformity in the sources traditionally used to study the 1660s. Robert Wodrow does not mention the existence of partial conformists; the letters contained in the Lauderdale papers are mostly concerned with nonconformity; and evidence for partial conformity found in diaries and pamphlets are heavily weighted to the 1670s. However, there is an abundance of evidence for partial conformity in the extant synod, presbytery, and kirk session records which have until now remained untouched by historians. Survival rate of these church records are much higher for the 1660s than the 1640s and 1650s: sixty-eight kirk sessions and twenty-one presbytery records with complete, regular entries survive for the years 1662 and 1663. Although still representing only around 7% of kirk sessions and 32% of presbyteries, the survival rate here is more than double that of the period covering Covenant subscriptions. The analysis presented below utilises evidence from a broad range of geographical areas with a focus on the central belt, Fife, Angus and the Mearns, and the north east. This is mainly due to the fact that the surviving church records are relate to these areas. It also allows focus to be shifted to areas which are often overlooked by analyses that tend to emphasise nonconformity in the south west and borders while giving passing notice to the other areas of Scotland.

Full Conformity and Nonconformity

Before discussing partial conformity, it is necessary to outline the key tenets of each end of the spectrum to highlight the significant ideological space available for partial conformity. The reintroduction of patronage in 1662, which had been dispensed with by the Protesters in 1649, as well as the requirement for ministers to be collated by a bishop, forced many ministers to choose sides. 270 ministers, roughly 30% of the entire ministry, refused to be

presented and collated, and were deposed.¹⁴ 195 ministers, roughly 20%, had entered their charge before 1649 and therefore did not need to be presented and collated.¹⁵ Thus, around half of the ministry conformed with this requirement. Those who refused to conform in 1662 did so because they could not reconcile adhering to a regime that explicitly denounced the Covenants and altered the government of the church to include bishops. The previous chapter showed that by 1660, Covenanting arguments had stagnated and there was a resurgence of a form of royalism akin to absolutism which provided the ideological backbone for the Restoration settlement. However, the ideas put forward by conformists such as Andrew Honyman, Robert Leighton, and Robert Baillie reinvigorated arguments surrounding Covenanting and Episcopacy which surfaced in 1638. In 1661 permission was granted to Robert Forbes of Marischal College, by an act of parliament, to reprint the 1638 *Generall Demands* of the Aberdeen Doctors.¹⁶ One of the key motives of this pamphlet was to challenge the Covenanters on their use of the Negative Confession as an oath that supported Presbyterianism, as discussed in chapter one. Central to the arguments put forward by the likes of Honyman, Leighton, and Baillie was the premise that Covenanting and Episcopacy were not entirely incompatible. Examples of these two sides of opinion will be provided here, before attention is turned to the 1662 ecclesiastical settlement and partial conformity.

Between 1661 and 1663, three Protester leaders were publicly executed. The scaffold speeches of James Guthrie and Archibald Johnston of Wariston outline the key tenets of nonconformist ideas for the remainder of the Stuart monarchy. The other leading figure executed in 1661, the Marquis of Argyll, used his scaffold speech to attest his innocence of the charge against him of high treason. He gave a detailed account of the legality of his actions in the past three decades in a defensive speech given in April 1661. With regard to the Covenants he affirmed that:

neither ... did I subscribe the Covenant, until I was commanded by his Majesty's special Authority; and it was in Council then declared, that the subscribing of it was with the same Meaning which it had when it was first taken, in the Years 1580 and 1581.¹⁷

Thus, according to his scaffold speech, Argyll had only signed the King's Covenant in summer 1638, and he had understood it as a renewal of the Negative Confession of 1580–1: both of these had been issued by the monarch. Argyll's words further support the argument put forward in this thesis that Covenanting ideas were flexible and dependent on which

¹⁴ Raffe, *The Culture of Controversy*, p. 33.

¹⁵ Based on information gathered from *Fasti*.

¹⁶ RPS, 'Petition of Mr Robert Forbes, professor of philosophy in the university of Aberdeen', A1661/1/97 [accessed: 12/09/2017]; McIntyre 'Saints and Subverters', p. 53.

¹⁷ Wodrow, *History*, i, appendix, p. 24.

particular Covenant one had subscribed. Argyll went on to highlight the prominent role that he had played in returning Charles to Scotland in 1649 and to deny any collaboration with the Cromwellian regime.¹⁸ While Argyll did not declare his commitment to the Covenants in this mild scaffold speech, given on 27 May 1661, the assertion that his actions were legal and the reminder that the crown had not always been entirely averse to Covenanting are ideas that appear in many Covenanting tracts in the 1660s. This can be seen in the letters of Robert Douglas (below) and the polemics of those who rose against the regime in 1666 (discussed in the following chapter) which highlight the fact that Charles II had subscribed the Covenants at his coronation.

The speeches of Guthrie and Wariston in 1661 and 1663 respectively are more revealing of the nonconformist position. Sentenced to death for his involvement in writing *The Causes of the Lords Wrath*, Guthrie asserted in his scaffold speech that the Covenants were still binding:

I do bear Witness unto the National Covenant of Scotland, England, and Ireland: These sacred, solemn, publick Oaths of God, I believe can be loosed nor dispensed with, by no Person or Party or Power upon Earth; but are still binding upon these Kingdoms, and will be for ever hereafter!¹⁹

Thus, according to Guthrie, the Restoration settlement had denounced unbreakable oaths with God. While Argyll's scaffold speech referenced only the King's Covenant and Negative Confession, Guthrie's reference to England and Ireland was a direct appeal to the Solemn League and Covenant, which became a prominent focal point of dissent during the Restoration period. After being apprehended by the authorities in 1663 for assisting in the writing of the *Causes of the Lords Wrath* and for collusion with Cromwell, Wariston similarly gave a statement of loyalty to the Covenants on the scaffold. He declared that he remained committed to the 'National Covenant, the solemn League and Covenant, the solemn Acknowledgment of our Sins and Engagements to our Duties, and to all the Grounds and Causes of Fasts and Humiliations'.²⁰ For Wariston it was not only the Covenants that still bound the nation, but also the key hardline and Protester innovations of 1648–50. Those who refused to conform followed Wariston and Guthrie's assertion that the Covenants were permanently binding and required national allegiance.

Most Protesters, such as John Brown, minister of Wamphray, took the position that the oaths of 1581, 1638, and 1643 remained irrevocably binding. For Brown, all Scots were bound to the preservation of Presbyterianism and the absolute opposition to

¹⁸ *Ibid.*, appendix, pp. 24–25.

¹⁹ *Ibid.*, appendix, p. 46.

²⁰ *Ibid.*, appendix, p. 81.

Episcopacy under the Covenants and thus the Restoration settlement was simply not legal.²¹ Resolutioners faced the biggest crisis of conscience in 1662. Many Resolutioners and conservatives conformed but for some the absolutist and anti-Covenanting nature of the civil and ecclesiastical settlement was understood as an explicit contradiction of Solemn League and Covenant and was therefore unacceptable. One such Covenanter was Robert Douglas. He and Resolutioner colleagues in Edinburgh David Dickson, James Wood, James Hamilton, John Smith, and George Hutcheson, were in regular correspondence with George Monck and Nathaniel Whetham (Scottish MP in the third Protectorate Parliament) during the first few months of 1660; and with James Sharp thereafter. Sharp was in London representing the Resolutioner interest during the Restoration negotiations and Douglas's letters show that he would accept nothing short of a settlement based on the Solemn League and Covenant. About the English Parliament of May 1660, which went on to restore Charles II to the throne, Douglas wrote that 'it may be supposed, they as men of conscience will endeavour to settle according as they find themselves obliged by the League & Covenant'.²² Douglas believed in the equality of the dual Covenanted commitment to uphold the king's majesty and the true religion and thus welcomed Charles' return in 1660. In a letter to Charles II on 8 May 1660, Douglas and his colleagues wrote 'We cannot but admire the faithfulness and tender compassions of the Lord our God, who keepeth Covenant and Mercie ... by opening so comfortable and promising a door of hope that he will repossesse your Ma[jes]tie in your just rights'.²³ In a later letter to Sharp, Douglas affirmed that he was 'exceedingly refreshed with the newes of his Ma[jes]ties safe return into his own land'.²⁴ Douglas appeared to be content with the Restoration of Charles II. However, he was not willing to compromise on the Covenants and reminded Charles that 'you have entered in a Coven[an]t' and urged him to 'settle the house of God according to his word in all your dominions'.²⁵ These pleadings fell on deaf ears and Sharp failed to secure a Presbyterian settlement. Sharp nonetheless accepted the archbishopric of St Andrews in 1661. Douglas subsequently refused Sharp's offer of a bishopric. He, along with the other Edinburgh Resolutioners listed above, refused to acknowledge the authority of the bishop of Edinburgh and were deposed in October

²¹ John Brown, *An Apologeticall Relation of the Particular Sufferings of the Faithful Ministers and Professors of the Church of Scotland, since August 1660* (Edinburgh: 1665), pp. 17, 47, 51, 61.

²² Robert Douglas to James Sharp, 3 April 1660, in *Correspondence of James Sharp with Robert Douglas, David Dickson and others in the year 1660, with reference to the settlement of Church affairs at the Restoration. Transcripts*, Glasgow University Special Collections MS Gen 210, p. 58

²³ Letter to Charles II, 8 May 1660, *Ibid.*, p. 94.

²⁴ Douglas to Sharp, 2 June 1660, *Ibid.*, p. 120.

²⁵ Letter to Charles II, *Ibid.*, p. 96.

1662.²⁶ One area which divided nonconformists from conformists was the question of whether acknowledging the authority of a bishop broke the second article of the Solemn League which contained a promise to eradicate ‘prelacy’.

Conformist positions were sufficiently broad to allow for significant shades of opinion to exist. The bedrock for conformity to the Restoration settlement was the belief that Covenanting and Episcopacy were not incompatible. This argument stems from the contentious addition of the Glasgow Declaration to the National Covenant in December 1638 which the likes of Andrew Honyman viewed as an unwarranted deviation from the original aim of the Covenant. Andrew Honyman, minister of Ferryport-on-Craig and later of St Andrews and then bishop of Orkney from 1664, was a signatory of the Covenants and a leading polemicist for the conformists throughout the Restoration period.²⁷ In a 1662 pamphlet he argued that Episcopacy was not explicitly denounced by either Covenant, stating that the 1662 church settlement was ‘very primitive Episcopacy’, not popery, and claiming that both James VI and John Craig, writer of the Negative Confession, favoured Episcopalianism.²⁸ Moreover, he held that the explicit denunciation of Episcopacy added to the National Covenant by the 1638 Glasgow Assembly merely represented the opinion of that Assembly and was therefore not a Covenanted obligation: ‘So then, whatever was done at Glasgow after the Covenant was taken by the body of the Land, could not oblige all takers of it to own their declaration of the sense of the Covenant’.²⁹ Viewing the 1638 Covenant as a renewal of the 1580 Negative Confession rather than an attack on Episcopacy allowed for a Covenanter to conform in 1662 in good conscience. This argument was echoed by Robert Leighton: professor of divinity at Edinburgh’s Toun College, signatory of the Covenants, bishop of Dunblane from 1661, and archbishop of Glasgow from 1671–74.³⁰ In his *A Modest Defence of Moderate Episcopacy*, he focused on the Solemn League and Covenant, arguing that the word ‘prelacy’ in the Covenant referred to English prelacy and not moderate Scottish Episcopacy.³¹ In making this case, Leighton cited a 1661 pamphlet written by English Presbyterians in defence of a moderate Episcopal settlement which states ‘we do not, nor ever did renounce the true ancient primitive

²⁶ Buckroyd, *Church and State*, pp. 41–42; Wodrow, *History*, i, p. 137.

²⁷ *Fasti*, v, pp. 200, 233.

²⁸ Andrew Honyman, *The Seasonable Case of Submission to the Church-government as now re-established by law, briefly stated and determined* (Edinburgh: Evan Tyler, 1662), pp. 19, 32–33.

²⁹ *Ibid.*, p. 36.

³⁰ For a robust analysis of Robert Leighton, see Alan James Hamilton, ‘In Mitiores Partem: Robert Leighton’s Journey towards Episcopacy’.

³¹ Robert Leighton, ‘A Modest Defence of Moderate Episcopacy, As established in Scotland at the Restoration of King Charles II’, in *The Works of Robert Leighton*, v, ed. Rev. G. Jerment (London, 1808), p. 79.

Episcopacy, or Presidency, as it was ballanced or managed by a due commixtion of Presbyters therewith, as a fit means to avoid Corruptions, Partialities, [and] Tyrannies'.³² This was the type of church Leighton believed had been established in Scotland in 1662, in which bishops and presbyteries co-existed. Although Leighton and Honyman both accepted bishoprics after the Restoration, they arguably still held Covenanting beliefs since they believed that neither Covenant had denounced Episcopacy.

Robert Baillie was a more prominent Covenanter who conformed. Baillie did not necessarily oppose the office of bishop and conformed due to pressure from colleagues and a desire for peace. Baillie was minister of Kilwinning from 1631 and professor of divinity at Glasgow University from 1642. He was closely involved in the Covenanting venture, regularly sitting at the General Assembly and was appointed as one of the Scottish commissioners to the Westminster Assembly in 1643.³³ While being vehemently opposed to Laudian Episcopalianism, Baillie was the sole dissenter in the 1638 General Assembly to the Glasgow Declaration and was not entirely opposed to the office of bishop, believing church superintendents and temporary Episcopates to be lawful as long as they worked within a Presbyterian church structure.³⁴ In 1637 he wrote that 'Bishopes I love; but pride, greed, luxurie, oppression, immersion in saicular affaires, was the bane of the Romish Prelats, and can not have long good success in the Reformat'.³⁵ His letters in 1661 express dismay at the overturning of the Covenants, but he conformed nonetheless and accepted the principalship of Glasgow University as the 'importunitie of friends moved me to take it, lest in these reeling times some unhappie man should be set over our heads'.³⁶ Thus, Baillie conformed as colleagues convinced him that doing so would help secure peace. As Alexander Campbell states, 'he had decided to privilege public order over the pursuit of presbyterian reforms at all costs'.³⁷ Baillie's writings provide evidence of two key tenets of conformity: a lack of total aversion to bishops, and an unwillingness to be involved in conflict. These two broad categories, alongside the arguments put forward by Honyman and Leighton, provided a substantial level of space for people to conform while holding Covenanting beliefs. The realistic possibility for partial conformity is further evidenced by the unrigorous way in which the bishops pursued allegiance to the new regime.

The 1662 Ecclesiastical Settlement

³² *Two Papers of Proposals Concerning the Discipline and Ceremonies of the Church of England; Humbly Presented to his Majesty, by the Reverend Ministers of the Presbyterian Perswasion* (London, 1661), p. 5.

³³ David Stevenson, 'Baillie, Robert (1602–1662)', *Oxford Dictionary of National Biography*.

³⁴ Alexander Campbell, 'Episcopacy in the Mind of Robert Baillie, 1637-1662', in *SHR*, 93 (2014), pp. 29-55.

³⁵ Baillie, *Letters*, i, p. 2.

³⁶ *Ibid.*, iii, p. 471.

³⁷ Campbell, 'Episcopacy in the Mind of Robert Baillie', p. 47.

Contemporaries agree that Charles' return in 1660 was met in Scotland with widespread enthusiasm.³⁸ It was not until the Erastian Episcopalian settlement that dissent became noticeable. The degree to which the bishops followed the absolutist tone of the civil settlement (discussed in the previous chapter) will be examined here, and it will be demonstrated that compromising opinion existed even among the overseers of Charles II's church. James Sharp, former Resolutioner, was made archbishop of St Andrews before seeking, and failing, to place leading Resolutioners in the other bishoprics.³⁹ The only surviving bishop of the pre-Covenanting period was reinstated: Thomas Sydserf, bishop of Orkney. Sydserf died in 1663 and was succeeded by Andrew Honyman in 1664. Robert Leighton, former Resolutioner, accepted the bishopric of Dunblane. David Mitchell and George Wishart were former ministers who had fled Scotland after the General Assembly of December 1638; they were made bishops of Aberdeen and Edinburgh respectively as a reward for their loyalty. Of the remaining nine bishops, three were described by Buckroyd as 'middle rank' Resolutioners (Andrew Fairfoul, bishop of Glasgow; Murdoch MacKenzie, bishop of Moray; and David Strachan, bishop of Brechin) and the rest were either close allies of the Middleton and Glencairn faction, staunch royalists, or staunch Episcopalians.⁴⁰ Fairfoul died in 1663 and was succeeded by Alexander Burnet: an Episcopalian royalist who would later become infamous for his unrelenting opposition to moderation and the Indulgences. The initial appointment of bishops has been aptly surmised by Buckroyd:

With the sole exception of Sharp, they had played no distinguished part in the history of the church since 1638. They were second-rate men as far as their power of leadership were concerned, and no doubt they had been chosen very largely for that reason. Their function was to disseminate the nature of the social and political order as perceived by the administration.⁴¹

Leighton should also be added as an exception to Buckroyd's summary of 'second rate men'. He had held a leadership position of considerable importance as principal of Edinburgh Toun College.⁴² However, the majority of bishoprics settled in 1661 comprised of men who were inexperienced leaders but committed churchmen loyal to the king. Only four of the post-Restoration bishops (Mitchell, Wishart, Burnet, and Sydserf) had been active opponents of the Covenanters in the 1640s. Alan Hamilton has demonstrated that

³⁸ For example, see *Memoirs of the Rev. John Blackadder*, 2nd edition, ed. Andrew Chrichton (Edinburgh: 1826), p. 51; Row, *Life of Blair*, p. 354; Kirkton, *History*, p. 58.

³⁹ Buckroyd, *Church and State*, p. 42.

⁴⁰ *Ibid.*, pp. 42-45; Cowan, *The Scottish Covenanters*, p. 48; see also *Scottish Bishops and their Consecrators from the Restoration of the Scottish Episcopate (1661) to the Consecration of Bishop Seabury (1784)* (Connecticut: Church Mission Publishing Company, 1941), p. 1.

⁴¹ *Ibid.*, p. 45.

⁴² Alan Hamilton, 'In Mitioem Partem', chapter 5.

Leighton could legitimately be described as both a Covenanter and a conformist.⁴³ There is not enough evidence to explore the extent to which the other bishops of this period held Covenanting commitments, but the evidence presented below shows that many were, at the very least, not rigorous in pressing the oath of allegiance onto their clergy.

After the 1662 parliament, church affairs were settled swiftly. Prior to the meeting of parliament, the Privy Council had ordered all synods, presbyteries and kirk sessions to cease meeting until authorised by a bishop.⁴⁴ Synods, headed by their respective bishops, then met in autumn 1662 before authorising presbyteries and sessions to meet. Some small but significant changes to worship were introduced thereafter. All synods produced instructions for the governance of the Kirk; these were virtually identical, with some minor but revealing variations, discussed below. The *Westminster Directory* was banned, as were weekday lectures in church. Readers were reintroduced; ministers were ordered to enforce standing or kneeling during prayer; affirmations of faith were to be made by parents at baptism; the Creed was to be recited at baptism; the Doxology was ordered to be sung, standing rather than seated; and sermons were to be concluded with the Lord's Prayer.⁴⁵ There was now no official liturgy for the Kirk, and most ministers either continued to use the *Directory* illegally, or used Knox's *Book of Common Order*, or the English *Book of Common Prayer*.⁴⁶ Foster argues that these changes 'were all revivals of earlier traditions'.⁴⁷ Much like the state settlement, the ecclesiastical settlement was an attempt at undoing the Covenanting period by turning the state of the church back to its early seventeenth century form, with the exception of the use of the English *Book of Common Prayer*, which was an innovation. Although not formally adopted by Episcopalians in Scotland until after the reinstatement of Presbyterianism in 1690, the use of English prayer book at this stage can be understood as the beginning of what Raffe has identified as the development of Episcopalian confessional culture in Scotland.⁴⁸

In theory, by 1662 the shape of the civil and ecclesiastical settlement was quite clear: the king was supreme head of church and state, bishops were to manage the church courts, forms of worship used under the Covenanters were no longer allowed, and those who refused to acknowledge the authority of the bishops and supremacy of the king were

⁴³ *Ibid.*

⁴⁴ *RPC*, series iii, vol. i, pp. 130-131.

⁴⁵ Walter Roland Foster, *Bishop and Presbytery*, pp. 125-131; *Kirk Session, Presbytery, and Synod of Aberdeen*, p. 267; *Selections from the Minutes of the Synod of Fife, MDCXI-MDCLXXXVII* (Edinburgh: Abbotsford Club, 1838), p. 184; Moray Synod Records, NRS CH2/271/2, p. 374; Dunblane Synod Records, CH2/724/2, p. 2; Galloway Synod Records, CH2/165/1, p. 4.

⁴⁶ Foster, *Bishop and Presbytery*, p. 128-133.

⁴⁷ *Ibid.*, p. 130.

⁴⁸ Raffe, *Culture of Controversy*, pp. 51-61.

to be deprived. There is also evidence of bishops attempting to enforce a uniform standard of prayer for Charles II. The bishop of Edinburgh, George Wishart, wrote to Dunbar Presbytery on 31 December 1662 stating ‘that not a few of the preachers within this church have in times past taken a Libertie vpon themselves to pray in what forme of words they please for the king... [and have] used scandalous expressions’.⁴⁹ The new prayer for the king affirmed that Charles was:

Defender of the Faith, over all persons, and in all causes; alsweill civile as ecclesiasticall, nixt and immediatlie under Thee and thy Christ, supream governor within his majesties dominiones.⁵⁰

The language used here – ‘Defender of the Faith ... Supreme Governor’ – bears striking resemblance to how royal supremacy was legally defined and commonly understood in England. In particular, the idea of the monarch as the ‘supreme governor’ of the Church represented a common feature of Anglican notions of royal supremacy since the reign of Henry VIII, although the term itself had been introduced in the Elizabethan Act of Supremacy; this understanding of monarchy was reinvigorated at the Restoration of Charles II.⁵¹ In Scotland, this type of language had not been used since the Reformation and its introduction at the Restoration can be understood as part of the move towards absolutism in royalist rhetoric, as well as an imposition of an English form of royal supremacy on the Scottish Church. The way in which Charles II is described in this prayer stands in stark contrast to Robert Douglas’ sermon on the coronation of Charles II in January 1651 in which the king’s power was described as being limited by his contract with God and the people. At the end of the 1651 coronation, Douglas quoted Deuteronomy, saying to Charles, ‘Your throne is the Lord’s throne, and your people the Lord’s people. Let not your heart be lifted up above your brethren’.⁵² Douglas was here promoting the kind of understanding of the king’s role that underlay the approach taken by the early Covenanters. However, the new form of prayer for the king combined with the oath of allegiance and act of supremacy reflect an attempt to promote Anglican notions of royal supremacy in Scotland and remove all traces of Covenanting language and limitations from public discourse, including moderately worded ‘for king and Covenant’ language.

Although the changes to worship instigated in 1662 were co-ordinated across the nation, variations are evident in the degree to which bishops enforced the settlement. Ministers who had entered their charges before 1649 were often required to give some

⁴⁹ Dunbar Presbytery Records, NRS CH2/99/2, p. 81.

⁵⁰ *Ibid.*, *Kirk Session, Presbytery, and Synod of Aberdeen*, p. 266.

⁵¹ Jacqueline Rose, *Godly Kingship in Restoration England*, pp. 137-141

⁵² *The Forme and Order of the Coronation of Charles the Second*, p. 22.

form of statement of loyalty to the king and established form of church government. It was not until 1681 that the ministry were required to denounce the Covenants under the Test Act.⁵³ Although presbyteries were often already extracting oaths from their ministers, chaplains, schoolmasters, and readers from as early as 1662. In the bounds of the synod of Aberdeen, all ministers were ordered to swear an oath in which they promised ‘due canonicall obedience’ to the Bishop of Aberdeen and ‘to them to whome the government and charge is committed over me, following with a glad mynd and will ther godlie admonitiones’.⁵⁴ It is likely that the oath of canonical obedience was the acknowledgement of the authority of bishops which Douglas and his colleagues refused to give. Aberdeen Synod also ordered that no chaplain should preach and no schoolmaster should teach ‘without licence and authoritie from the bishope’.⁵⁵ In Linlithgow Presbytery, the bishop gave the moderator permission to ‘administer the othe of allegiance to schoolm[aster]s and Readers etc’.⁵⁶ The Privy Council pursued several ministers throughout 1662 and 1663 for refusal to subscribe the oath of allegiance, but the records of Linlithgow and Dunbar Presbyteries are the only ones that survive which mention the oath. However, there are signed copies of the oath of allegiance in both Linlithgow and Kirkwall Presbytery records, and neither contain the final part of the oath of allegiance which asked the subscribers to acknowledge the king’s prerogative and denounce the Covenants (as outlined above).⁵⁷ Practices clearly varied, as seen by the further deviation in Dunfermline Presbytery, who ordered their chaplains, readers, and schoolmasters to declare their ‘heartie satisfaction & contentment with ye government of ye kirk and yr loyaltie to ye kings majestie’.⁵⁸ The only oath which specifically denounced the Covenants and can be described as absolutist was the oath of allegiance, which demonstrates that not all the bishops pushed for universal adherence to the acts of the 1661 and 1662 parliaments which overturned the Covenants. In the bounds of Linlithgow and Kirkwall Presbyteries at least, the oath of allegiance was taken in a form which did not require ministers to denounce the Covenants. Moreover, the new form of prayer for Charles II seems only to have been observed in the bounds of three synods (see table below). The range of different attitudes to the king and Covenants shown by the bishops in 1662 is highlighted in the table below.

⁵³ Raffé, *Culture of Controversy*, p. 69.

⁵⁴ *Kirk Session, Presbytery, and Synod of Aberdeen*, p. 265.

⁵⁵ *Ibid.*

⁵⁶ Linlithgow Presbytery Records, NRS CH2/242/5, p. 315.

⁵⁷ *Ibid.*, p. 535.

⁵⁸ Dunfermline Presbytery Records NRS CH2/105/1/1, p. 379.

Breakdown of changes instigated by the bishops in 1662

Synod	Prayer for king?	Oath	Changes to worship?	Bishop
Aberdeen	Yes	Canonical Obedience	Yes	David Mitchell
Orkney	No	Allegiance ⁵⁹	Yes	Thomas Sydserf
Dunblane	No	No oath	Yes	Robert Leighton
Glasgow-Ayr	No records	No records	No records	Andrew Fairfoul
Moray	No	None	Yes	Murdoch MacKenzie
Brechin	No	None	No	David Strachan
Fife	No records	Declaration of loyalty to king and satisfaction with government of the kirk.	No records	James Sharp
Perth and Stirling	Yes	Unknown oath	Yes	James Sharp ⁶⁰
Ross	No records	No records	No records	John Paterson
Sutherland and Caithness	No records	No oath ⁶¹	No records	Patrick Forbes
Galloway	No records	No records	Yes ⁶²	James Hamilton
Dunkeld	No	Declaration of satisfaction with episcopal establishment – schoolmasters only.	Yes	George Haliburton
Argyll	No records	No records	No records	David Fletcher
Isles	No records	No records	No records	Robert Wallace
Lothian and Tweeddale	Yes	Allegiance	Yes	George Wishart
Merse and Teviotdale	No records	No records	Yes	George Wishart ⁶³

⁵⁹ The synod of Orkney records do not survive for this period but the presbytery of Kirkwall records survive and contain a copy of the synod minutes for 1662 along with the oath of allegiance with signatures from the ministers and elders of the presbytery, NRS CH2/1082/3, p. 5.

⁶⁰ James Sharp's diocese encompassed the synod of Fife and the synod of Perth and Stirling. Neither synod records survive. The presbytery of Dunfermline rigorously pursued ministers to subscribe an unspecified oath of loyalty, NRS CH2/105/1/1, p. 379. The presbytery of Perth recorded the acts of the synod which included the prayer for the king and changes to worship. The presbytery also pursued subscription from the ministers and schoolmasters to an unspecified oath, NRS CH2/299/43/9, pp. 5-7, 9.

⁶¹ The presbytery of Caithness records survive in full and make no mention of any oaths or declarations.

⁶² The synod of Galloway records survive from 1664 onwards. The act anent worship is, however, restated in 1664, NRS CH2/165/1, p. 4.

⁶³ Neither of the records survive for Wishart's synods. Haddington, Linlithgow and Dunbar Presbytery records survive which confirm the acts of the synod of Lothian and Tweeddale. Duns, Peebles, and Jedburgh presbytery records survive for Merse and Teviotdale. They list the changes to worship and ministers submitting to the episcopal church but do not specifically mention an oath or prayer for the king.

This table shows that the only bishop who imposed both the oath of allegiance and the new prayer for Charles II was George Wishart. Given that the ministers in the bounds of Linlithgow and Kirkwall Presbyteries took the oath of allegiance without disowning the Covenants, it is possible that this occurred throughout Wishart and Sydserf's jurisdiction. Unsurprisingly, archbishop James Sharp recommended the prayer in the bounds of his diocese, and the two well-known Episcopalians, Thomas Sydserf and David Mitchell, took strict approaches. Records survive for five out of the remaining ten diocese, and the evidence shows that their bishops took a more moderate approach by not enforcing oaths or the prayer for Charles. Indeed, David Strachan, former Resolutioner and close friend of Middleton, did not instigate any changes, and the functioning of the church in Brechin cannot have changed much after the Restoration. The degree to which local governance reflected national imperatives varied between regions. However, whether or not a bishop pressed a strict Episcopalian and royalist settlement in his diocese does not seem to have had an impact on the prevalence of partial conformity. Indeed, clerical and lay partial conformity is evidenced in all the areas in which records survive. What the levels of compromise shown in the table above demonstrate is that middle ground opinion and practice existed at the highest clerical level. While Jackson has argued that 'a substantial middle ground' existed among the intelligentsia throughout the Restoration period, the remainder of this chapter will show that such middle ground opinion was also prevalent at grassroots level, drawing on local kirk session and presbytery records.⁶⁴

Partial Conformity 1662–1669: Local Clergy and Elders

Disobeying acts made by Parliament, Privy Council, and synods was one way in which ministers and kirk session elders could express a degree of dissent, some of which indicates latent Covenanting sensibilities at local level. After the Privy Council banned the meetings of church judicatories in January 1662, 13 kirk sessions (out of 68 surviving records) from a broad geographical range continued to meet and exercise social discipline.⁶⁵ Adherence to this act was not rigorously pursued by the authorities, neither was the observance of the thanksgiving on 29 May, the date of Charles II's birth and of his restoration. This thanksgiving was introduced by an act of parliament in 1661, which instructed that the day 'be forever set apart as a holy day to the Lord, and that in all the churches of the kingdom it be employed in public prayers, preaching, thanksgiving and

⁶⁴ Jackson, *Restoration Scotland*, p. 163.

⁶⁵ These were: Auchterhouse, Dalmellington, Kennoway, Longforgan, Lyne, North Berwick, Stow, Aberdeen St Nicholas, Newlands, Anstruther Easter, Dunbar, Airth, and Tillicoultry.

praises to God for so transcendent mercies'.⁶⁶ Sermons were held on the 29 May, rather than on the nearest Sabbath. Tracing observance to this thanksgiving is difficult for the years 1661 and 1662 due to the implementation of ecclesiastical changes and cessation of session meetings, but when kirk sessions reconvened in 1663, a point in which the full implications of the changes to the Kirk were clear, thirty-one kirk sessions (46% of those for which records survive) do not mention observance of the thanksgiving. Although Charles' restoration was met with widespread enthusiasm, some viewed the imposition of a holy day as an encroachment on the power of ecclesiastical authority. Brown of Wamphray believed, 'it is not in the power of any under heaven to appoint anniversary holy Dayes, the Creator alone having reserved that power into his own hand, to consecrate any portion of time he pleaseth, & make it holy'.⁶⁷ Moreover, the act itself intimated that this day was to be observed as a remembrance of God's mercy, he who delivered the nation from the:

slaverie and bondage this antient kingdome hath groaned under dureing these tuentie yeers troubles in which, wnder the specious pretences of reformation, a publict rebellion hath been, by the treacherie of some and mispersuasion of others, violently caried on against sacred authority.⁶⁸

Thus, celebrating the anniversary of Charles' birth and restoration also involved celebrating both the demise of the Commonwealth and of the Covenanting regime. Brown argued that anyone who observed this day 'condemn[ed] all which had been done for twenty three yeers space, in carrying on of the work of Reformation'.⁶⁹ Refusal to observe the 29 May thanksgiving can therefore be used as an indication of discontent with the nature of the 1662 settlement and of continued commitment to the Covenants. Although Brown separated from the Kirk, there is an abundance of evidence of ministers and lay people refusing to acknowledge this day without withdrawing from parish worship the rest of the year.

Ministers and lay men and women who did not observe the thanksgiving on conscientious grounds could afford to do so as it was not rigorously enforced. This was one of the reasons why partial conformity was a viable option locally. The only instances of punishments being imposed for non-observance were when it was combined with more serious evidence of nonconformity. For example, the Privy Council deposed Donald Cargill, minister of Barony church, Glasgow, and Thomas Wylie, minister of

⁶⁶ *RPS*, 'Act for a solemne anniversarie thanksgivinge for his majesties' restitution to his royall government etc.' 1661/1/255 [accessed: 26/07/16].

⁶⁷ John Brown, *An Apologeticall Relation*, pp. 88-89.

⁶⁸ *RPS*, 'Act for a solemne anniversarie thanksgivinge for his majesties' restitution to his royall government etc.' 1661/1/255 [accessed: 26/07/16].

⁶⁹ John Brown, *An Apologeticall Relation*, p. 89.

Kirkcudbright, for refusing to observe the thanksgiving and not obtaining presentation and collation for their charges.⁷⁰ Similarly, Dunbar Presbytery heard evidence from the heritors of Innerwick against their minister, John Bairdie, for ‘seditious preaching and What he hath spoken agt the governments, his carriage upon the anniversarie day 1661 and his nether intimating nor keeping the samin’.⁷¹ Unsurprisingly, Bairdie too was deprived.⁷² There is no evidence of punishments being meted out to any ministers or members of the laity for purely refusing to observe this day of thanksgiving, which is surprising given that 46% of congregations (for which records survive) did not observe it. There was little evidence that recalcitrant ministers were held to account unless they were overtly nonconformist, that is, they had held conventicles or refused collation. The southern parish of Stow did not observe the thanksgiving between 1662 and 1665. There was no sermon held on 19 May 1663; ‘No preaching by reasone of ye ministers siknes’ on 27 May 1663; nothing recorded in the session minutes on 29 May 1663; and there was ‘no preaching in respect of the ministers absence’ at the same time the following year.⁷³ The minister was former Protester John Cleland, who died in August 1665 and it therefore may be possible that he was genuinely ill.⁷⁴ However there are no other reports of his absence at other times in the year, so this is unlikely. Cleland had entered his charge in 1640 and therefore did not need to be collated by a bishop after the settlement. The presbytery records for Earlston (which included Stow) do not exist for this period so it is not known whether Cleland was required to make an oath of loyalty to keep his charge. Regardless, John Cleland is an example of a Covenanter who ministered in the Restoration church while avoiding taking part in an aspect of the new regime which probably caused offence to his Covenanting sensibilities.

There are examples of dissent among the laity which also went unpunished. Dunfermline Presbytery recorded that ‘sev[era]ll persons and families did not attend seramone’ on 29 May. This was reported to the archbishop but never mentioned again.⁷⁵ Stirling kirk session pursued a woman for not attending the thanksgiving sermon. After she confessed that she did not attend due to the fact that ‘she having ane child with hir which did not rest weell’ she was reprovved but issued with no punishment.⁷⁶ The evidence from Dunfermline and Stirling is symptomatic of the lenient and unrigorous way the church observed the thanksgiving, further exemplified by the way in which Haddington Presbytery

⁷⁰ *RPC*, series iii, vol. i, pp. 270-271.

⁷¹ Dunbar Presbytery Records, NRS CH2/99/2, p. 80.

⁷² *Fasti*, iii, p. 165.

⁷³ Stow Kirk Session Records, NRS CH2/338/2, pp. 265, 267.

⁷⁴ *Fasti*, ii, p. 163.

⁷⁵ Dunfermline Presbytery Records, NRS CH2/105/1/1, p. 383.

⁷⁶ Stirling Kirk Session Records, NRS CH2/1026/2, pp. 251-255.

investigated observance simply by asking the ministers present if they kept the thanksgiving. Those present said they did and ‘for ought they knew the brethren absent kept it in like manner’.⁷⁷ The failure of the Restoration church to enforce observance to this thanksgiving allowed partial conformity to arise as those who did not observe the thanksgiving went unpunished.

In many cases, the clergy could avoid taking the oaths pressed upon them by the synods and presbyteries. Alexander Brodie records in his diary in autumn 1662 that there was much anxiety among the clergy in Moray over subscribing a declaration ‘anent the disclaiming of the couenant’.⁷⁸ Although the synod of Moray records do not mention the imposition of oaths, the evidence in Brodie’s diary suggest that the bishop, Murdoch MacKenzie, required his clergy to swear an oath to him in person rather than going through the church judicatories. MacKenzie allowed Harry Forbes, minister of Wick, to acknowledge the authority of the bishops ‘but not ounded the government’.⁷⁹ The bishop also offered James Urquhart, minister of Kinloss, the chance to ‘concur in common duties, and meit with him’, but he ‘inclind rather to quit his charg’.⁸⁰ Clearly, there was a spectrum of opinion between those who dissented entirely and those who were willing to work with the authorities as far as their conscience allowed. There is little other direct evidence of clergy subscribing oaths of loyalty with conditions, but there is significant evidence to imply that this did happen. Fourteen ministers were called before the Privy Council in November 1662 to subscribe the oath of allegiance. Three appeared at the first time of summoning and were banished from the kingdom for refusal to subscribe. Two ministers appeared a month later and took the oath of allegiance. One week later, four ministers appeared: two were deposed and two were referred ‘to the Lord Commissioner his grace, that he may take such course with them as he shall think fit’.⁸¹ Of the fourteen ministers originally called, four simply did not appear and no action was taken against them. More significantly, two of the ministers were referred to the Lord Commissioner rather than being deposed. Had they flatly refused to subscribe the oath of allegiance they would have been deposed, but they clearly did not subscribe the oath either. This is highly suggestive of a compromise. It is likely that these two ministers agreed to conform or subscribed an oath with conditions in a similar manner outlined by Brodie in Moray.

⁷⁷ Haddington Presbytery Records, NRS CH2/185/7, p. 3.

⁷⁸ Brodie, *Diary*, pp. 273-275.

⁷⁹ *Ibid.*, p. 278.

⁸⁰ *Ibid.*, p. 279.

⁸¹ *RPC*, series iii, vol. i, pp. 302-303, 306, 311-313, 319.

Keeping as many ministers in post as possible was obviously in the best interest of the bishops which probably helps to explain these instances of leniency.

Local case studies show that there was much unwillingness from clergy and schoolmasters in the bounds of Dunfermline, Dunbar, Forfar, and Linlithgow presbyteries to submit fully to the authority of the established government. Many schoolmasters had a university education, as did also some readers. Both groups could use this role as a step towards ordination and service as a parish minister.⁸² Teachers and readers were paid by the kirk session. Like ministers, they were expected to demonstrate their conformity to the new regime and they were pursued with equal, if not greater, vigour. This reflects an acknowledgement that those in local positions of power – including ministers, schoolmasters, and readers – could both serve as examples and influence the degree to which ordinary people conformed. Dunbar Presbytery read a declaration from the synod of Edinburgh and Lothian in January 1663 which observed that there were ‘manie Readers Schoolm[aste]rs Chapplannes & pedagogues in the diocese who decline the oath of aleaggance and supremacie or any Submission to or owning of the present government of the Church’, and ordered presbyteries to be more diligent.⁸³ As mentioned above, Dunfermline Presbytery reported a high level of absence among the laity during the 29 May thanksgiving. They also had issues with a number of ministers, chaplains, schoolmasters and ‘expectants’ (ministerial candidates) who refused to declare loyalty to the established church. On 28 October 1662 three ‘expectants’, two schoolmasters and a reader appeared before the presbytery to declare their ‘heartie satisfaction & contentment with ye government of ye kirk and yr loyaltie to ye kings majestie’.⁸⁴ As late as 1667 Dunfermline Presbytery was referring schoolmasters and chaplains to the archbishop for refusal to give this declaration.⁸⁵ Similarly, in the presbytery of Forfar, the schoolmasters were asked to come before the presbytery to give a testimony of loyalty to the current form of church government. After hearing them, the presbytery was ‘satisfied with thar judgement anent the present establishment’, and the testimonies and names were sent to the archbishop.⁸⁶ The testimonies in Forfar are not recorded, but it is likely that they were similar to the declaration given by the ministers in Dunfermline since in Forfar too the oath of allegiance was not mentioned explicitly.

⁸² Todd, *Culture of Protestantism*, pp. 60-66.

⁸³ Dunbar Presbytery Records NRS CH2/99/2, p. 89.

⁸⁴ Dunfermline Presbytery Records NRS CH2/105/1/1, p. 379.

⁸⁵ *Ibid*, p. 425.

⁸⁶ Forfar Presbytery Records, NRS CH2/159/1, pp. 5-6.

The Dunfermline declaration made no mention of either the Covenants or bishops and was thus significantly more moderate than both the oath of allegiance and the oath of canonical obedience, which suggests an acknowledgement by the presbytery that Covenanting loyalties were still prevalent. Some ministers and others nonetheless refused to state their loyalty to the regime and remained nonconformist. However, most of the schoolmasters, chaplains and expectants gave their statements of loyalty to church and king. Five ministers were called before Dunfermline Presbytery on 3 December 1662 for refusing to declare loyalty, a case which was twice referred to the archbishop. Remarkably, by the end of 1664 only one of the five ministers (George Belfrage, minister of Carnock) had been deposed.⁸⁷ As the cases were referred to the archbishop, it is possible that he was able to gain some form of submission from the other four. It is also possible, however, that these ministers slipped through the net and remained in their charges without declaring loyalty to the king and established church. Moreover, neither those who declared loyalty to church and king nor those who refused had explicitly disowned the Covenants. It was entirely possible for ministers in the bounds of Dunfermline Presbytery to remain in their charges while holding Covenanting loyalties, making the scope for partial conformity particularly wide in this region.

Linlithgow Presbytery experienced similar problems. As mentioned earlier, it required readers and schoolmasters to take the oath of allegiance. Between July and September 1663 the readers and schoolmasters who resided within the bounds of the presbytery came in to take the oath of allegiance. Five readers and schoolmasters consistently failed to appear when summoned and were referred to the synod. One of them, James Esdale, stated that he was 'inclining to give satisfaction' and asked not to be sent to the synod, a request that was granted.⁸⁸ The synod of Lothian and Tweeddale met in October 1663 but the records do not survive. However, the five men were summoned again on 8 June 1664 which shows that the case had clearly not been dealt with by the synod.⁸⁹ The men were called throughout the following year to come before the presbytery but they refused.⁹⁰ Eventually, they stop being mentioned in the presbytery books. No mention is made of them taking the oath of allegiance or being deposed, which suggests that they were either forgotten about or gave satisfaction in a way that did not involve swearing the oath of allegiance. These men therefore avoided disowning the Covenants while apparently remaining in employment in the Restoration church. Clearly, for many people, there was

⁸⁷ Dunfermline Presbytery Records NRS CH2/105/1/1, pp. 380, 387-8, 391.

⁸⁸ Linlithgow Presbytery Records NRS CH2/242/5, pp. 317-321.

⁸⁹ *Ibid.*, p. 334.

⁹⁰ *Ibid.*, pp. 338, 341, 348.

not a simple choice between disowning the Covenants or losing their jobs: it was possible to avoid disowning the Covenants and still to remain in a local occupation administered by the church.

Some ministers conformed in 1662 but subsequently did not carry out any of the policies of the church, and were thus also partial conformists. The synod of Galloway ordered their ministers to be more diligent in punishing those who did not attend church in 1664 ‘under the paine of ye highest censure’, as they believed ‘severall ministers have been somewhat too sparing hitherto to admonish such obstinate delinquents’.⁹¹ It reiterated that the practices instigated in 1662, such as the singing of the Doxology and reciting of the Apostle’s Creed at marriage and baptism, must be used as ‘some of ye brethren within ye Diocesse have not been carefull to put in practise these duties’.⁹² The presbyteries were ordered to ensure that they were enforced. The synod also recorded that it was experiencing problems in gaining submission from schoolmasters, readers and chaplains, a resistance which is almost ubiquitous in the surviving records.⁹³ Linlithgow Presbytery found that the Doxology was in ‘disuse’ in the parish of Midcalder in November 1667 and ordered the minister and reader to sing it.⁹⁴ Similarly, in 1665 and 1668 the synods of Fife and Dunblane reasserted the necessity for ministers to use the Apostles’ Creed at baptisms, the Lord’s Prayer and the Doxology.⁹⁵ Chapter two showed (as far as the evidence allowed) that the *Directory* was adopted in church without any major objections. It is therefore striking that there was widespread and sustained opposition to the changes after 1662. While there may have been other reasons for ignoring the 1662 directives, such as apathy among the clergy, refusal to observe these practices, which had been ousted by the *Directory* – that is, avoidance of forms of worship which contradicted the Solemn League and Covenant – offered one means by which ministers could continue to hold Covenanting beliefs within an Erastian Episcopalian regime. There is no evidence of a minister being deposed for refusing to sing the Doxology or recite the Apostles’ Creed, which indicates an acceptance by the church that complete uniformity of worship could not realistically be achieved. This paved the way for partial conformity, as ministers could retain their positions while ignoring orders to observe forms of worship for reasons of conscience.

⁹¹ Galloway Synod Records, NRS CH2/165/1, p. 3.

⁹² *Ibid.*, p. 4.

⁹³ *Ibid.*, p. 6.

⁹⁴ Linlithgow Presbytery Records NRS CH2/242/5, p. 385.

⁹⁵ *Selections from the Minutes of the Synod of Fife MDCXI-MDCLXXXVII* (Edinburgh: Abbotsford Club, 1837), p.184; Dunblane Synod Records, NRS CH2/724/2, p. 62.

Refusal to adhere to forms of worship revived at the Restoration is an area which has gone unexamined, but one which shows that there was a middle ground of opinion in the ranks of the ministry during the 1660s. While Raffe has discussed divergent Presbyterian and Episcopalian forms of worship, his analysis focuses primarily on the period after 1690 when differences became more marked after policies changed and the *Directory* was reinstated. In the 1660s differences in forms of worship were small but those who remained in the established church and refused to use the Creed and Doxology were displaying a degree of dissent. Synods and presbyteries in the east, west and central belt noted this form of dissent but did not impose any punishments. This indicates that refusal to observe changes to worship instigated in 1662 was a form of mild dissent and offered an opportunity for ministers to continue working in the Restoration church while holding reservations without drawing too much attention to themselves. They continued working in the church, and therefore conformed, but not wholeheartedly. Other forms of partial conformity among the ministry included avoidance of taking an oath of loyalty, or taking one with reservations, and refusal to observe the 29 May thanksgiving. This form of partial conformity involved both clerical and lay dissent, and the final section of this chapter will explore other ways in which the laity were involved in partial conformity.

Partial Conformity 1662–1669: Lay men and women

As highlighted above, Raffe has pinpointed three areas of lay partial conformity: avoidance of regular attendance in church (appearing once in a while, or on special occasions such as fast days); hearing sermons in other towns; and not receiving sacraments from conformist ministers. The remainder of this chapter will probe these forms of partial conformity more deeply and uncover other ways in which the laity could avoid full conformity. While partial conformists sometimes avoided hearing conformist ministers preach, the difference to nonconformity is that partial conformists appeared in church after being rebuked by the kirk session. There is also evidence to suggest that people made a distinction between hearing a conformist minister and attending readers' services, the latter being a departure from the form of worship envisaged in the *Directory* but also practised in the 1640s and 1650s. Moving towns to hear sermons was an option for partial conformists, as was moving permanently, or having a child baptised or a marriage solemnised by a minister in a different parish. The contentious issue of receiving the sacraments from a conformist minister blurs the line between partial conformity and nonconformity. In general, the people who partook in these forms of dissent did not separate from the church but instead found alternatives between outright conformity and nonconformity.

After the 1663 parliament, absenting oneself from ‘ordinary meittings of divine worship’ could result in fines. If convicted, noblemen, gentlemen and heritors would pay ‘a fourt parte of ilk yeers rent’ and commons would pay ‘such a proportion of their frie moveables as his majesties counsell shall think fit’.⁹⁶ Those who were the subject of church censure often returned to church, making their dissent evidence of partial conformity rather than full nonconformity. Gabriel Semple, deprived minister of Kirkpatrick-Durham, in the presbytery of Dumfries, highlights the dilemma people faced: ‘The great debate fell in about hearing the curates [a derogatory term used to describe those who had entered their charges after 1660] ... Many satisfied themselves with the general notion of it in *thesi* [in general], but did not consider it in *hypothesi* [in particular]’.⁹⁷ For Semple, the Covenants required everyone ‘personally to maintain presbytery and to oppose prelacy’ and hearing a conformist minister was a breach of the solemn oaths.⁹⁸ Others tested the boundaries of the new legislation by absenting themselves until ordered to attend by the kirk session or presbytery. In September 1666, Dunfermline Presbytery proceeded against a man for ‘frequent and wilful absenting himself fro[m] the ordinance at Carnock’.⁹⁹ The minister at Carnock was John Shaw, who had replaced George Belfrage in 1665.¹⁰⁰ Belfrage was one of the ministers rigorously pursued by Dunfermline Presbytery for refusal to swear an oath of loyalty to the Episcopal church, and was eventually deposed (as mentioned above).¹⁰¹ The man accused of absenting himself from church avoided a fine after confessing and repenting before the presbytery. His willingness to avoid sermons given by a conformist minister apparently only went so far. He certainly had reservations about hearing conformist ministers but he quickly toed the line once the authorities were involved, thus making him different from those such as Semple who refused outright.

Similar evidence is found in the kirk of Alves, in the bounds of Elgin Presbytery. Between April 1665 and 1668 several people were brought before the kirk session for ‘habituell absence from Church’.¹⁰² Rather than being fined, the absentees were punished by ‘putting... [their] hand to the pen to keep the Church better in tyme coming under the paine of standing in the jogges’.¹⁰³ Jogges were neck collars made out of iron and attached

⁹⁶ RPS, ‘Act against separation and disobedience to ecclesiastical authority’, 1663/6/19 [accessed: 7 June 2016].

⁹⁷ Gabriel Semple, ‘Life’, in *Protestant Piety in Early-Modern Scotland*, ed. David George Mullan (Edinburgh: SHS, 2008), p. 153.

⁹⁸ *Ibid.*, pp. 153-154.

⁹⁹ Dunfermline Presbytery Records, NRS CH2/105/1/1, p. 420.

¹⁰⁰ *Fasti*, v, p. 8.

¹⁰¹ Dunfermline Presbytery Records, NRS CH2/105/1/1, p. 391.

¹⁰² Alves Kirk Session Records, NRS CH2/11/1, pp. 203, 212, 223-4.

¹⁰³ *Ibid.*, p. 224.

to the kirkyard gate, kirk door, or kirk wall. Penitents would usually stand with the jouges around their necks in full view of the congregation as parishioners entered the church.¹⁰⁴ A humiliating and painful experience, the use of the jouges was perhaps a more effective deterrent than fining, as the absentees in Alves did not continue their dissent. The minister was Alexander Stewart, a man presented by the Earl of Moray and ordained in October 1661.¹⁰⁵ Ministers ordained during this period had a reputation for being very hard line royalist Episcopalians.¹⁰⁶ Although this is usually discussed with reference to those placed in south western parishes, it is likely that Stewart was of similar stock. Moreover, the previous minister had been William Campbell who had entered his charge after the abolition of patronage in 1649.¹⁰⁷ He conformed but was moved to the Caithness parishes of Odrig in 1661 and Watten in 1668. He was also a member of the Commission of the General Assembly in 1644 and 1646: two years when the enacting of the Solemn League and Covenant and the Westminster Assembly were being worked out.¹⁰⁸ It is therefore likely that Campbell was, at the very least, less dedicated to the new regime than his successor in Alves and the regular absence of members of the congregation under Stewart provides further evidence of ways in which the laity could express dissent with the established church. Had the offenders had any other excuse for not attending church, it would have been recorded in the session minutes, as seen in the case of one of the Alves absenters who was excused because he was ‘ane aged and diseased man’.¹⁰⁹ As their dissent did not continue after receiving church censure, partial conformity is a more appropriate label than nonconformity.

Lay men and women could also express dissent by not attending readers’ services. The reading of Scripture before a sermon had been a standard feature of the church before the Covenants but was dispensed with by the *Directory* and replaced by lectures explaining the scriptures.¹¹⁰ Lectures were viewed by the new regime with suspicion as potentially fostering sedition. This is evidenced by the case of John Campbell, minister of Tealing (Angus), who continued lecturing in church until his deposition in November 1663 for ‘wicked practises, still labouring to keip the hearts of the people from the present

¹⁰⁴ Todd, *Culture of Protestantism*, p. 142.

¹⁰⁵ *Fasti*, vi, p. 375.

¹⁰⁶ Cowan, *The Scottish Covenanters*, pp. 56-57; William Law Mathieson, *Politics and Religion: A Study in Scottish History from the Reformation to the Revolution*, ii (Glasgow: James MacLehose and Sons, 1902), pp. 192-193.

¹⁰⁷ *Fasti*, vi, p. 375.

¹⁰⁸ *Ibid.*, vii, p. 138

¹⁰⁹ Alves Kirk Session Records, NRS CH2/11/1, p. 224.

¹¹⁰ Foster, *Bishop and Presbytery*, p. 128.

government of the Church and State by their pernicious doctrin'.¹¹¹ Reading of Scripture was intended to provide the laity with exposure to the Bible without the potential political interpretations presented in lectures. The records of Dunblane Synod emphasised this point in 1666, stating that reading of Scripture is crucial as 'manie of our commons cannot read, and so cannot use the Scriptures in private, and too manie that can, yet doe neglect it'.¹¹²

Undoing the work of the Westminster Assembly meant abrogating the obligations of the Solemn League and Covenant, and this was unacceptable for many people. In April 1664 in the Fife parish of Aberdour the elders announced that 'severalls abides out in the church yeard in tyme of reading the scriptures' and ordered the minister to censure these people if they did not stop.¹¹³ Dunblane Synod similarly ordered ministers to be more diligent in enforcing attendance at readers services in April 1665, and in October 1666 the moderator stated that 'none being permitted to stand about the dores, or ly in the kirk-yard during the tyme of reading'.¹¹⁴ When ordering the repression of absence from readers services in March 1664, the parish of Stirling made a distinction between people who roamed the streets on a Sunday and those who 'walketh in the church yeard or in the outer church in tyme of reading of the holy scriptures'.¹¹⁵ Readers' services usually took place immediately before the Sunday sermon, and these instances indicate that people were often willing to attend church on a Sunday but waited outside or at the door during the readers' service, thus expressing a degree of dissent against the imposition of a practice which contradicted the Solemn League and Covenant. Evidence suggests that avoiding readers' services was viewed as less serious than avoiding sermons. While individual people were cited and punished for avoiding sermons, there is no evidence of anyone being brought before the session for refusal to attend readers' services, despite the fact that it did happen and the kirk sessions noted it. Avoiding readers' services is thus an example of partial conformity: a practice which involved mild dissent without invoking a separation from the established church.

If parishioners did not take a liking to their ministers, moving parish was an option which many took. This is another feature of partial conformity as offenders did not wish to separate from the established church entirely. An abundance of 'strangers' is frequently noted in the extant records during this period. When moving parish, people were required

¹¹¹ *Fasti*, v, p. 370; *RPC*, series iii, vol. i; Tealing Kirk Session Records, NRS CH2/352/2, pp. 102-4, 113, 117-118.

¹¹² Dunblane Synod Records, NRS CH2/724/2, p. 33.

¹¹³ Aberdour Kirk Session Records, NRS CH2/3/1, p. 95.

¹¹⁴ Dunblane Synod Records, NRS CH2/724/2, pp. 23-4, 32.

¹¹⁵ Stirling Kirk Session Records, NRS CH2/1026/4, pp. 272-3.

to bring a testimonial from the parish in which they had previously resided. This is outlined clearly in Alves parish in 1664:

This day intimation was made requiring those yt came to dwell in this parish at whitsunday last whether your sholders or servants to bring and present testimonials from the respective parishes and kirk sessions of the bounds where they lived before, with rectification if they failed they should be followed with the censures of the church.¹¹⁶

Persistent failure to present a testimonial from a previous parish could lead to banishment from the bounds of the parish, as was the case for a man in the Inverness-shire parish of Petty in 1665.¹¹⁷ Movement of people caused a headache for the church authorities who were determined to enforce conformity to the new regime. In October 1664, Aberdeen Synod ordered that no testimonials should be given out by anyone other than ‘ane minister uithin his awin parochin’ and that no-one should receive a testimonial if they had moved longer than one year ago.¹¹⁸ The extant records show that the authorities were quite effective in pursuing those who moved without testimonials, resorting to banishment if necessary. Although some may simply have been economic migrants, the level of such movement also suggests that many people were not content with the spiritual instruction with which they were being provided.

Taking a child to be baptised in another parish caused further issues for the authorities. This point is highlighted by Semple, who observed that ‘Many that went the length of hearing would not baptise with them [conformist ministers], and several that did thro fear, it was observed some sudden accident befell these children; quich made others hold off them’.¹¹⁹ Similarly, in 1664 the synod of Galloway recorded that many parishioners ‘did refuse to bring their children to the church to be baptized by them, but either keepd them unbaptized or took them to outed ministers of their owne principles to be baptized privatly by them’.¹²⁰ At the baptism of a child, the parents were required to answer questions from the minister and recite the Apostles’ Creed, a Calvinist catechism contained in Knox’s *Book of Common Order* but dispensed with by the *Westminster Directory*.¹²¹ The parish of Aberdour recorded two instances of parents taking their children to Auchtermuchty to be baptised in 1664 and 1666. The minister of Auchtermuchty was James Martin, who had entered his charge in 1641, and therefore did not need to receive collation from a bishop, and who may have been a partial conformist.

¹¹⁶ Alves Kirk Session Records, NRS CH2/11/1, p. 199.

¹¹⁷ Petty Kirk Session Records, NRS CH2/458/1, p. 6.

¹¹⁸ *Kirk Session, Presbytery and Synod of Aberdeen*, p. 276.

¹¹⁹ Semple, ‘Life’, in *Protestant Piety*, p. 154.

¹²⁰ Moray Synod Records, NRS CH2/165/2, p. 2.

¹²¹ Foster, *Bishop and Presbytery*, pp. 130, 148; G.D. Henderson, *Religious Life in Seventeenth-Century Scotland* (Cambridge: Cambridge University Press, 1937), pp. 47, 152, 156.

He was suspended in 1649 for failing to observe communion two years in a row and poor record keeping.¹²² Given this evidence, it is possible that Martin was less diligent in observing the parental requirements at baptism than the minister at Aberdour, Robert Bruce. Bruce had been a Covenanter and Resolutioner leader but also had long-standing Episcopal and royalist sympathies.¹²³ Although the evidence for this point is a little sparse, taking a child to be baptised by another minister may have carried the same implications for upholding the Solemn League and Covenant as avoiding readers' services.

Raffe argues that partial conformists tended to appear in church only for special occasions.¹²⁴ However, the evidence above shows that although one aspect of partial conformity involved absence from church, there were also those who went to church regularly but refused to observe forms of worship which contradicted the *Directory*, such as attending readers' services and reciting the Apostles' Creed at baptism. Raffe also acknowledges that some people may have attended weekly services in the kirk but would not receive the sacraments from conformist ministers, but more needs to be done to uncover how and why partial conformists were uncomfortable with certain aspects of worship in the Restoration Kirk.¹²⁵ Marriage, although no longer a sacrament after the Reformation, proved to be a service which caused controversy in the bounds of Aberdeen Synod. The process of marriage did not change at the Restoration: a couple informed the kirk session of their intention to marry; testimonials were granted by the session (or a written testimonial was brought before the session by the couple from a local dean or another parish¹²⁶); the banns of marriage were read before the congregation prior to the ceremony; then the marriage was solemnised by the minister.¹²⁷ The final aspect of the marriage process presented a problem for those who believed that publicly acknowledging the authority of a conformist minister meant recognising the legality of the 1662 settlement and thus reneging on the Covenants. The synod of Aberdeen had persistent difficulties with men and women living together as a married couple without being 'lauchfullie married according to the ordor of the Church'.¹²⁸ This was recorded in April 1667 and October 1668. When the issue came before the synod in 1668, the moderator stated that people who did not follow the established custom were either those who had been married by 'popish priests'; those who had 'privatlie plighted faith one to ane uther' without ministerial

¹²² *Fasti*, v, p. 126.

¹²³ *Ibid.*, p. 2

¹²⁴ Raffe, *Culture of Controversy*, pp. 184-185.

¹²⁵ *Ibid.*

¹²⁶ For example, see Edinburgh Canongate Kirk Session Records, NRS CH2/122/4, pp. 381-2, 395.

¹²⁷ Foster, *Bishop and Presbytery*, p. 148.

¹²⁸ *Kirk Session, Presbytery, and Synod of Aberdeen*, pp. 284-5.

solemnisation; or those who had declared themselves husband and wife to a minister ‘and will not wait the public intimation of their purpose to the congregation or solemnization by the minister according to the order of the church’.¹²⁹ Therefore, although special occasions may have provided an opportunity for some people to show their face at church, they also presented problems for those who were not committed to the established church. This is evidenced in Aberdeen where people attempted to avoid being married publicly as it involved accepting the legality of an Erastian Episcopal church which was unacceptable to Catholics and Covenanters alike.

It is important to note that there were a variety of reasons for avoiding marriage in the established church. For example, there was a persistent Quaker presence in Aberdeen after the Restoration which may account for some of the instances of irregular marriage in this synod. According to DesBrisay, Quakers publicly challenged the authority of the Kirk by debating with ministers, preaching, circulating printed works, and observing marriages and the sacraments in a different form. However, they were not tarred with the same subversive brush as the Covenanters and the punishments meted out to them were generally less harsh.¹³⁰ Moreover, irregular marriage in the early modern period was not uncommon, and some of the cases highlighted by Aberdeen Synod may have been due to handfasting: a custom stemming from the early medieval period whereby couples lived together under the promise of either marrying or separating after one year together.¹³¹ Handfasting may also simply have been a term for betrothal or marriage without a ceremony, and A.E. Anton argues that it was never recognised by church or state as legal.¹³² In contrast, T.C. Smout contends that prior to the Reformation, Scottish marriages were considered legal as long as two people had consented to marriage and the consent could be proven, either by a lay or clerical witness. This changed after the Reformation as the Kirk insisted on marriage being solemnised by a minister, and as sex while betrothed was considered fornication, handfasting became a target of church censure.¹³³ Of the three forms of marriage that Aberdeen Synod targeted, the second, where two couples privately stated their faith to one another, could have been handfast marriages.

¹²⁹ *Ibid.*, p. 291.

¹³⁰ Gordon DesBrisay, ‘Catholics, Quakers and Religious Persecution in Restoration Aberdeen’, *The Innes Review*, 47 (1996), pp. 136-68.

¹³¹ A.E. Anton, “‘Handfasting’ in Scotland”, *Scottish Historical Review* 37 (1958), pp. 89-102.

¹³² *Ibid.*, p. 102.

¹³³ T.C. Smout, ‘Scottish Marriage, Regular and Irregular, 1500-1940’, in *Marriage and Society: Studies in the Social History of Marriage*, ed. R.B. Outhwaite (London: European Publications Limited, 1981), pp. 210-211.

The other instances of irregular marriage in Aberdeen would have been Catholic and Quaker marriages and marriages which the couple did not permit their minister to solemnise. The last may legitimately have been a form of protest against the established church and indicative of retained Covenanting loyalty, as contemporaries often viewed conformist ministers as ‘intruders’ in a Covenanted church (as discussed below). Moreover, Smout argues that by the seventeenth century, handfasting had all but disappeared in Scotland and that:

from the Restoration of 1660 onwards there was always within Scotland a significant minority of Scots who, while Protestant, did not desire the ministrations of the established church and would go to considerable lengths to marry in secret if they could thereby be married by a clergyman of their choice.¹³⁴

For a couple to have their marriage solemnised by a minister outwith their own parish, or outside the established church, was certainly a display of dissent as it challenged the authority of the Kirk. Nonconformists were probably more likely to be married by a minister outwith the established church, but it is probable that there were people who regularly attended church yet were not comfortable with the idea of their marriages being solemnised by a conformist minister and therefore went elsewhere. This could be particularly true for an area like Aberdeen, which was under the jurisdiction of a hardline Episcopalian bishop, experienced few issues with conventicling, and where there were thus fewer opportunities to partake in subversive displays of dissent.

As with marriage, annual observance of the sacrament of communion was unchanged by the Restoration settlement: the kirk sessions handed out communion tickets to those who had been examined (catechised) by the minister or a church representative in the days preceding the celebration; fasting and sermons usually took place on a Saturday; then the bread and wine were taken by all adult parishioners and the minister while seated at tables on Sunday.¹³⁵ The 1661 Recissory Act nullified the act of the General Assembly of 1638 which outlawed the Five Articles of Perth and thus kneeling at communion was permitted, but not required, in the Restoration Kirk. There are no instances in the session records of ministers imposing kneeling whilst observing communion in the 1660s, which suggests that the widely unpopular practice was not used. However, very few session records actually describe what happened on the communion day, with the exception of Edinburgh Canongate, where the records mention that tables were used.¹³⁶ It is known that Alexander Brodie did not take communion in 1663 as he heard that the bishop of Moray

¹³⁴ *Ibid.*, 218.

¹³⁵ L.E. Schmidt, *Holy Fairs*, pp. 32-33; Todd, *Culture of Protestantism*, Ch. 2.

¹³⁶ Edinburgh Canongate Kirk Session Records, NRS CH2/122/4, pp. 420-421.

‘had drawn al the people to kneel at the communion’.¹³⁷ As with the implementation of changes to worship, oaths, and prayers for the king, it is likely that practices varied throughout the kingdom.

As outlined in chapter two, Covenanting and communion became intrinsically linked in the language of the hardline regime under the Solemn Acknowledgement and Engagement and there were some who refused to receive communion in the 1660s as a result. The Aberdeenshire parish of Kemnay provides evidence of reasons why some people did not take communion which is revealing of attitudes towards the established church. Twenty-four people did not take communion in the parish in 1665. Five people were refused entry for ‘continueing ignorant efter offered instruct[i]ones’; five did not attend and were listed as not being permitted entry as they had ‘wilfullie absentit themselves from dyetis of catechizeing’; and the remaining fourteen were incomers to the parish who had not presented testimonials to the session.¹³⁸ As with marriage, observing communion with a conformist minister meant accepting the legality of the Restoration settlement and the overturning of the Covenants. The 1669 pamphlet of the Episcopalian polemicist Gilbert Burnet, *A Modest and Free Conference betwixt a Conformist and Non-conformist*, was framed in a question and answer format between a fictional conformist and non-conformist. With regard to communion, the conformist asked why ‘some of you joyn with us in the ordinary worship, but will not communicat [i.e. take communion] with us?’. To this the non-conformist responded that taking communion meant ‘acknowledg[ing] them our Pastors, who are intruders, and are in the places of our faithful shepherds’.¹³⁹ Raffe has demonstrated that the theme of clerical intrusion was common in nonconformist ideology as it highlighted the corrupt nature of a regime which had disregarded its Covenanted commitments.¹⁴⁰ Avoidance of communion is an area where the distinction between partial conformity and nonconformity is blurred. Certainly, nonconformists did not take communion in church, instead taking the sacrament in house or field with a minister who had withdrawn from the church. Gilbert Burnet, when discussing nonconformity, actually highlighted a crucial aspect of partial conformity: those who attended ordinary services but refused to take communion as it meant acknowledging the legality of the 1662 ecclesiastical settlement which overturned the Covenants. Nonconformists, such as Semple (discussed above), argued that even hearing a conformist

¹³⁷ Brodie, *Diary*, pp. 294-5.

¹³⁸ Kemnay Kirk Session Records, NRS CH2/542/1, p. 58.

¹³⁹ Gilbert Burnet, *A Modest and Free Conference betwixt a Conformist and a Non-conformist, about the present distempers of Scotland* (Edinburgh: 1669), pp. 53-54.

¹⁴⁰ Raffe, *Culture of Controversy*, p. 182-183.

preach was a breach of the Covenants. However, there were others, such as Alexander Brodie and all the people cited by Kenmay kirk session, who regularly attended worship but refused to take communion, who can therefore be classified as partial conformists rather than nonconformists. For those who attended church services weekly but held onto their Covenanted commitment, communion presented a problem as it meant being catechised by a conformist minister and, possibly in some cases, kneeling: a practice which had been explicitly denounced by the Covenant of December 1638.

The place of women in nonconformity has long been acknowledged, albeit with significant room for further research.¹⁴¹ Alasdair Raffe has recently broached the topic, arguing that nonconformist women were of pivotal importance in the organisation of, and attendance at, conventicles.¹⁴² Women were also key partial conformists. Of all the people listed by kirk sessions and presbyteries for the forms of mild dissent, women account for at least half of the cases. In the Aberdeenshire parish of Kenmay in 1665, more women avoided communion than men. Of the twenty-four people cited by the kirk session, fifteen were female. In this case, the male householder may have attended communion while his wife or daughter did not, in the hope that attendance of the head of the household would suffice. Evidently, this was not acceptable in Kenmay as many women were listed individually, not just as the wife of a dissenting male; the names included a woman and her daughter. This pattern appears to have been particularly prevalent in the 1660s for it was not until the 1670 conventicle act that the head of household was fined for dissenting activity of their wives and children.¹⁴³ Kiernan argues that as a result of the civil wars, there were many widows, spinsters, and unmarried women in Scotland whose closest relationship was with the church of the Covenants, and this goes some way to explaining the high levels of female dissent during the Restoration period.¹⁴⁴ It is also worth considering the impact swearing (and in some cases subscribing) the Covenants had had on women, who, according to DesBrisay, were victims of a biased church and state which regularly doled out comparatively harsher punishments to women than men.¹⁴⁵ The extent to which the Covenants affected the development of female activism will be discussed in

¹⁴¹ The only book length study to address this topic is James Anderson, *Ladies of the Covenant. Memoirs of Distinguished Scottish Female Characters, Embracing the Period of the Covenant and the Persecution* (Glasgow: Blackie and Sons, 1850).

¹⁴² Alasdair Raffe, 'Female Authority and Lay Activism in Scottish Presbyterianism, 1660-1740', in *Religion and Women in Britain, c. 1660-1760*, ed. Sarah Apetrei and Hannah Smith (Abingdon: Taylor and Francis, 2014), pp. 59-74.

¹⁴³ *Ibid.*, p. 61.

¹⁴⁴ Kiernan, 'A Banner with a Strange Device', p. 35.

¹⁴⁵ Gordon DesBrisay, 'Twisted by Definition: Women under Godly Discipline in Seventeenth-Century Scottish Towns', in *Twisted Sisters: Women, Crime and Deviance in Scotland Since 1400*, ed. Yvonne Galloway Brown and Rona Ferguson (East Linton: Tuckwell Press, 2002), pp. 137-155.

the following chapter. In regards to partial conformity, it must be noted that women were active participants in this form of dissent.

Conclusion

For those who held on to the Covenants but did not want to fully dissent there was a realistic middle way: partial conformity. The lack of rigour with which the authorities pushed the 1662 ecclesiastical settlement allowed for a body of people, both clerical and lay, to avoid conforming fully. The battle for conformity in the early 1660s is a crucial moment in understanding the legacy of the Covenants as each individual wrestled with their own interpretation of what constituted a Covenanted obligation. Choosing to administer the oath of allegiance to people who held positions of power in civil government (and ministers in some cases) rather than impose it on the populace at large was perhaps an acknowledgement on behalf of the authorities that enforced uniformity to Erastian Episcopalianism was unrealistic. In the ranks of the ministry who retained their positions, there were two clearly identifiable opinion groups: conformists and partial conformists. Partial conformists were those who found ways of exploiting the unrigorous way in which conformity was sought by refusing to acknowledge the changes in worship and avoiding taking an oath of loyalty to the church or taking an oath with limitations. Refusal to observe the 29 May thanksgiving involved both clerical and lay dissenters who often went unpunished. Although conformity was not expected of the laity through public oath taking, ordinary men and women found numerous ways of expressing dissent without separating from the established church. There was a difference between separating from the church entirely and remaining a minister or lay member of the corporate body of the church while holding reservations. This is highlighted by Brown:

Yea separation is one thing, & refusing to attend the Ministrie of such or such a man, is another thing. A man may never hear such or such a man preach; & yet be no separatist from the Church, wherein he liveth; for he may joyne with the ordinances of another congregation; & so testify that he hath no prejudice against the Ministrie, nor against the ordinances of Christ, nor against the Church; but only a prejudice against such or such a man in particular.¹⁴⁶

By ‘the ordinances of another congregation’, Brown undoubtedly meant congregations outside of the established church in order to make the point that nonconformist congregations were true to the word of God. Nevertheless, the evidence presented in this chapter has shown that the Restoration church during the 1660s included ministers who were unwilling to denounce the Covenants, and people who moved to different parishes of

¹⁴⁶ John Brown, *An Apologeticall Relation*, p. 191.

the established church to hear these Covenanting ministers preach and have the sacraments administered by them. Partial conformity was a realistic and prevalent phenomenon in the first seven years of the Restoration Kirk.

Indulgences and Nonconformity 1666–1679: New Perspectives

Having established the prominence of partial conformity in the previous chapter, this chapter explores the ways in which partial conformists negotiated the increased pressure to conform through state-sponsored coercion in the 1670s. In the aftermath of the failed uprising in 1666, the state followed an Indulgence policy, headed by Robert Leighton, alongside legislation designed to deter people from attending conventicles. This carrot-and-stick policy ended after Leighton retired in 1674. John Maitland, first Duke of Lauderdale and Secretary of State for Scotland, now lacking political allies, promoted Alexander Burnet to archbishop of Glasgow. Thereafter, the government took an increasingly strict approach which led to another revolt in 1679.¹ Despite repressive government measures, ministers and lay men and women still found ways of expressing mild dissent without separating from the church entirely. The church courts continually pressured schoolmasters to swear allegiance to the church and state, but evidence suggests that ministers were no longer pursued after the initial drive for conformity in 1662–4. Thus, the ministry in the 1670s still contained a body of ministers who had not denounced the Covenants. This body of ministers increased after the influx of indulged clergy in 1669 and 1672, who, having promised to live peaceably and exercise their functions in the established church, were not required to denounce the Covenants. Disorderly marriage was the only form of lay partial conformity that was stamped out during the 1670s, as the extremely tough punishments for breaking the norm made this practice the sole presence of nonconformists. Non-observance of the 29 May thanksgiving, clerical avoidance of changes to worship, having a child baptised or taking communion in another parish, and avoiding communion altogether were all forms of partial conformity immune to the repressive legislation of the 1670s.

This chapter also assesses nonconformist Covenanting thought, particularly among the laity. As outlined in the previous chapter, nonconformity has been covered from various angles in the historiography of Restoration Scotland. The most recent work on nonconformity is Neil McIntyre's 2016 doctoral thesis which shows that from 1666 hardline Covenanting thought developed into a subversive ideology bereft of significant noble support. Moreover, the importance of James Stewart of Goodtrees' writings for the development of hardline Covenanting in the Restoration period is emphasised by McIntyre, who argues that despite claiming to be the successor of Covenanting thought from the

¹ Julia Buckroyd, *Church and State*, Ch. 9 and 10.

Reformation onwards, the subversive ideology advocated by Stewart stemmed from 1648 and was a significant departure from the political creed of Samuel Rutherford. McIntyre's work has also done much to further our understanding of conventicles, which were organised and attended primarily by lay men and women of low social standing.² However, more nuance can be added to the long term development of Covenanting thought and to the lay nature of Covenanting nonconformity in the 1670s. Firstly, the importance of the Solemn League and Covenant will be explored in relation to the 1666 rising and Stewart and Robert MacWard's writings. Secondly, the importance of schoolmasters in the development of a Presbyterian counter-culture will be discussed. This chapter will reveal that separate education was an aspect of nonconformity in the 1670s.

Another aspect of nonconformity which requires further investigation is the role of women. Chapter one showed that some women swore and subscribed the Solemn League and Covenant in certain areas. During the later Stuart era, women played a pivotal role in nonconformist Covenanting culture. This has most recently been recognised by Alasdair Raffe in a 2016 article in which he argues that women were heavily involved in the organisation of conventicles and highlights the limited impact of the 1670 Conventicle Act on female dissent.³ Two book length studies on female nonconformity exist: Alan McSeveney's 2005 doctoral thesis, and James Anderson's 1862 *The Ladies of the Covenant*. The latter comprises biographical sketches of some leading female Covenanters but contains little more than hagiographical narratives of the lives of dissenting, and primarily noble, women.⁴ McSeveney's thesis has done much to broaden our understanding of female nonconformity in the 1660s and 1670s. He argues that women from a variety of social standings participated in dissent. The burgess class and those below showed dissent through rioting and conventicling, while nonconformist women from the aristocracy and professional classes harboured nonconformist outlaws, with a few isolated examples of conventicling among this social grouping. For McSeveney, Presbyterian women in the 1660s and 1670s were united in a common goal which transcended social class; he believes that 'there was a religious aspect that bound these women together'.⁵ Similarly, David Mullan's introduction to his transcribed collection of female autobiographies, he argues that 'even if Presbyterianism tended overtly in the direction of social conservatism, its teachings might empower a variety of forms of social

² Neil McIntyre, 'Saints and Subverters'.

³ Alasdair Raffe, 'Female Authority and Lay Activism in Scottish Presbyterianism, 1660-1740', pp. 60-62.

⁴ James Anderson, *The Ladies of the Covenant: memoirs of distinguished Scottish female characters, embracing the period of the Covenant and the persecution* (Glasgow: Blackie & Son, 1862).

⁵ Alan James McSeveney, 'Non-Conforming Presbyterian Women in Restoration Scotland: 1660-1679' (unpublished PhD thesis: University of Strathclyde, 2005), p. 203.

subversion'.⁶ While there is a modest literature on dissenting women during the Restoration era, the connection between female dissent and the legacy of the Covenants has not been fully explored. Thus, the analysis presented below seeks to uncover not only the continuation of partial conformity into the 1670s but also the long term legacy of the Covenants on social subversion and female activism.

The main problems facing the historian of Restoration Scotland are of terminology and conceptualisation of identities. As we can see from the works referenced above, female dissenters are described as Presbyterians. In general, those who attended conventicles and showed a significant level of dissent are labelled as Presbyterian or nonconformist, with everyone else being labelled Episcopalian or conformist. Although Raffie acknowledges partial conformity and the middle ground, his analysis of Restoration Scotland is framed around the Presbyterian/Episcopalian divide, and there is universal application of these unnecessarily dualistic terms in the historiography of this period. The previous chapter brought to light the problem of this type of interpretation, as clearly there were many who do not comfortably fit into the Presbyterian/Episcopalian or conformist/nonconformist camps. Chapter four also highlighted the problem implicit in applying the term Covenanter to nonconformists only, as many clerical and lay adherents to the Restoration church found ways to avoid denouncing the Covenants. This chapter will show that even the nonconformist grouping was diverse in its activities and in how it dealt with ecclesiastical censure, which calls into question the notion of fixed, inflexible opinion groups in Restoration Scotland, and perhaps seventeenth century Scotland as a whole. This thesis has advocated an approach based on viewing Covenanting through the lens of national, local, and personal moments which sparked a range of responses, rather than as a linear movement. Central to this approach is the recognition of the wide variety of ideas engendered by the Covenants in Scotland which manifested themselves in a number of different ways during the seventeenth century. The 1666 rising and the indulgence controversy were national and local moments in which people responded through their interpretation of Covenanting ideas. Other more personal moments, such as choosing how to educate a child, where to observe communion, how to respond to changes to worship and the replacement of a local minister, required a response which was often rooted in understandings of what constituted Covenanting obligations. This chapter will highlight the diversity of Covenanting ideas and the substantial shades of opinion which were

⁶ *Women's Life Writing in Early Modern Scotland: Writing the Evangelical Self, c. 1670 – c. 1730*, ed. David George Mullan (Aldershot: Ashgate, 2003), p. 3.

prevalent from 1666 to 1679 and will argue for a reassessment of how the later Covenanting period is conceptualised.

The Legacy of the Solemn League and Covenant

In 1666 a revolt broke out in the Ayrshire town of Dalry after a skirmish between government officials and some deposed ministers. This revolt was both ideological and a reaction against taxation and military presence. The importance of the 1666 rising in regard to the legacy of the Covenants lies in the resubscription at Lanark and the subsequent printed polemics. The rising will be briefly sketched here and analysed in relation to the memory of the Solemn League and Covenant. The incident itself was caused by the refusal of one man to pay fines for absence from church. When government troops attempted to force the man to pay his fines, a fight broke out which eventually spilled over into neighbouring towns, culminating in the capture of the commander of the army, Sir James Turner, a Covenant resubscription at Lanark, and capitulation on the Pentland hills.⁷ This rising has received little detailed attention from historians, partly due to a lack of sources. McIntyre is the most recent historian to discuss the rising, describing it as ‘an outbreak of popular protest’, due to the low social standing of those who made up the bulk of the rebels committed to the Covenants.⁸ There were also economic reasons for revolt. Charles II went to war against the Netherlands in March 1665 and as a result, taxation was high across the nation. Moreover, conventicling activity was on the increase and the government feared that the conventiclers were planning an uprising with assistance from exiles in the Netherlands. Greaves emphasises this point, stating that around twenty seamen were arrested in 1665 under suspicion of being in contact with nonconformists in Ulster and the Netherlands.⁹ To alleviate these fears, troops were placed throughout the south west under the military leadership of Sir James Turner.¹⁰

After capturing Turner at Dumfries, the rebels marched north, eventually reaching Lanark. There they held a council of war which decided to renew the Covenants and draw up a declaration of their aims. Despite there being universal acceptance in the historiography that both Covenants were renewed at Lanark, Wodrow’s *History* is the only

⁷ Buckroyd, *Church and State*, pp. 65-67; Cowan, *The Scottish Covenanters*, p. 63; Tim Harris, *Restoration: Charles II and his Kingdoms. 1660-1685*, p. 118; C.S. Terry, *The Pentland Rising and Rullion Green* (Glasgow: James MacLehose and sons, 1905).

⁸ McIntyre, ‘Saints and Subverters’, p. 53.

⁹ Richard L. Greaves, *Enemies Under His Feet: Radicals and Nonconformists in Britain, 1664 – 1677* (Stanford: Stanford University Press, 1990), pp. 62-66.

¹⁰ Harris, *Restoration*, p. 118; Buckroyd, p. 65; Greaves, *Enemies Under His Feet*, p. 63.

source which records that both were renewed.¹¹ John Blackadder's *Memoirs*, Gilbert Burnet's *History*, James Kirkton's *History*, William Row's *Life of Blair*, James Turner's memoirs, and the Lauderdale Papers all relate that the Covenant (singular) was subscribed.¹² If indeed only one Covenant was subscribed, it was undoubtedly the Solemn League and Covenant. Not only did the Earl of Rothes specifically confirm that the Solemn League alone was renewed in a letter to Lauderdale, but this was reaffirmed in the rebels' declaration of war.¹³ The *Declaration of those in Arms for the Covenant* affirmed that Charles II had sworn both Covenants at his coronation and was thus duty bound to maintain Presbyterian church government, the *Westminster Directory*, and all the parliamentary acts relating to the advancement of Presbyterianism and the Covenants.¹⁴ The events of 1662 onwards had shown that the king had reneged on the Covenants, and now:

we have entered into the Solemn League and Covenant, and, though it be hardly thought of, renewed the same, to the end we may be free of the Apostacy of our Times and saved from the cruel Usages Persons resolved to adhere to this have met with; hoping that this will wipe off the Reproach that is upon our Nation, because of the avowed Perjury it lies under.¹⁵

The rebels followed the hardline Covenanting tradition of stating that the Covenants had been broken and that the nation had thus committed perjury, without explicitly chastising the king. At this point, Covenanting and maintenance of the Stuart monarchy were still intrinsically linked. This is emphasised by the rebels' final statement that 'this League, however misrepresented, contains nothing in it sinful before God, derogatory to the King's just Authority, the Privileges of the Parliament, or the Liberty of the People'.¹⁶ Moreover, James Turner recorded in his memoirs that John Welsh, the deposed minister of Irongray, had a drink of ale with him shortly after his capture. Welsh made a toast in which 'he prayd for the King, the restoration of the Covenant, and downfall of Prelacie'.¹⁷

The Covenant resubscription in 1666 and the polemics which followed demonstrate the importance of the Solemn League and Covenant in the ideology of the later Covenanters. As outlined in the previous chapter, a key aspect of the writings of Andrew Honyman, Robert Leighton, and John Brown was whether or not the Glasgow Assembly

¹¹ Wodrow, *History*, i, p. 245.

¹² Blackadder, *Memoirs*, p. 124; Burnet, *History*, p. 429; Kirkton, *History*, p. 237; Row, *Life of Blair*, p. 501; Sir James Turner, *Memoirs of his own Life and Times* (Edinburgh: Bannatyne Club, 1829), p. 169; Lauderdale Papers, i, p. 254.

¹³ Lauderdale Papers, i, p. 254.

¹⁴ Wodrow, *History*, i, p. 246.

¹⁵ *Ibid.*

¹⁶ *Ibid.*

¹⁷ Turner, *Memoirs*, p. 157.

addition to the National Covenant had been legal. By 1666 the debate had shifted to the fact that of Episcopacy had been abjured by the Solemn League and Covenant, with James Stewart of Goodtrees and Robert MacWard leading the debate on behalf of the nonconformists. For both these polemicists, the Solemn League specifically abjured ‘Church-government by Arch-bishops, Bishops, their Chancellors and Commissioners ... and all other Ecclesiasticall Officers depending on that Hierarchy’.¹⁸ Thus, Stewart argued that the restoration of Episcopacy in 1662 had been ‘a real and formal subversion of the fundamental constitution of our Christian and reformed Kingdome’ which warranted a popular uprising.¹⁹ While most historians tend to discuss ‘the Covenants’ in general terms, it is important to recognise the importance the Solemn League and Covenant held among those who rebelled in 1666. McIntyre has shown that two Irish ministers, John Cruickshank and Andrew McCormack, and an Englishman called Ralph Shields took part in the 1666 rising, arguing that ‘the Solemn League and Covenant held the potential, symbolically at least, to unite aggrieved nonconformists in the three kingdoms against the government of Charles II’.²⁰ Thus, the Solemn League and Covenant took a prominent place in the minds of leading nonconformists due to the fact that it was clearer on the issue of Episcopacy than the February 1638 Covenant, and that it had implications beyond the border, creating a more direct and inclusive critique of the British Episcopalian settlements under Charles II. This chapter will assess how Covenanting interpretations shaped responses to the indulgences, allowed for the continuation of partial conformity, and will highlight overlooked aspects of nonconformity while re-assessing the dichotomous way in which this period is conceptualised.

The Indulgences and Partial Conformity 1669–1679

In response to the increasing militancy of nonconformists, the Privy Council sought to bring ministers back into the established church through an Indulgence policy. The first Indulgences were granted by the Privy Council in July 1669 through a letter of Indulgence from the king. It permitted ministers who had been deprived but ‘lived peaceably’ to return to their charges. They could be presented by a lay patron but still had to be collated by a bishop. If collation was refused, the deposed minister could still perform his duties in the established church but would lose the right to his stipend. Moreover, those who took their charges back but refused to attend presbyteries would be confined. Confined ministers

¹⁸ James Stewart, *Naphtali; or the Wrestlings of the Church of Scotland for the Kingdom of Christ* (1667), p. 66; Robert MacWard, *The Case of the Accommodation Lately proposed by the Bishop of Dumblane*, p. 4.

¹⁹ James Stewart, *Jus Populi Vindicatum, or The Peoples Right, to defend themselves and their Covenanted Religion, vindicated* (1669), pp. 5-14.

²⁰ McIntyre, ‘Saints and Subverters’, p. 64.

were allowed to preach and received a stipend but were forbidden to preside over baptisms, marriages and communion. This highlights the difference between being deprived and being confined, although by 1669 some deprived ministers had been granted a licence to preach in their vacant charges. Attending presbyteries meant acknowledging the legality of the Restoration settlement, and for some this was akin to reneging on the Covenants.²¹ It is universally accepted in the historiography of this period that the Indulgences sought to divide the nonconformists as well as to reconcile some deprived and confined ministers in order to have a sufficient number of ministers in the established church.²² In bringing more ministers back into their charges, it was hoped that those few intransigents who continued conventicling could be pursued more vigorously, and thus conventicles would disappear. The final part of the letter of Indulgence exemplifies this point:

And, seeing wee have by these orders taken away all pretences for conventicles and provided for the wants of such as are and will be peaceable, if any shall be found hereafter to preach without authority or keep conventicles, our expresse pleasur is that you proceed with all severity against the preachers and hearers as seditious persons and contemnors of our authority.²³

The ‘Act against conventicles’ was passed in parliament the following year which aimed to fulfil the king’s desire that those who attended conventicles would be severely punished. This act introduced imprisonment and fines of up to 5,000 merks for those who preached at and attended house conventicles, and made the heads of household responsible for the actions of their wives and dependants. It also decreed that attendance at field conventicles warranted the death penalty, and offered 500 merks for anyone who apprehended field preachers.²⁴ An act of supremacy also followed the Indulgence in 1669 which reasserted that ‘his majesty has the supreme authority and supremacy over all persons and in all causes ecclesiastical within this kingdom’.²⁵ Thus, the government’s initial effort to end nonconformity took the form of both reconciliation and coercion, combined with a reassertion of the king’s supremacy.

Forty-two ministers were indulged as a result of the first Indulgence, which again is indicative of Covenanting opinion being flexible and non-dualistic. All those who were offered Indulgences accepted, including Robert Douglas.²⁶ This is a notable shift of opinion from a significant Covenanting figure who, seven years previously, had refused to

²¹ *RPC*, series iii, vol. iii, pp. 38-9; see also case of Thomas Forrester, discussed below.

²² For example, see Buckroyd, *Church and State*; p. 85; McIntyre, ‘Saints and Subverters’, p. 186; Raffe, *Culture of Controversy*, p. 41; Cowan, *The Scottish Covenanters*, pp. 76-81

²³ *RPC*, series iii, vol. iii, pp. 39-40.

²⁴ *RPS*, ‘Act against conventicles’, 1670/7/11 [accessed 15/08/16].

²⁵ *RPS*, ‘Act asserting his majesty’s supremacy over all persons and in all causes ecclesiastical’, 1669/10/13 [accessed: 15/08/16].

²⁶ McIntyre, ‘Saints and Subverters’, p. 151.

accept anything short of a Covenanted settlement. Accepting the first Indulgence, which involved acquiescing to the king's supremacy (although not having to take the oath of allegiance) and being presented and collated may seem inconsistent with Douglas's stance in 1662 and his sermon at Charles II's coronation in 1651, discussed in the previous chapters. However, Douglas's story highlights the fact that positions changed over time and people cannot be easily placed into unchanging categories. While the non-indulged have left a larger footprint in the historiography due to their controversial action and explicit promulgation of the Covenants, the indulged clergy have been overlooked which has created an over-simplified and dualistic interpretation of the Restoration period. The case of Robert Douglas clearly shows that there were significant variations of opinion and that the ways in which Covenanting commitments were interpreted could change over time in response to fluctuating circumstances. Moreover, Douglas was not alone in his shifting of opinion and it should not be assumed that this was uncommon.

The first Indulgence was not popular among strict conformists such as Alexander Burnet who issued a Remonstrance through the synod of Glasgow in September 1669. This protested that:

We cannot forbear to Resent that some have entered to preach publicly & avouchedly who were before censured with deposition by vs vpon weighty grounds agreeable to the standing lawes of the Kingdome.²⁷

Buckroyd has demonstrated that although indulged clergy were technically required to be collated by a bishop in order to receive a stipend, if they refused collation they could still be paid through the vacant stipends administered by the national government.²⁸ Burnet's Remonstrance objected to the Indulgence as it overturned lawful depositions carried out in 1662 and allowed dissenters, who had a particularly strong presence in and around Glasgow, to continue preaching while receiving a stipend. Burnet was swiftly dismissed as Archbishop of Glasgow and was succeeded in this post by Robert Leighton who accepted the position on the condition that he could pursue an Accommodation scheme.²⁹ Leighton believed that the rest of the deprived ministers could be placated by allowing them to declare their opinion on the state of civil and ecclesiastical government at presbytery and synod meetings. This ultimately failed as nonconformist ministers felt that accepting any Accommodation would mean acknowledging the lawfulness of the 1662 legislation which

²⁷ 'Remonstrance of the Synod of Glasgow', in *Lauderdale Papers*, ii, appendix A, pp. lxiv-lxvii.

²⁸ Buckroyd, *Church and State*, p. 80.

²⁹ *Ibid.*, p. 95.

denounced the Covenants and overturned the Golden Act of 1592.³⁰ Nonetheless, a further eighty-eight ministers were indulged under the second Indulgence in 1672 and were appointed in pairs to parishes, mostly in the west.³¹

Hyman and McIntyre have both argued that indulged ministers often collaborated with nonconformists and played a crucial role in establishing a covert Presbyterian church which undermined the regime from the inside.³² The development of underground Presbyterian culture is discussed below, with the focus here being on the extent to which indulged ministers offered an avenue for partial conformity to flourish. Wodrow claims that, once settled in a new parish, indulged ministers generally continued to lecture, even though this form of preaching had been outlawed in 1662, on the basis that ‘this Manner of expounding of Scripture was very useful and instructive to their People, and had been the constant Practice of this Church, and is recommended in the Directory compiled at Westminster’.³³ The existence of indulged ministers thus offered another opportunity for Covenanters and sympathisers to worship in the established church, even when they were not willing to acknowledge the lawfulness of the Restoration settlement by observing forms of worship absent from the *Westminster Directory*. Although Wodrow is by no means an impartial commentator, evidence from Glasgow and Lanark Presbyteries shows that indulged clergy did not always toe the line. In June 1677, Glasgow Presbytery reported that there were people who ‘have baptized ther children w[i]t[h] indulged mini[ste]rs w[i]t[h]out testimonial’. The presbytery called for witnesses but none came forward.³⁴ A testimonial was necessary when travelling to a new parish to confirm that the parishioner was well-behaved. The evidence from Glasgow Presbytery suggests that people were travelling to have their children baptised by an indulged minister without seeking permission from their parish first. Similarly, in April 1676 Lanark Presbytery stated:

considering the many testimonials that are given by laicks to people in ther parochins to go whethersoever they will for Church-benefit they appoint to summond thes persons to compeer befor the presb[yte]rie.³⁵

From this evidence it would appear that laymen in Lanark, presumably kirk session elders, habitually wrote testimonials to allow people to travel to hear ministers outwith their own

³⁰ For a detailed analysis of the Indulgences and Accommodation, see McIntyre, ‘Saints and Subverters’, ch.5; see also Wodrow, *History*, i, pp. 296-335; Gilbert Burnet, *History*, i, pp. 527-536; Robert MacWard, *The Case of the Accommodation Lately Proposed by the Bishop of Dumblane, to the Non-conforming Ministers examined* (1671).

³¹ *RPC*, series iii, vol iii, pp. 586-590; McIntyre, Appendix 1.1 and 1.2, pp. 255-262.

³² Elizabeth Hyman, ‘A Church Militant’, pp. 62-4, 71-2; McIntyre, p. 186.

³³ Wodrow, *History*, i, p. 318.

³⁴ Glasgow Presbytery, NRS CH2/171/6/2, p. 173.

³⁵ Lanark Presbytery, NRS CH2/234/2, p. 143.

parish. The west of Scotland received a particularly high level of indulged clergy,³⁶ and these two western presbyteries clearly had problems with people travelling to hear them, with or without testimonials. Travelling to hear clergy who had not denounced the Covenants was one form of partial conformity highlighted in the previous chapter and evidence from Glasgow and Lanark indicates that the appointment of indulged ministers offered more opportunities for people to dissent without separating from the established church.

Glasgow Presbytery twice called for uniformity of worship in 1677, re-affirming the expectation that ministers would read from Scripture, sing the doxology, recite the Lord's prayer, and make parents recite the Creed on baptism of their children.³⁷ The fact that the presbytery was calling for observance of the changes instigated in 1662 as late as 1677 suggests that there was significant dissent from the clergy over the form of worship recommended by the established church. However, it was not just the indulged who consistently refused to observe the changes to worship. Perth Presbytery regularly asserted the importance of adhering to the 1662 ecclesiastical settlement, and in 1676 the bishop of Edinburgh wrote to the presbytery of Haddington reminding them that no-one should be admitted to communion or ordinary worship 'but those of yr own parishes, & such as bring Testimonials from yr respective min[ist]ers'.³⁸ Neither presbytery received any indulged ministers. The evidence presented here shows that partial conformity continued in the 1670s in that some ministers were clearly ignoring the changes to worship and allowing people to take communion and attend worship without testimonials. Moreover, the evidence from Perth and Haddington shows that it was not just indulged clergy who facilitated partial conformity. Rather, indulged clergy added to the extant corpus of ministers willing to permit people to conform to the established church as far as their consciences would allow.

The only form of partial conformity evident in the 1660s which changed in the 1670s was disorderly marriage. The previous chapter argued that having a marriage solemnised by a minister outwith one's own parish or deviating from the traditional process was a form of mild dissent. This changed during the 1670s as the authorities became more aware of the presence of marriages at conventicles. In 1673, Stirling Presbytery wrote to the bishop of Edinburgh to highlight problems they were having

³⁶ See McIntyre, Appendix 1.1 and 1.2, pp. 255-262.

³⁷ *Ibid.*, pp. 173, 176.

³⁸ Perth Presbytery Records, NRS CH2/299/4, pp. 211, 222, 235; Haddington Presbytery Records, CH2/185/7, p. 211.

suppressing conventicles. A key aspect of conventicling, the record stated, was ‘to proclamme bondis and marrie persones, wither they be ministers or not’.³⁹ In the same year, Stirling kirk session described marrying outwith the norms of the established church as ‘ane unparralleld notorious scandal, to the utter undoing, not onlie of all ecclesiastical discipline (of this kirk & nation) but even of all humane societie’.⁴⁰ Thus, disorderly marriage was perceived as being a facet of sedition which was reflected by the severe punishments meted out to offenders. In Linlithgow in 1671 a couple were imprisoned for three months for being married ‘by a Minister of Ireland in Edinburgh’, and in Dalkeith in 1678 a couple were also imprisoned for ‘disorderly marriage’. The civil magistrates carried out the incarcerations after application was received from the church courts.⁴¹ The increased vigour with which marriage offences were punished in the 1670s led to a significant decline in mild marriage offences, such as private marriages or avoidance of ministerial solemnisation. Henceforth, disorderly marriage was primarily a characteristic of nonconformist culture.

Apart from disorderly marriage, all the forms of partial conformity highlighted in the previous chapter continued throughout the 1670s. Despite government attempts to enforce observance of the 29 May thanksgiving, the surviving records show that observance in church declined. Thirty-seven kirk sessions (54% of those with surviving records) observed the thanksgiving in 1663 whereas twenty-three (34%) recorded observance in 1673. Quantitative analysis will never show the full picture of observance of the thanksgiving due to the relatively low survival rate of church records for this period. However, the survival rate of kirk session records is consistent throughout Charles II’s reign. Therefore, while it is unwise to rely solely on statistics, we can deduce with a degree of certainty that observance of the thanksgiving declined over time. Moreover, this trend flew in the face of efforts made at national and synod level to enforce observance. The 1672 parliament passed an act requiring:

that the anniversary thanksgiving for his majesty’s happy birth and restoration, shall in all time coming be kept upon 29 May yearly, and that ringing of bells throughout the whole kingdom and other evidences of joy be observed the said whole day, with bonfires at night; and that all ministers within the kingdom shall preach yearly upon the said 29 May that they, with the whole people, may give thanks to God Almighty for his so signal goodness to these kingdoms.⁴²

³⁹ Stirling Presbytery Records, NRS CH2/722/7, p. 125.

⁴⁰ Stirling Kirk Session Records, NRS CH2/1026/4, p. 451.

⁴¹ Linlithgow Presbytery Records, NRS CH2/242/5, pp. 445-448; Dalkeith Presbytery Records, CH2/424/5, p. 105; see also Stirling Kirk Session Records, p. 452-3.

⁴² *RPS*, ‘Act for an anniversary thanksgiving’, 1672/6/33 [accessed 15/08/16].

However, in April 1673 the synod of Moray found that many parishes were ‘disregarding the keeping 29 of May qch was ordaind by ye Estats of parlit as a day of thanksgiving for the Lords goodness to thir lands’, and ordered the ministers to be more diligent.⁴³ It seems, therefore, that many parishes deliberately ignored observance to the thanksgiving, a stance which is indicative of grassroots aversion to the observance of holy days and the notion of royal supremacy within the established church.

Another avenue for mild dissent remained the avoidance of communion. This issue did not change during the 1670s. For example, in 1678 the presbytery of Haddington heard from James Graham, minister of Salton who asked for advice over ‘what to do with som persons who have never communicated since his entrie [in 1670⁴⁴]’. He was told to emphasise the importance and spiritual benefit parishioners would gain from taking communion.⁴⁵ Haddington was under the jurisdiction of the bishop of Edinburgh, George Wishart, who, as highlighted in chapter four, extracted the oath of allegiance from his ministers. Therefore, it is quite possible that avoidance of communion in Salton reflected discontent among the parishioners about the receiving of communion from a minister who had denounced the Covenants. There are no reports of people being brought before the kirk session for avoidance of weekly sermons from this parish which further emphasises the point that communion provided an opportunity for people who attended worship regularly to express a degree of dissent. Moreover, Presbyterian communion placed heavy emphasis on preparation and the confession of sins prior to taking the sacrament. It is possible that opposition to communion during this period may also have been due to the fear of the consequences of taking communion while the nation was in a sinful state having reneged on the Covenants.

Avoiding communion was also a fairly safe way of expressing dissent, as it either went unpunished or resulted in small fines. The Aberdeenshire parish of Kemnay experienced problems with communion attendance throughout Charles’ reign. Those who avoided communion in this parish were either ‘ignorants’, people who refused to be examined, or people who had not been examined by the minister or elders and were thus bereft of a testimonial.⁴⁶ Refusal to be examined by the minister or his representatives on the kirk session challenged the authority of the established church but the offenders appear to have escaped without punishment. In 1670, the Morayshire kirk session of Alves found

⁴³ Synod of Moray Records, NRS CH2/271/3, p. 74.

⁴⁴ Haddington Presbytery Records, NRS CH2/185/7, pp. 262; *Fasti*, i, p. 393.

⁴⁵ Haddington Presbytery Records, NRS CH2/185/7, pp. 263.

⁴⁶ Kemnay Kirk Session Records, NRS CH2/542/2, pp. 26, 45, 57, 67.

that ‘severalls of the parishioners ... had not been at the dyets of Examination’. These people were ‘sharpie reprov’d’ and fined 4 shillings Scots.⁴⁷ Being fined this amount did not seem to have any effect as the same problem recurred the following year, when the dissenters were fined 5 shillings.⁴⁸ As the punishments for avoiding communion were either non-existent or small in these areas, this form of dissent continued in the 1670s as an easy way of expressing dissatisfaction against the established church without separating entirely. It is possible that there were other reasons for not attending communion, but the prevalence of this issue after the Restoration is highly indicative of ideological opposition to the 1662 settlement. Moreover, an equal split of non-observance by men and women continued in the 1670s despite the Conventicle Act making heads of households responsible for paying the fines of their wives and dependants. This confirms Raffe’s conclusion that the act had little impact on female dissent, and suggests that women acted independent of men, an question which is explored below.

Those who chose to avoid communion in the established church often attended weekly sermons and have been classified thus far as partial conformists. Alexander Brodie recorded in his diary in 1676 that ‘I hav communicated with thes who conform, and I think I may lawfully doe it without partaking of ther sin. Yet the offence that honest men took at it has made me forbear.’ He then admitted to not having taken communion since 1669.⁴⁹ However, Brodie refused to separate from the church entirely. Despite attending and hosting house conventicles and being involved in the nonconformist network in Moray, he also attended weekly sermons and discouraged nonconformist preachers from holding conventicles during the time of public worship, commenting: ‘I could not condemn and reject the whol conform ministers as noe ministers, nor reject them and the ordinances ministerd by them as no ordinances, albeit, I disprove [of] ther compliance in the kind and manner they doe’.⁵⁰ In other words, Brodie still believed in the notion of a national church, with the conformist ministers being servants of God, but he did not approve of the ways in which they complied with the regime, which is presumably a reference to conformist clergy taking the oath of allegiance and/or being presented and collated. He seems to have been comfortable with hearing the conformist ministers preach but not with receiving communion from them. Others, such as Lillias Dunbar and Helen Alexander, attended public worship out of obligation to friends and family members while still remaining

⁴⁷ Alves Kirk Session Records, NRS CH2/11/1, p. 240.

⁴⁸ *Ibid.*, p. 256.

⁴⁹ Brodie, *Diary*, p. 360.

⁵⁰ *Ibid.*, p. 339. See also McIntyre, ‘Saints and Subverters’, pp. 237-243.

committed conventiclers.⁵¹ Dunbar ceased hearing ‘curates’ preach after interpreting her own near death experience in 1674 and the death of her friend Lady Duffus in 1677 as evidence of God’s wrath at her actions.⁵²

To complicate the picture further, there were also some who attended conventicles but received the sacraments from indulged clergy, further blurring the lines between conformity, partial conformity, and nonconformity. Henrietta Lindsay, daughter of the royalist Covenanter Alexander Lindsay, first Earl of Balcarres, was a persistent conventicler throughout the 1670s but also regularly received communion in the established church from ministers who had not taken the oath of allegiance. She participated in communion in the kirk of Paisley with indulged ministers John Baird and William Eccles, describing it as ‘a sweet Bethel, to be remembered with praise’. David Mullan explains that the word Bethel took its meaning from a Hebrew word which translates to ‘House of God’, meaning sanctuary.⁵³ Lindsay also received communion at Tillicoultry with indulged minister John Forrest, at Killellan with indulged minister James Hutcheson, and at Dirleton with John Makghie: a minister who entered his charge in 1639 and remained there until his death in 1683 despite refusing to fully conform in 1662.⁵⁴ Although she avoided sermons in the established church and attended conventicles instead, Lindsay clearly felt comfortable with receiving the sacraments from ministers who had not taken the oath of allegiance. Moreover, she would presumably have needed a testimonial to attend communion in these different parishes of the established church, which further suggests that indulged clergy and partial conformist ministers were willing to welcome people to the communion table without a testimonial. This highlights the existence of a middle ground of opinion in the ranks of the ministry which was strengthened by the appointment of more ministers under the indulgences who exercised their function in the established church without disowning the Covenants.

The cases of Brodie, Dunbar, Alexander, and Lindsay highlights the problem of the way historians perceive identity in this period. While Lindsay has been lauded as a nonconformist hero by James Anderson, she also took, and evidently enjoyed taking, communion in the established church, as long as it was administered by a minister who had not denounced the Covenants. In that moment she may have been a conformist, but she

⁵¹ ‘Helen Alexander, Mrs Currie’, and ‘Lillias Dunbar, Mrs Campbell’, in *Women’s Life Writing in Early Modern Scotland: Writing the Evangelical Self, c. 1670 – c. 1730*, ed. David George Mullan (Aldershot: Ashgate, 2003), pp. 191-194, 139-141.

⁵² *Ibid.*, pp. 140-141.

⁵³ ‘Henrietta Lindsay’, in *Women’s Life Writing in Early Modern Scotland: Writing the Evangelical Self, c. 1670 – c. 1730*, ed. David George Mullan (Aldershot: Ashgate, 2003), p. 213.

⁵⁴ *Ibid.*, pp. 212, 219, 220.

was a conventicler at the same time. Similarly, Lillias Dunbar could be labelled as a partial conformist until her personal experiences in the mid-1670s led to her becoming a fully-fledged nonconformist. Perhaps a more helpful way of perceiving Restoration Scotland is as a series of moments, both national and personal, in which porous opinion groups converged and diverged, rather than as a period in which fixed identities experienced varying degrees of success. For example, the initial drive for conformity in the 1660s split opinion broadly three ways. Over the next 20 years there were moments when nonconformity is clearly evident, such as in field conventicles and at the two risings in 1666 and 1679. On the other hand, conformity is evident in the acquiescence of the majority of ministers to the settlement in 1662, and the synod of Glasgow Remonstrance. There are also individual moments, such as choosing whether or not to go to communion, to hear a minister preach, to observe the 29 May thanksgiving, or where to baptize one's child, in which the lines between conformity and nonconformity were blurred, a middle ground is evident, and movement occurred between all three groups. It has been argued here that indulged ministers strengthened the middle ground by increasing the number of ministers who had not disowned the Covenants. Demand for these ministers was high, as seen in the cases in Lanark and Glasgow. Partial conformity is a useful term to identify this broad group of people, but relying too heavily on these terms can be problematic due to significant individual variations seen in the cases noted above. The remainder of this chapter will firstly highlight two new aspects of nonconformity, secondly expand our understanding of female nonconformity, and finally go on to show that the term nonconformity is as tenuous as conformity through examples of people responding differently when summoned before the church authorities for attending conventicles, and of conformist ministers suddenly leaving the church.

Nonconformity 1669–1679

An aspect of nonconformity which is yet to be explored is the creation of separate schools by nonconformist schoolmasters. As early as 1667 there is evidence in the church records of schools being set up which kirk sessions and presbyteries viewed as a threat. In January 1667 the west Lothian kirk session of Ecclesmachan accused two people of 'keep[ing] ane school ... to the prejudice of the publick school withine this parochie'.⁵⁵ The case ended up being heard at Linlithgow Presbytery in November, alongside another instance of an opposing school being set up in Bathgate 'without warrand from their sessions'.⁵⁶ Private

⁵⁵ Ecclesmachan Kirk Session Records, CH2/623/1, p. 12.

⁵⁶ Linlithgow Presbytery Records, CH2/242/5, p. 385.

schools were not uncommon in seventeenth century Scotland, but in rural areas they were often viewed as unnecessary competition to the parish school. These are usually termed 'adventure schools' and their functioning and relationship with the local parish or grammar school varied significantly between localities. They were often set up for profit, teaching girls and young boys basic literacy and skills such as knitting and sewing.⁵⁷ The schools set up in Ecclesmachan and Bathgate may therefore have been motivated not by confessional prejudices but by economic or philanthropic desires.

In the 1670s, however, there is significant evidence to show that nonconformist schoolmasters set up private schools as a means of undermining the authority of the established church. Although the pursuit of oaths of loyalty subscriptions from ministers was unregulated and inefficient, schoolmasters and chaplains were constantly pursued by the church courts to take the oath of allegiance. The synod of Lothian and Tweeddale was still calling for schoolmasters to give their oaths in 1674; so too were St Andrews Presbytery the same year, Perth Presbytery in 1673, and Aberdeen Synod in 1676.⁵⁸ Many schoolmasters who refused to submit to the new regime became involved in conventicling and participated in a Presbyterian counter-culture, in which education played a prominent role. For example, the synod of Fife found in 1672 that:

several chaplains and scholemasters, disaffected to the government of the Church, doe, by ther lecturing and conventicling, alienat several persons from that peacable submission to ther pastors, and the attendance on the public worship of God.⁵⁹

Evidence from the Presbytery of St Andrews shows that nonconformist schoolmasters were not only committed conventiclers, but also set up rival schools. In 1674, William Scott, minister of Forgan reported that a former schoolmaster 'kept & still keeps a school in the parish q[on]trary to the minist[er]s will he being a keeper of q[on]venticles & a disapprouer of the present goverment of ye Church'.⁶⁰ The presbytery of Linlithgow continued to have problems with rival schools in the 1670s, reporting in 1671 of a private school which 'prejudges ye public Schoole at Livisone ... anent the School maisters by gone faith there'.⁶¹ In contrast to the issues Linlithgow Presbytery experienced with schools in Bathgate and Ecclesmachan, the case in Livingstone was specifically cited as

⁵⁷ J.M. Beale, 'Scottish Schools & Schoolmasters in the 17th Century', *The Scottish Genealogist* 2, no. 2 (1955), p. 8; James Scotland, *The History of Scottish Education, volume one: from the beginning to 1872* (London: University of London Press, 1969), pp. 71-75, 106-107; R.D. Anderson, *Scottish Education since the Reformation* (Economic and Social History Society of Scotland, 1997), pp. 5-6.

⁵⁸ Dunbar Presbytery Records, NRS CH2/99/2, p. 192; St Andrews Presbytery Records, NRS CH2/1132/19, p. 323; Perth Presbytery Records, CH2/299/4, p. 214; *Kirk Session, Presbytery, and Synod of Aberdeen*, p. 307.

⁵⁹ *Selections from the Minutes of the Synod of Fife*, p. 189.

⁶⁰ St Andrews Presbytery Records, NRS CH2/1132/19, p. 323.

⁶¹ Linlithgow Presbytery Records, NRS CH2/242/5, p. 441.

being motivated by matters of faith. Although usually set up by nonconformist schoolmasters, in Dunblane it was found in 1676 that ‘ther was severall schools keiped within the Diocese by diverse persones who did not observe publiq ordinances within their severall paroches’.⁶² This suggests that, in the 1670s, ordinary laypeople who refused to worship in the established church played a central role in the creation of separate schools.

The curriculum of these nonconformist schools is unknown. It is unlikely that it differed greatly from parish schools: Latin, reading of Scripture, writing, and arithmetic.⁶³ The importance of separate schools lies in the expansion of a Presbyterian counter-culture which challenged the Erastian and un-covenanted Restoration church. In June 1674, a meeting of Presbyterian ministers, both indulged and non-indulged, from ‘several societies’ (that is, makeshift presbyteries) across the nation, took place in Edinburgh.⁶⁴ Described by McIntyre as a ‘quasi General Assembly’, the meeting resulted in a proposal of seven overtures aimed towards the continuation and growth of Presbyterianism in Scotland.⁶⁵ The overtures focused on the succession of Presbyterian ministers; the improvement of communication between Presbyterian groups and with local elites; provision of ministers; unified response to government advances; and ensuring ministers received congregational consent.⁶⁶ In order to ensure the succession of ministers, the societies were ‘to think of the most effectual Way to make this practicable’.⁶⁷ More detailed proposals were presented by the Glasgow cohort in 1675. With regard to ordination of ministers, the proposal recommended that:

at the Ordination of Ministers, they be taken bound to adhere to and maintain the Reformed Religion of the Church of Scotland, in Doctrine, Worship, Discipline, and Government, as it is contained in the Scriptures, and summilarly held forth in our Confessions of Faith and Catechisms, and Sworn to in our Covenants.⁶⁸

Ordination of ministers happened at field and house conventicles, as revealed in the memoirs of Katharine Collace in which she records that Thomas Hog ordained nonconformist ministers as early as 1672.⁶⁹ It is likely that local nonconformist schools sought to promulgate Covenanting ideas from an early age. However, being ordained as a minister required university education far beyond the remit of the separate schools

⁶² Synod of Dunblane Recrods, NRS CH2/724/2, p. 113.

⁶³ J.M. Beale, ‘Scottish Schools and Schoolmasters in the 17th Century’, p. 10; James Anderson, *The History of Scottish Education, volume one*, p. 65.

⁶⁴ Wodrow, i, pp. 385-6; Row, *Life of Blair*, pp. 542-5.

⁶⁵ McIntyre, ‘Saints and Subverters’, pp. 179-181.

⁶⁶ *Ibid.*; Wodrow, *History*, i, pp. 385-6; Row, *Life of Blair*, pp. 542-5.

⁶⁷ Wodrow, *History*, i, p. 385.

⁶⁸ *Ibid.*, Appendix, p. 164.

⁶⁹ ‘Katharine Collace, Mistress Ross: Memoirs or Spiritual Exercises of Mistress Ross, written with her own hand’, in *Women’s Life Writing in Early Modern Scotland*, p. 58.

evidenced here. Unlike in England, there were no academies in Scotland for the training of dissenting ministers: most of the new generation of nonconformist ministers in Scotland received their training in the Netherlands.⁷⁰ Therefore, the creation of separate schools is best understood as part of an expanding Presbyterian counter-culture which involved local attempts at educating the next generation with efforts to co-ordinate ideas between nonconformist groups at General Assembly-like meetings. The ‘quasi General Assembly’ did not meet again in large numbers after 1675 due to internal divisions, but the way in which evidence of separate schools being set up dovetailed with these meetings indicates that education was viewed with importance by the covert Presbyterian groups.

Schooling had been of significant importance to the Reformed Kirk in Scotland from its inception in 1560. The First Book of Discipline envisaged a school in every parish. Since all men were born ignorant of God, it was deemed necessary to ensure that children ‘have knowledge and erudition to profit and comfort that which ought to be most deare to us, to wit, the kirk and spouse of our Lord Jesus’. It was intended that through education, the nation would ‘serve it selfe of true preachers and of other officers necessary for the commonwealth’.⁷¹ In 1616, 1633, 1646, and 1696, this provision was backed up by legislation designed to promote the building and functioning of schools.⁷² Thus, when Lanark Presbytery visited the kirk of Symington in 1676 and found it in total disrepair, one of their first orders of business was to appoint a schoolmaster which exemplifies the importance the Kirk placed on education.⁷³ Therefore, the formation of separate schools can be incorporated into our understanding of nonconformity in Scotland as a central aspect of religious experience in seventeenth century Scotland. The existence of covert Presbyterian groups has been acknowledged by McIntyre, McSeveney, and Stewart from 1617 to 1685.⁷⁴ It has been demonstrated here that from at least as early as 1671 education was an aspect of underground Presbyterian culture that has hitherto gone unacknowledged. However, more evidence is required to ascertain how these schools functioned and their precise role in Presbyterian culture.

⁷⁰ Alan P.F. Sell, *The Theological Education of the Ministry: Soundings in the British Reformed and Dissenting Traditions* (Eugene, OR: Wipf and Stock, 2013), pp. 1-3; Ginny Gardner, *The Scottish Exile Community in the Netherlands, 1660-1690: ‘Shaken Together in the Bag of Affliction’* (East Linton: Tuckwell Press, 2004).

⁷¹ *The First Book of Discipline*, ed. James K. Cameron (Edinburgh: The Saint Andrew Press, 1972), pp. 129-136.

⁷² Anderson, *Scottish Education since the Reformation*, p. 4.

⁷³ Lanark Presbytery Records, NRS CH2/234/2, p. 142.

⁷⁴ McIntyre, ‘Saints and Subverters’, pp. 197-186; McSeveney, ‘Non-Conforming Presbyterian Women in Restoration Scotland’, p. 154; Laura Stewart, *Urban Politics and the British Civil Wars: Edinburgh, 1617-53* (Leiden: Brill, 2006).

As well as conventicling and separate education, nonconformists protested through rioting and petitioning. The surviving evidence of these forms of nonconformity show that they were often led and directed by women. In 1674 a petition was delivered to the Privy Council which protested:

we are sadly alarmed, that through the malicious and false Information given in by some of those who side with and serve the Bishops, your Lordships may be induced, to the Grief of the Hearts of many Thousands in this Land, to trouble the quiet Meeting of the Lord's People at his Worship. May it therefore please your Lordships to grant such Liberty to our honest Ministers ... that they may lawfully, and without Moderation exercise their holy Function.⁷⁵

Contemporary accounts of the delivering of this petition to the Privy Council vary, but it has been opined by McSeveney that up to 200 women filled Parliament Close and delivered several copies of the petition to the councillors on their way into the building.⁷⁶ A total of seventeen women were called before the Privy Council for this 'disorderly rable', the majority of whom refused to appear and were denounced as rebels. Two were imprisoned: Margaret Johnston, daughter of Archibald Johnston of Wariston; and Lillias Dunbar, mentioned above.⁷⁷ On analysis of this event, two features stand out. Firstly, the petitioners were from diverse backgrounds, but mainly of the lower nobility and middling sort. McSeveney compiled a list of the petitioners which shows that support was drawn primarily from widows or wives of Presbyterian ministers; members of the lower aristocracy; and wives and daughters of merchants.⁷⁸ Secondly, there is no clear evidence of men being involved in this petition; a point which McSeveney emphasises, although it is likely that there would have been male involvement as many of the petitioners were wives of ministers. The Crown certainly believed that men were behind the petition, as is clear from a royal letter to the Privy Council: 'Wee dowt not but they are fomented and encouraged by some who doe not appear'.⁷⁹ Without further evidence it is difficult to draw firm conclusions on this point. It was shown in chapter one that early instances of female dissent was often directed by men, but by the 1670s this may have changed. Even if men were involved in drawing up the petition, the fact that the petition was delivered only by women demonstrates a significant change in the nature of female activism from the pre-Covenanting period. In 1674, women were not simply the helpers of male nonconformists, but were themselves leading dissenters who helped to form the public face of the conventiclers through petitioning and rioting.

⁷⁵ Wodrow, *History*, i, p. 383.

⁷⁶ McSeveney, 'Non-Conforming Presbyterian Women in Restoration Scotland', p. 139.

⁷⁷ *Ibid.*, p. 144-145; *RPC*, series iii, vol iv, p. 208, 259-61.

⁷⁸ *Ibid.*, pp. 224-225.

⁷⁹ *RPC*, series iii, vol iv, p. 212.

Another form of dissent in which women took a leading role was rioting. Chapters one and two highlighted the beginnings of female activism as a result of the Covenant subscription process with examples of female riots in Kinghorn in 1638 and Dunning in 1652. Similarly, in 1663 women rioted in the parishes of Kirkcudbright and Irongray over the imposition of Episcopalian clergy. McSeveney has shown that these women acted of their own accord and that they received very mild punishments in comparison to the men deemed responsible for failing to prevent the riots.⁸⁰ An almost identical incident took place in the Ayrshire kirk of Symington in 1676. When the elders of the presbytery of Lanark attempted to place Robert Lawson as minister they ‘wer not permitted to performe the sayme because they were assaulted w[i]t[h] a multitude of ignorant furious and mad women who were all armed [with] w[ea]pons’.⁸¹ Female petitioning and rioting in the 1670s marks the culmination of the subversive legacy of the Covenants. While historians such as Alasdair Raffe, Laura Stewart, and Alan McSeveney have emphasised the importance of female activism at various moments from the early seventeenth century onwards, the connection to the Covenants has not been fully examined.⁸² John Coffey has argued that women played a prominent role in underground Presbyterian movements before 1638 and after 1652, the implication being that while the Covenanters were in power women were less empowered as they could not sit in Parliament, Privy Council, or General Assembly, the bodies through which the Covenanting regime ruled.⁸³ However, during this period women were given a stake in the Covenanting venture through the subscription process and once the regime fell they were ready to fulfil their Covenanted obligations to oppose toleration, Episcopacy, and Erastianism. This filtered down to local level whereby women felt empowered enough to oppose unjust ministerial placements. While the 1674 petition and the riots in 1663 and 1676 can be directly linked to Covenanting motivations through the evident aversion to Episcopalian incumbents, the 1652 incident at Dunning was a reaction against depositions carried out by the hardline Covenanting regime. The evolution of female dissenting action was certainly an unintended consequence of the Covenant subscriptions. Moreover, female activism can be

⁸⁰ McSeveney, ‘Non-Conforming Presbyterian Women’, chapters 4 and 5.

⁸¹ Lanark Presbytery Records, NRS CH2/234/2, p. 139.

⁸² Laura Stewart, ‘Authority, Agency, and the Reception of the Scottish National Covenant of 1638’; Alasdair Raffe, ‘Female Authority and Lay Activism in Scottish Presbyterianism, 1660-1740’; McSeveney, ‘Non-Conforming Presbyterian Women’.

⁸³ John Coffey, *Politics, Religion and the British Revolutions: the mind of Samuel Rutherford* (Cambridge: Cambridge University Press, 1997), pp. 97-102.

viewed as a significant aspect of what Laura Stewart has termed a ‘culture of dissent’ which was prevalent in Lowland Scotland from at least as early as 1618.⁸⁴

Those who partook in nonconformist activity in the 1670s responded in a variety of ways when faced with church censure, sometimes displaying dissent at certain moments while conforming at others. For example, a man came before Rutherglen kirk in March 1675 accused of ‘disorderlie baptisme of his chylde at a conventicle’. When asked where, when, and by whom his child had been baptised, he answered that it had occurred a month previously and readily gave the location and name of the nonconformist minister.⁸⁵ Two other instances of men revealing the names and places of conventicles occurred in May the same year.⁸⁶ Evidence from Rutherglen suggests that the baptism of a child was an issue which created divisions between family members. In August 1676, a man ‘acknowledged yt his child was baptized at a conventicle but declared yt it was done without his knowledge and yt he know not who baptized it’.⁸⁷ Similarly, in October that year another man was brought before the session and ‘declaired yt his wife w[i]t[h] others, affirmed yt his child was baptized [at] a conventicle but yt he knew not who did baptize it’.⁸⁸ These are revealing examples of the authorities attempting to hold heads of household responsible for the actions of their wives. They also support the assertion made above that by the 1670s some women felt empowered enough to take sole responsibility for the spiritual well-being of themselves and their families, or that men encouraged them to do so. No punishments were meted out to those who confessed having children baptised at conventicles as long as they gave the details. One man who had his child baptised at a conventicle in 1677 ‘refused to tell qr [where] or by qm [whom] for qch [which] obstinacy he was to the Magistrats referred’.⁸⁹ If the magistrates had been able to find this man, then the consequence would have been fining or death, as directed by the 1670 Conventicle Act. There was an obvious practical reason for providing the kirk session with the details of conventicles but the fact that there were those willing to risk death to protect the names and locations of conventiclors and conventicles on the one hand, and those who readily gave up details on the other, suggests that there may have been a sliding scale of nonconformity. Partial conformist is probably too moderate a term to apply to those who attended conventicles and then confessed, which highlights the problem of defining people into opinion groups. It may have been the case that those who gave up the names and locations of conventicles

⁸⁴ Laura Stewart, *Rethinking the Scottish Revolution*, pp. 38-43.

⁸⁵ Rutherglen Kirk Session Records, NRS CH2/315/2, p. 76.

⁸⁶ *Ibid.*

⁸⁷ *Ibid.*, p. 79.

⁸⁸ *Ibid.*

⁸⁹ *Ibid.*, p. 81.

were doing so as a deliberate attempt to advertise their efforts to subvert the authority of Charles II's government, but without further evidence this point is difficult to prove. Certainly, nonconformity was as diverse and fluid as the other opinion groups at this point in time.

This point is evidenced further by cases in the 1670s of ministers seemingly spontaneously joining conventicles and leaving their charges. In August 1673, Stirling Presbytery called Tomas Forrester, minister of Alva, to appear before it for habitual absence from presbytery meetings. They had also heard that 'he would not acknowledge the presbtries auctoritie' and ordered him to lead the exercise the following day.⁹⁰ Forrester did not attend the next meeting and submitted a letter instead. The reading of the contents of the letter was delayed for a few weeks on request of Forrester's father who appeared before the presbytery and:

declared that he was informed that his son had written ane foolish letter to the presb[ytyry] the last day, and that he having conferred with his son did reallie think he was melancholick and not sober in his judgment for the time.⁹¹

On 13 November, the presbytery read out Forrester's letter which attacked the legality of the Restoration settlement on three points. Firstly, he argued that the current form of government derived its authority solely from 'the magistrates civill power, which form is contrairie to the word of god', and that by attending presbytery meetings he would be acknowledging the legality of this form of government. Secondly, he complained that since the Reformation 'severall oaths vowes and solemne ingadgments upon this church and nation' have been entered into, and 'upon some search [I] am persuaded that the same are still binding upon the nations and the posteritie'. Finally, Forrester confessed that 'I have for some considerable time interteined the perswasione of the unlaw[ful]lnes of the prelatick forme, as contrarie to thes prescriptions in point of government sett doune in his word'.⁹² Alva was Forrester's first parish and he had been presented to it by George Haliburton, bishop of Dunkeld, in 1664. He was formally deposed in March 1674.⁹³ There is no evidence of him, or any other minister in the bounds of Stirling Presbytery, taking an oath of loyalty to the church in the 1660s, although schoolmasters in this presbytery were required to take the oath of allegiance.⁹⁴ Thus, the case of Thomas Forrester further proves that ministers could work in the Restoration Kirk while holding reservations, or that reservations could develop over time, through conversation and reflection. Moreover, this

⁹⁰ Stirling Presbytery Records, NRS CH2/722/7, p. 117.

⁹¹ *Ibid.*, p. 120.

⁹² *Ibid.*, p. 122.

⁹³ *Fasti*, iv, p. 296.

⁹⁴ Stirling Presbytery Records, NRS CH2/722/7, p. 17.

case shows that Covenanting obligations stretched beyond those who had sworn and subscribed them. It is highly unlikely that Forrester would have been old enough to subscribe the Covenants, yet he believed the ‘nation and posterity’ to be permanently bound to pursuing their aims. This exemplifies the twofold nature of Covenanting explained in chapter one: each person was individually responsible for upholding them while the nation as a whole remained forever corporally bound to the Covenants. Clearly, this idea lived on in the second generation of Covenanters.

It is possible that Forrester may have been converted by local conventiclers. Stirling Presbytery complained to the bishop of Edinburgh about conventicles in the same year as Forrester protested,⁹⁵ but without any further evidence the idea that he was converted remains conjecture. At the very least, this case suggests that conventicling activity could have an impact on ministers who held reservations about the legality of the 1662 settlement and believed in the permanently binding nature of the Covenants. A similar incident took place in Inverness in 1672 where Alexander Fraser, minister of Daviot and Dunlichty, resigned, explaining:

that people of whom he formerlie hade the charge off needed not expect anything more of him except a valedictorie sermon, nor yet would he embrace any other charge whatsoever, and that through the dislike and prejudice he caried to the p[rese]nt government of the Church by Episcopacie, which he did by severall asseverationes and solemne attestations.⁹⁶

Fraser’s protest displays the survival of the hardline Covenanting belief in the importance of the 1638 General Assembly which had denounced Episcopacy, a notion which is also present in Forrester’s final point that Episcopacy is incompatible with the word of God and the Covenants. Fraser was of similar age to Forrester: he had been presented to Daviot and Dunlichty (his first charge) by the bishop of Moray in 1664.⁹⁷ Hew Scott claims that he was born in 1630, and therefore he may have signed the Covenants in the resubscription campaign of 1648.⁹⁸ Personal moments (although we do not always know exactly what they were) must have motivated the defection of these ministers and the decision many people made to reveal details of the conventicles they attended. The terms conformist, nonconformist and partial conformist cannot easily be applied to these people. In trying to do so, the historian would risk oversimplifying an extremely complex situation which revolved around personal choices dependent on events and experiences, both personal, local and national.

⁹⁵ *Ibid.*, p. 124-5.

⁹⁶ *Records of the Presbyteries of Inverness and Dingwall, 1643-1688*, p. 20.

⁹⁷ *Fasti*, vi, p. 448.

⁹⁸ *Ibid.*

Conclusion

This chapter has offered fresh perspectives on Restoration Scotland. While the historiography of the indulgences tends to focus on the relationship between indulged clergy and deposed ministers, it has been demonstrated here that the indulged strengthened the middle ground by offering the laity further opportunities to conform to the Restoration church while avoiding taking part in activities that were, or receiving the ministry of those who were, at odds with their understanding of Covenanting obligations. Evidence for this is abundant in the church records and contemporary autobiographies and diaries. The extant kirk session and presbytery records show that observance of the 29 May thanksgiving declined in the 1670s; hearing ministers outwith one's own parish continued; as did avoidance of communion. The ways in which lay men and women responded to the influx of indulged clergy highlights the problem of identity in this period. Individual moments and thoughts dictated the extent to which people were willing to conform: a notion which was forever in a state of flux during the Restoration period. The case of Henrietta Lindsay exemplifies the complex and highly personal nature of Covenanting in the period under discussion. At various moments she could legitimately be described as both a nonconformist and conformist. The argument presented here is that Covenanting interpretations should be recognised as the fluid and malleable attitudes that they were. While ideas can be traced over time, the development of Covenanting identities is far too transient, personal, and directed by local differences to be codified. This is further evidenced by the changing of sides which went on among the ministry and laity in the 1670s. Covenanting was not a fixed movement with static and clearly identifiable opinion groups. It was a complex, personal, communal and national phenomenon which manifested itself in a variety of different ways throughout the seventeenth century, including in the Restoration period.

The second fresh insight which this chapter has provided is the role education and women played among nonconformist groups and the culture of dissent in the 1670s. Schools were set up by schoolmasters and laypeople which aimed to sustain an alternative to the established church by developing a Presbyterian counter-culture. This was linked to the attempt at creating a separate Presbyterian society fully equipped with presbyteries and a General Assembly. The attempt was ultimately a failure, as all notions of unity among nonconformists were shattered by the failed rising in 1679, but the evidence presented here shows the importance education played both within and outwith the established church in the seventeenth century. Finally, it has been demonstrated that the Covenants had a

profound impact on the long term development of female activism. By involving women in the Covenant subscription process, the early Covenanters gave women a stake and obligations. From 1652 onwards, there is a notable change in the nature of female dissent, with women forming the public face of the nonconformists and playing a central role in the culture of dissent through petitioning and rioting in church. Although men may have been involved in the organisation of these instances of dissent, it is clear that women were playing a more direct role in dissenting than those who partook in the prayer book riots. This chapter has not only raised questions over the way in which the later Covenanting period is conceptualised but also advanced our understanding of the impact the Covenants had on female activism.

Conclusion

The aim of this research has been to assess the wide variety of ideas engendered by the Covenants and how these played out at local and grassroots level. Covenanting did not exist independent of ideas surrounding the true nature of monarchy, the most effective forms of church, state, and local government, the most godly forms of worship, and the role of women in church and state. The development of these ideas and the debates which occurred as a result have been traced from the inception of the National Covenant in 1638 to the late 1670s. Rather than focusing on printed polemics surrounding these debates, this thesis has assessed how Covenanting ideas were understood in the localities. There is no doubt that those who drew up the Covenants did not intend debate to occur at local level. However, by enforcing universal subscription to vaguely worded national oaths that were at the same time presented as unbreakable personal Covenants with God that had wide ranging ramifications for the local and national governance of Scotland, the architects of the Covenants unwittingly ensured that the development of competing visions of what it meant to be a Scottish Covenanter was inevitable. This occurred across the social spectrum as a result of subscription to the Covenants by people of all ranks and subsequent attempts to enforce ideological uniformity by competing Covenanting regimes of the late 1640s and early 1650s, as well as attempts to discourage adherence to the Covenants by the Restoration regime. The contention of this thesis is that the ever changing circumstances of the period under discussion ensured that a spectrum of Covenanting positions developed. The most effective way of uncovering this is to stop viewing the Covenanters as being part of a linear movement, but rather assess the period between 1638 and 1679 as a series of moments in which a broad range of ideas about Covenanting could be, and were, disputed. This resulted in the frequent changing of positions as contemporary events required the re-evaluation of both national and personal beliefs and a reimagining of what constituted Covenanting obligations. The investigation of local engagement across a fairly broad time period has provided a nuanced picture of this national venture as it has uncovered the breadth of Covenanting ideas and shown how and why Covenanting obligations were repeatedly re-imagined on the ground. This thesis will conclude by summarising the key issues debated by contemporaries at various moments and considering how people of all ranks were engaged, before offering some thoughts on the longer term legacy of the Covenants.

Monarchy

Both the National Covenant and the Solemn League and Covenant contained a promise to maintain the king's majesty. Both Covenants stated that this was to be achieved 'in the defence and preservation of the true religion'.¹ This instantly raises two questions: did the maintenance of monarchy depend on said monarch upholding the true religion? And what was the true religion? It is widely accepted that the architects of the Covenants in Scotland advocated a model of contractual and limited monarchy and believed the true religion to be Presbyterianism.² However, this was not made clear in the text of the Covenants themselves. This brings us to the one of the first moments where Covenanting ideas diverged. In 1640, the former Covenanting leader James Graham, first Marquis of Montrose drew up the Cumbernauld band in response to the development of a hardline Covenanting ideology, led by Archibald Campbell, eighth Earl and first Marquis of Argyll which had paved the way for war with Charles I in 1639. This band highlighted loyalty to the monarch as being a Covenanting imperative which had been threatened by 'the indirect practising of a few'.³ Thus, royalist Covenanters became evident as a grouping. This group went on to oppose the 1641 settlement, which put significant limitations on the monarch, and the 1643 Solemn League and Covenant. They then aligned themselves with Alasdair MacColla to lead an unsuccessful war against the Covenanting government in 1644–45. By requiring all the parishes in Scotland to subscribe the Covenants, the regime had ensured that it was possible for these competing visions to be recognised at local level. As chapter one highlighted, the ways in which individual parishes interpreted the Covenants varied significantly. Moreover, the centralising agenda of the Covenanting regime strengthened latent royalist values in the cultural identity of non-Campbell Gaelic Scotland as a reaction to an ideology that was contradictory to the values of clanship.

In opposition to the royalist Covenanters were the hardliners. They were not, however, against the institution of monarchy or indeed the House of Stuart. They sought to place limitations on the king's power and secure the Scottish Church from a perceived Erastian, Anglican, and latterly sectarian, threat. This faction split as conservatives emerged in response to the Engagement crisis of 1647–8. For this grouping, the imprisonment of Charles I by the English Parliament was a breach of the Solemn League and Covenant as this clearly failed to uphold the king's majesty. For the remaining

¹ '1638 National Covenant', in *Scottish Historical Documents*, ed. Gordon Donaldson, p. 194; *RPS*, 1643/6/75

² For example, see Stevenson, *The Scottish Revolution*; Stewart, *Rethinking the Scottish Revolution*; Karin Bowie,

'A Legal Limited Monarchy': Scottish Constitutionalism in the Union of Crowns, 1603–1707', *Journal of Scottish Historical Studies* 35.2 (2015), pp. 131–154.

³ John Lumsden, *The Covenants of Scotland*, pp. 255–256.

hardliners, the actions of Charles I threatened the true religion and the rights and liberties of parliament, both of which were conditions to maintaining loyalty to the monarch. A majority in parliament declared for the Engagement and subsequently ordered an army to enter England. The General Assembly denounced the Engagement as a breach of the Covenants and this marked the beginning of a bitter debate that was never resolved. This crisis sparked a response from the localities, as many presbyteries petitioned against the Engagement.

The period between 1643 and 1648 is where the term 'Covenanter' began to be used to define those loyal to the Presbyterian church as opposed to those who were not. The presbytery of Kirkcaldy rebuked a minister for referring to an Episcopalian as a Covenanter in 1643 and the General Assembly labelled those who supported the Engagement as non-Covenanters in 1648. This shows that the term Covenanter was contentious at least as early as 1643. The Solemn Acknowledgement and Engagement of October 1648 vehemently denounced the failed Engagement and attempted to make opposition to 'malignancy' a Covenanted obligation through a wide ranging resubscription campaign with an added explanation of the Solemn League and Covenant. This explanation understood the Engagement to have reneged on the Covenants and saw opposition to 'malignancy' as a Covenanting imperative. The various Covenant subscription campaigns, the Solemn Acknowledgement and Engagement, and the petitioning of 1648 engaged the localities in the debates surrounding the position of the monarch and form of church government deemed to be most compatible with Covenanting. It must be stressed that this was not a deliberate appeal to, or recognition of, public opinion. Rather, it was an attempt to fulfil the obligation of the Covenants to create a nation duty bound to follow a prescribed relationship with their monarch and church and thus should be viewed as a struggle by competing factions to impose a particular reading of the Covenants onto the posterity. This was a struggle which had wide ranging implications.

The Engagement schism was never resolved. Even in the face of the execution of Charles I by the English Parliament in 1649 and the following two and a half years of war with Cromwell, a split remained between hardliners and conservatives. The hardline faction split further into Protesters and Resolutioners following the decisive defeat at Dunbar in September 1650. All factions supported crowning Charles II following his father's death in January 1649 but could not agree on how to deal with military defeat at Dunbar and subsequent preparations for an invasion of England. At the heart of the debate was whether or not former Engagers should be allowed back into the army. Having

declared the Engagement as a breach of the Covenants and made the denunciation of it a Covenanting obligation, the Protesters would not support allowing Engagers back into the army and instead believed that a small godly army would have greater chance of success than a large army which included persons they believed to be non-Covenanters. The Resolutioners, believing maintenance of the monarchy to be of equal importance to maintenance of the true religion, were willing to allow Engagers back into the army and preached for unity in the face of a common enemy. The Scottish army was defeated at Preston in September 1651 and the subsequent eight-year Cromwellian occupation of Scotland did not heal divisions. The Covenanting leadership remained split over whether or not loyalty to religion took precedence over loyalty to the monarch and whether or not the Resolutions were a breach of the Covenants. Through fasting, petitioning, and exhortations from the Commission of the General Assembly between 1648 and 1652, ordinary people were exposed to this debate at every level.

A major shift occurred in the nature and support for the crown, or royalism, during the interregnum. This can be seen quite clearly in the Glencairn rising of 1653–55. An attempt to end the English occupation of Scotland and restore Charles II, this rising was formed by a similar coalition of staunchly royalist Covenanters and aggrieved clans who followed Montrose and MacColla in 1644–45, with the addition of conservative Covenanter Glencairn. The rising was not supported by the Resolutioners because the polemics of the rising failed to promote a vision of the Covenants that was compatible with their ideology. While making passing mention to the Covenants, the Glencairn declaration of war contained absolutist elements in order to appeal to continental sympathisers. This hindered potential support for the rising in Scotland and led to the resurgence of a form of royalism foreshadowing absolutism among those who went on to lead the government of Scotland in 1661. While it would be perhaps a step too far to label the Restoration settlement in Scotland as absolutist, the assertion that Charles II was supreme head of church and state, the overturning of the Covenants, and the imposition of the oath of allegiance in 1662 was a significant departure from both conservative and hardline Covenanting ideology as it made the king's power effectively unlimited. The resurgence of this form of royalism can be traced from Montrose's Cumbernauld band of 1641. Two signatories of the Cumbernauld band: the earls of Atholl and Marischal, were awarded prominent positions in the Restoration Parliament. Atholl was also one of the leaders of the Glencairn rising while Marischal remained in prison throughout the interregnum. What began as a royalist Covenanting reaction to the increasing militancy of the hardliners in 1640 had developed into a turn towards absolutism by 1660. Other prominent politicians in

1660–62 had also been active supporters of the Covenants, such as Lauderdale, Glencairn, and Crawford-Lindsay. This further exemplifies the notion that the changing of circumstances altered people's perceptions of what Covenanting entailed.

The imposition of oaths of loyalty on each minister and military presence in some areas ensured local awareness of religious and political controversy throughout the 1660s and 1670s. The main argument of those who outwardly objected to the Restoration regime was that Charles II had taken the Covenants and was therefore duty-bound to maintain them. This was espoused by those who rebelled in the 1666 Pentland rising and the many attendees of house and field conventicles. The majority conformed, which raises questions surrounding the extent to which Covenanting was deemed compatible with conformity to a regime that denounced the Covenants, questions that have hitherto been unexamined in a historiography that focuses on nonconformity. It has been argued here that there was a significant body of partial conformists: those who conformed to the Restoration regime as far as their consciences would allow. Central to the existence of this grouping was the flexibility of Covenanting beliefs. It was possible to believe that the Restoration of Charles II was consistent with the Covenants while refusing to observe certain practices which did not resonate with individual notions of Covenanted obligations to maintain the king's majesty alongside the true religion. As has been shown, these controversies included, amongst others, taking the oath of allegiance, observing the annual thanksgiving for Charles' birthday and restoration. Covenanting ideology was complex and malleable, varying from person to person and place to place. The repeated involvement of the localities in the debates over the role of the monarch during the various Covenanting regimes of 1638–1651 exposed the population at large to the wide range of Covenanting ideas. The interregnum, particularly the Tender of Union controversy, witnessed more flexible Covenanting interpretations being embraced with no Kirk leadership to press competing agendas. This had far reaching implications in the Restoration period and stems from the fact that the Covenants were both national and personal as well as local, communal and societal. Therefore, the Covenanting regimes sought national uniformity of ideology while each individual was directly in Covenant with God and had his or her own understanding of what their Covenant entailed. This allowed Covenanting commitment to survive among those who conformed, partially conformed, or dissented during the 1660s and 1670s, dispelling the notion of a single and distinct Covenanting movement.

Church government

By grounding its analysis in local church records, this thesis has rejected the argument that the Covenants were simply Presbyterian oaths. In December 1638, the General Assembly met in Glasgow and added an anti-episcopal declaration to the National Covenant and ordered it to be resubscribed. Wariston and Henderson certainly believed the ‘true religion’ to be Presbyterianism, and preserving and exporting Presbyterianism was indeed a major motivation behind the Solemn League and Covenant. However, there were enough ambiguities in the texts to allow multiple interpretations to prevail. As shown in chapter one, the majority of surviving kirk session and presbytery records do not mention the Glasgow Declaration. Moreover, surviving copies of the Covenant do not all contain the Declaration, and many of those that do simply added it to already signed copies. Thus, as early as December 1638 there were already competing visions of what it meant to be a Covenanter. This is compounded by the fact that around half of the surviving subscription records describe the National Covenant as a confession or a renewal of the Negative Confession. At this point there was no confessional difference between Presbyterians and Episcopalians as both adhered to the 1560 Scots Confession and the 1580 Negative Confession. While there were regional variations, in light of the evidence presented in chapter one, the definition of Covenanters must include some Episcopalians: that is, those not wholeheartedly against (or even in favour of) the office of bishop in the Reformed church of Scotland, particularly when Episcopacy was integrated into a structure with presbyteries and synods.

Although the Solemn League and Covenant was more explicit in regards to its denunciation of Episcopacy, there still was room for manoeuvre. Evidence provided in chapter four from the writings of Andrew Honyman, Robert Leighton, and Robert Baillie shows that it was possible for Episcopalianism and Covenanting to be compatible. Both Leighton and Honyman argued that the Solemn League was directed against English prelacy, not moderate Scottish Episcopacy, and questioned the legality of the 1638 General Assembly which had added the Declaration to the National Covenant after the king’s commissioner, the Duke of Hamilton, had ordered the Assembly to close. The range of responses to the restoration of Episcopacy in 1662 indicates that these arguments had resonance with ministers and ordinary church-goers. Around one-third of the ministry left the established church in 1662, and many lay men and women followed. The return of 130 ministers as a result of the indulgences suggests that for some, Episcopalianism was not the core issue, but rather the requirement to swear the oath of allegiance, thus acknowledging Charles II as head of the church and the overturning of the Covenants (a requirement that was lifted under the indulgences). Moreover, the loose way in which the oath was

implemented at the Restoration meant that many ministers who conformed were not required to take it. For those not pressed to take the oath of allegiance, the only major changes were the return of bishops to ecclesiastical oversight and some changes to worship. The changes to worship were often ignored and this rarely resulted in significant punishments. Thus, it was possible to remain in the established church after 1662 and still be committed to the Covenants. Even for those who took the oath of allegiance, chapter four showed that this did not always involve denouncing the Covenants.

The nonconformists of the 1660s and 1670s displayed a brand of radical Covenanting characterised by commitment to Presbyterianism and aversion of anything short of a limited monarchy. This was celebrated by eighteenth and nineteenth-century historians such as Robert Wodrow and Thomas M'Crie who sought to place their own Presbyterian identities into an imagined tradition of a Presbyterian struggle against Erastianism and Episcopalianism that stretched back to 1560 and was epitomised by the Covenants.⁴ While the fallacies of Wodrow and M'Crie's work have been robustly challenged by modern historians, the tendency to view the nonconformists as the sole proponents of the Covenanting venture has prevailed. This thesis has offered some valuable insights into the hardline aspects of Covenanting, such as tracing the development of this strand of thought from 1638 onwards, pinpointing the emergence of the language of 'Covenants' and 'Covenanters', and highlighting novel aspects of Restoration period dissent, such as the important role schoolmasters played in the organisation of conventicles and establishment of covert networks and nonconformist schools (see chapter five). However, the focus has always been on the broader picture of Covenanting. The issue of conforming to Episcopacy in 1662 further exemplifies how flexible Covenanting belief was. With the combination of incomplete enforcement of the oath of allegiance and avoidance of partaking in actions that contradicted their Covenants, the ministry of the established church was able to retain almost as broad a spectrum of belief in the 1660s and 1670s as it did in the 1640s and 1650s. This was a direct result of the ambiguities contained in the text of the Covenants and Covenanting theology in which each individual had their own personal Covenant and could, to a large degree, adapt their beliefs to suit a change of circumstance.

Worship

⁴ Robert Wodrow, *The History of the Sufferings of the Church of Scotland, from the Restauration to the Revolution*, 4 vols; Thomas M'Crie, *The Works of Thomas M'Crie*, 4 vols; Graeme Neil Forsyth, *The Presbyterian Interpretation of Scottish History, 1800-1914*.

Assessing responses to the various changes to worship is the best way of uncovering Covenanting commitments among those who did not separate from the church entirely at the Restoration. It was not until 1645 that Covenanting became associated with a particular form of worship. Chapter two showed that the Westminster *Directory for Public Worship* was issued by the General Assembly as a consequence of the Solemn League and Covenant, and therefore observance of its recommendations became a Covenanted obligation. Evidence for reception of the *Directory* is sparse, and it is likely that not all ministers followed its guidelines or understood it to be an essential aspect of Covenanting. However, as shown in chapter two, the *Directory* received fairly widespread exposure in Scotland. The major changes it instigated were rescinded at the Restoration, and the bishops co-ordinated a campaign to stop it being used among the ministry. The re-introduction of readers' services, the recitation of set prayers (the doxology and the Lord's prayer), and the theoretical justification of kneeling at communion sparked a significant response in the localities. There is an abundance of evidence of mild dissent highlighted in chapters four and five by people attending church regularly who sought to avoid observing forms of worship that contradicted the practices of the *Directory*. In doing so, these partial conformists were demonstrating a degree of commitment to the Covenants. The Covenanting tradition did not live on solely among the nonconformists, but also in those who adapted their actions or understandings to remain in the established church without breaking their Covenants. Different circumstances required different responses, and the evidence presented in this thesis shows how diverse Covenanting belief was. The responses in the 1660s and 1670s to changes to worship highlight the legacy of widespread subscription to the Covenants, as people of all ranks demonstrated a degree of agency in determining the course of their religious instruction as directed by their understanding of Covenanting obligations.

Women

From the instigation of the prayer book riots in 1637 to the late 1670s there was a significant step-change in the nature and extent of female involvement in the affairs of church and state. Chapter one showed that women from across the social scale displayed dissent against the innovations of Charles I in 1637. The role of women at this point was very prescribed: they were to be the helpers of man in the re-establishment of the religious and political status quo. However, involving women in the organised opposition to the prayer book and the subscription process of the Covenants had wide-ranging consequences for early modern understandings of female activism. As early as July 1638, there is

evidence of women acting independently of men in the kirk of Kinghorn to resist the influence of suspected non-Covenanters in the church, much to the chagrin of male contemporaries such as Robert Baillie and James Balfour of Denmilne. This is further evident in the female riot at the kirk of Dunning in 1652 when over 100 armed women prevented the synod of Perth and Stirling from meeting to appoint new ministers after the contentious deposition of two local ministers for malignancy. As highlighted in chapter two, the English reports of this riot differ from the Scottish church records. While the English polemicists state that this was a purely female riot and use this as a source of derision and ridicule for the Covenanters, the Scottish records state that men dressed as women were also involved. This episode is significant as evidence not only of increasing female activism, but of early modern attitudes towards women. Women were certainly not expected to act in this way, providing a source of ridicule for the opponents of the Covenanting regime and a spectacle which the Covenanters sought to downplay. It is important to recognise that within the first fourteen years of swearing the Covenants, women were displaying levels of agency previously unseen in Scotland.

There are many other examples of female activism in the later Covenanting period. McSeveney and McIntyre have clearly demonstrated the important role women played in the opposition to the Restoration government through petitioning, conventicling, and housing nonconformist outlaws.⁵ This thesis has provided more local example of female dissent showing increasing agency, such as the 1674 riot in the kirk of Symington over the attempted imposition of an Episcopalian minister. It has also shown that women were active participants in partial conformity in the 1660s and 1670s. Women avoided readers' services, refused to attend sermons given by ministers who had sworn the oath of allegiance, avoided communion in the established church, and all the many ways in which people could display mild dissent highlighted in chapters four and five. Women were perhaps even more active in these forms of dissent than men because their heads of household were not held responsible for their actions until the 1670 conventicle act. Nevertheless, as chapter five showed, this act had little impact on female dissent. Moreover, this thesis has firmly placed this increasing female agency in the history of the Covenants. It is a direct result of the early Covenanting phase that this level of agency becomes evident. Again, this stems back to the notion of personal and national Covenants enshrined in the 1638 and 1643 oaths and reaffirmed by the actions of the various Covenanting regimes. Through national oath-taking and fasting, women were engaged in every dispute

⁵ McIntyre, 'Saints and Subverters'; McSeveney, 'Non-Conforming Presbyterian Women in Restoration Scotland: 1660-1679'.

of the tumultuous early Covenanting period from 1637–1651. Just like their male counterparts, women were directly in Covenant with God and duty bound to pursue their perceptions of Covenanting obligations. This resulted in the unprecedented levels of female agency displayed in the following three decades and beyond.

Legacies of the Covenants

Covenanting legacies stretched well beyond 1679. Indeed, the year 1679 saw the murder of Archbishop Sharp by a group of armed Covenanters in May and another uprising which was quashed by the government at Bothwell Bridge in June. Thus began the most brutal attempt to suppress Covenanting in Scotland. Known as the Killing Time, the period between 1680 and the accession of William of Orange to the throne in 1689 was characterised by the uncompromisingly violent approach taken by the government in the face of heavy resistance by the radical Covenanters under the banner of the United Societies. Predictably, the Societies did not remain united for long. Offshoots such as the Cameronians and Hebronites both claimed to uphold the true nature of the Covenants and sought to influence government policy into the eighteenth century.⁶ The Presbyterian settlement in 1690 made no mention of the Covenants, an action which received little opposition outside of radical circles. This is a clear indication that by the end of the Stuart monarchy, Covenanting was associated with subversion. One of the main opposition groups to the union of Scotland and England in 1707 took inspiration from the Covenants, particularly the Solemn League and Covenant. There was a significant body of opposition to the union in the Commission of the General Assembly and at local level who expressed themselves through print, petitioning and rioting.⁷ Thus, while Covenanting as a coherent political ideology was redundant by 1690, the engagement of ordinary people in national conversations from 1638 onwards could not be undone. This fostered a legacy of dissent in which people across the social spectrum expressed their opinion on contemporary affairs through techniques and language developed during the mid-seventeenth century, as exemplified by the union debates of 1702–1707.

The legacy of engagement continued to have an influence into the eighteenth century and beyond. Valerie Wallace has argued that the Covenants created a ‘presbyterian

⁶ Mark Jardine, ‘The United Societies: Militancy, Martyrdom and the Presbyterian Movement in Late-Restoration Scotland, 1679 to 1688’ (unpublished PhD thesis: The University of Edinburgh, 2009).

⁷ Jeffrey Stephen, *Scottish Presbyterians and the Act of Union 1707* (Edinburgh: Edinburgh University Press, 2007); Karin Bowie, *Scottish Public Opinion and the Anglo-Scottish Union, 1699-1707* (Woodbridge: Boydell Press, 2007).

moral economy' that pervaded eighteenth century political culture in Scotland.⁸ This view was affirmed in the works of Colin Kidd and Richard Finlay, both of whom argue that many of those who split from the church in the 1733 Secession identified with a Covenanting tradition as a means of challenging the dominant political power of the aristocracy.⁹ Waves of migration from Scotland in the eighteenth and nineteenth centuries saw Covenanting ideas exported abroad and contributed to the development of Presbyterian identities in areas as far reaching as North America, the Caribbean, New Zealand, and Australia.¹⁰ In Scotland, ideas fostered by the Covenants remained relevant to political discourse well into the twentieth century. This can be seen in the 1949 Scottish Covenant which sought to re-establish a parliament in Scotland. Signed by over one million people, this Covenant translated ideas engendered in the 1638 and 1643 Covenants into a secular affirmation. Notions of a deep-rooted Scottish constitution, the appeal to a national community, the role of the monarch, and the legitimacy of political banding are all legacies of the seventeenth century Covenants espoused in the 1949 Covenant:

We, the people of Scotland who subscribe to this Engagement, declare our belief that reform in the constitution of our country is necessary to secure good government in accordance with our Scottish traditions and to promote the spiritual and economic welfare of our nation.

We affirm that the desire for such reform is both deep and widespread through the whole community, transcending all political differences and sectional interests, and we undertake to continue united in purpose for its achievement.

With that end in view we solemnly enter into this Covenant whereby we pledge ourselves, in all loyalty to the Crown and within the framework of the United Kingdom, to do

⁸ Valerie Wallace, 'Presbyterian Moral Economy: The Covenanting Tradition and Popular Protest in Lowland Scotland, 1707-c.1746', *The Scottish Historical Review* 89 (2010), pp. 52-72.

⁹ Colin Kidd, 'Conditional Britons: The Scots Covenanting Tradition and the Eighteenth-Century British State' *The English Historical Review* 117 (2002), pp. 1149-1158; Richard J. Finlay, 'Keeping the Covenant: Scottish National Identity', in *Eighteenth Century Scotland: New Perspectives* (East Linton: Tuckwell Press, 1999), pp. 121-134.

¹⁰ Stuart Macdonald and Daniel MacLeod, eds., *Keeping the Kirk: Scottish Religion and Home and the Diaspora* (Guelph: University of Guelph, 2014); Eldon Hay, *Covenanters in Canada: Reformed Presbyterianism from 1820 to 2012* (Montreal: McGill – Queens University Press, 2012); Stephen Mullen, 'The Scots Kirk of Colonial Kingston, Jamaica', in *Records of the Scottish Church History Society* 45 (2016), pp. 99-116; Stuart Lange, 'The Scottish character and identity of the Presbyterian tradition in New Zealand: from almost pervasive to barely remembered', in *Records of the Scottish Church History Society* 45 (2016), pp. 117-131.

everything in our power to secure for Scotland a Parliament with adequate legislative authority in Scottish affairs.¹¹

Over the following 65 years this discussion developed, culminating in the re-establishment of the Scottish Parliament in 1999 and a referendum on Scottish independence in 2014 which achieved a turnout exceeding 85%.¹² With another referendum possible over the next few years, debates over national and international identities, the most effective forms of government, and the role of ordinary people in the functioning of the state, will no doubt take precedence.

In short, the memory and practice of Covenanting contributed to the long-term development of political thought, popular participation, and national identity in Scotland.¹³ This thesis has highlighted the ways in which ordinary people interacted with Covenanting ideas in seventeenth century Scotland. While the 1638 Covenant was intended to re-assert the political and social status quo, by attempting to imitate the Israelites through enforcing universal subscription to vaguely worded national oaths, the leading Covenanters opened Pandora's box. The dualistic personal and national aspect of Covenanting meant that it was, by its very nature, imperative that ideological uniformity was achieved. Evidence uncovered from the localities has shown that, despite the claims of many contemporaries, there was not one moment between 1638 and 1679 in which Covenanting elicited a uniform national interpretation. Covenanting was a dynamic and fluid phenomenon which was constantly in a state of flux. Under the umbrella of Covenanting was an enormous spectrum of conformity to ideas pertaining to the best forms of civil and ecclesiastical governance, the position of the monarch in relation to parliament and church, and how to negotiate personal and national moments of crises. Attempts at enforcing ideological uniformity between 1638 and 1679 through oath-taking, fasting, petitioning, and rioting ensured that the development of divergent forms of Covenanting occurred at grassroots as well as national level, and among women as well as men. Going into the modern period, Covenanting ideas and rhetoric have been deployed to suit a variety of religious and political agendas. The national venture also created Covenanted communities which fostered the development of mass politicisation: a theme has yet to be fully explored in the historiography of early modern Scotland. This research has taught us that attempting to

¹¹ 'The Scottish Covenant, October 1949', in <<http://www.scran.ac.uk/database/image.php?usi=000-000-135-967-R&cusi=000-000-135-967-C&scache=&searchdb=scran&PHPSESSID=ukm4v7blm96mb6jk8fuaunts90>> [accessed: 4 April 2017].

¹² *Scottish Independence Referendum* <<http://scotlandreferendum.info/>>

¹³ See also, Stewart, *Rethinking the Scottish Revolution*, pp. 336-340; McIntyre, 'Saints and Subverters', pp. 253-254.

foster ideological conformity to a political or religious creed from top down will inevitably have innumerable unintended consequences.

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