

Civil Rulers and the People.*

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Gentlemen of the Theological Class:

We welcome you, as you come to the Seminary for the session of 1901-2.

It devolves on me to address you to-night.

I have chosen as my theme, Civil Rulers and the People. This subject is not foreign to us as Covenanters, or as engaged in theological study. The fact that Covenanters do not mingle in politics in the present acceptance of that term, does not show indifference. It rather marks their deep concern. Our people have studied the situation, and for good reason absent themselves from the polls, where the choice is made of those who shall administer the Constitution, and the laws. They are to administer them, as they find them, not in many instances, as they would wish them to be. Our position, when known, causes a certain arrest of thought. When it is asked, why are not Covenanters in politics, the reply is, because of principle, because of their unwillingness to accept a double standard—that is, as professors of religion to avow allegiance to Christ and to take his will as paramount, but as citizens to accept the will of the people as supreme. Of course, under any constitution of government, there must needs come at times a conflict between the will of the individual and the will of

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the many. Unanimity is seldom found in lesser spheres. But here the divergence is radical. The Constitution ignores the Supreme Ruler, the Creator of men, not allowing the consideration of religion in any way. A people, harmed by the evils of the established churches of the Old World, were persuaded to accept the prohibition of these evils, couched in terms so general and unlimited, that contrary evils were afforded an open door. Relief was to be found by ignoring religion.

The colonists were the heirs of a great inheritance in the principles of their godly ancestry. In the home land, the fathers had thought out, under oppression, the problems which their children faced in colonial days. They had studied the subject of Civil Government in the light of the Bible, when they were in the furnace. Divine and human rights were associated in their minds, as they are ever to be associated. Nor may we flatter ourselves that they can be separated, and that human rights can be kept secure apart from the acknowledgment of the rights of God. It may seem strange to many to hear it said, that our own lauded Constitution was not a bulwark of liberty for the first seventy-five years of its history. We must not confound the Constitution of 1787 with the Declaration of Independence of 1776. The latter opened with these words: "We hold these truths to be self-evident; that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights, governments are instituted among men deriving their just powers from the consent of the governed." Here the equality of men is affirmed, and their rights are ascribed to their Creator's gift. The Constitution, eleven years later, did not acknowledge him. It allowed the slave trade till 1808, and shielded the system of slavery, and granted plu-

ral voting to the slaveholder, each slave counting three-fifths of a man. The evils which the Constitutional Convention apprehended did not come. The evils which they allowed grew apace, till the awful conflict of the Civil War came on.

So now, because we have no king to rule over us, we flatter ourselves that all the evils affecting human rights are far from us, and because we are a republic, none can suffer through us from oppression by the civil power. Few see that the will of a free people, led by ordinary human passions and desires, may be as arbitrary, as selfish, and as cruel, as that of a king.

I wish to go back to the early days, to the early discussions of the questions that concerned the Crown and the People. It may be that we shall find something that will be helpful to us. I name first, the treatise, the Rights of the Crown in Scotland, by George Buchanan, *De Jure Regni apud Scotos*. I use the edition of Robert Ogle, Edinburgh, 1843, where this treatise is placed after *Lex Rex*, and paged continuously with it.

George Buchanan was born in 1506 in the county of Stirling. His father died early in life, and the family became very poor. The son, giving great promise in his studies, was sent by Thomas Heriot, his mother's brother, to the University of Paris. He had poetic genius, and became a great scholar. The death of his uncle caused his return to Scotland. He graduated at St. Andrews in 1525, and followed John Mair, one of his instructors, to France, and took degrees at the Scottish College in Paris. He embraced the doctrines of the Reformation, and having become preceptor to the Earl of Cassilis, he returned with him to Scotland. There he became preceptor in the royal family. A poetic satire against the friars led to his arrest, though the king countenanced the attack he had made. He escaped to London, and went on to Paris. He taught in France and Portugal,

and on the death of his friend Govean in 1548 in Portugal, he was imprisoned. During this season he composed his famous paraphrase of the Psalms. Being released, he returned to Scotland, where the friends of civil and religious liberty had triumphed. He became tutor to Queen Mary in 1562. The Earl of Moray made him the principal of St. Leonard's College, St. Andrews. In 1567 he was the moderator of the General Assembly of Scotland. He became one of the preceptors of the young king in 1570, who was then but four years old. He was lord privy seal under the regent Lennox. He prepared the tragedy *Baptistes* for the press, which he had composed and published on the Continent. This new edition of 1576 he dedicated to the young king, saying: "This circumstance may seem to bear a more peculiar reference to you, that it clearly discloses the punishment of tyrants, and the misery which awaits them even when their prosperity seems at the height." In 1579 he issued the treatise we are to consider, *De Jure Regni apud Scotos*. It was dedicated to the king, to whom he says: "I see that, by a kind of natural instinct, you so abhor flattery, the vile nurse of tyranny and the very pest of legal sovereignty, that you hate the solecisms and barbarisms of courtiers no less than they are relished and affected by those who in their own eyes appear connoisseurs in every species of elegance, and, as if they were delicate seasonings to conversation, interlard every sentence with majesties, lordships, excellencies, and, if it be possible, with other expressions of a still more offensive savour."

Not less than his *History of Scotland* does this work commend the author. Sir James Mackintosh has spoken of it as the "incomparable tract in which the principles of popular politics and the maxims of a free government are delivered with a precision, and enforced with an energy, which no former age had equal-

led, and no succeeding has surpassed." It was after this, in 1582, that he completed the *History of Scotland*, which he also dedicated to the young king. He died early in that year. The treatise is in the form of a dialogue. Thomas Maitland had returned from the Continent, and was minutely questioned by the author as to affairs in France. He sought to know the foreign opinion of the recent events in Scotland. Yet he does not discuss the local questions, the treatment of Queen Mary, her participation in the murder of her husband, her liability to punishment; but he considers broadly the whole matter of allegiance to the Crown, and the mutual relations of ruler and ruled. He had to meet the rooted prejudices of centuries of darkness and oppression. I again quote Mackintosh, who says: "The science which teaches the rights of man, the eloquence that kindles the spirit of freedom, had for ages been buried with the other monuments of the wisdom and relics of the genius of antiquity." He thus speaks of Buchanan: "He seems to have been the first scholar who caught from the ancients the noble flame of republican enthusiasm." In the dialogue, M. includes the murder of the king and the degradation of the queen in the one condemnation. B. tells him, he must separate between them: "Do you choose to which of the cases you wish to attach guilt; for neither they nor you, if you mean to be consistent, can either praise or dispraise both." Buchanan traces the origin of the State to the "law implanted in our minds by God at our birth." He compares it to the body, the temperament of it being justice, and says: "I imagine that the intention of the ancients in creating a king was, according to what we are told of bees in their hives, spontaneously to bestow the sovereignty on him who was most distinguished among his countrymen for singular merit, and who seemed to surpass all his fellows in wisdom and equity." To the one chosen,

"we shall give the additional assistance of law as a colleague, or rather as a regulator of his passions." To this M. objects: "Can there be a man, whose brain is not deranged, that would not choose rather to rest satisfied with a moderate fortune in a private station, than, while he is intent upon other men's business and inattentive to his own, to be obliged in the midst of perpetual vexations, to regulate the whole course of his life by the caprice of the multitude." To this B. replies: "Mark, I beseech you, the egregious mistake which you commit, in supposing that nations created kings, not for the maintenance of justice, but for the enjoyment of pleasure. Consider how much by this plan you retrench and narrow their greatness. And that you may the more easily comprehend what I mean, compare any of the kings whom you have seen, and whose resemblance you wish to find in the king that I describe, when he appears at his levee dressed for idle show, like a doll, in all the colors of the rainbow, and surrounded with vast parade by an immense crowd; compare, I say, any of them with the renowned princes of antiquity whose memory still lives and flourishes." (p. 247, b.) After quoting Cicero as to why nations desired kings and laws, B. thus summarizes his conclusion of confidence in the many rather than in the one: "Numbers of men not only see farther, and with more discriminating eyes than any one of them separately, but also than any man that surpasses any single individual among them in understanding and sagacity, for individuals possess certain portions of the virtues, which, being accumulated into one mass, constitute one transcendent virtue." (p. 252, b.) M. brings up the matter of confused legislation, and the view of the independent executive himself passing upon the laws. B. says that the judiciary occupy the place of passing upon the laws. M., however, prefers "the immediate decision of one good

man" to the law's delay. B. answers: "To the perfect king, whom we at first delineated, such unlimited power ought to be granted, that he can have no occasion for any laws; but when the honor is conferred on one of the multitude, not greatly superior, and perhaps even inferior to others, it is dangerous to leave him at large and unfettered by laws." (p. 253, b.) This he amply illustrates from history. The power, then, of ordaining the laws, or of interpreting them is denied to the king. To all this, M. says: "I thought you carved out kings in some degree similar to those figures of stone that seem generally to lean upon the head of columns, as if they supported the whole structure, while in reality they bear no more of the weight than any other stone." This leads on to one of the finest passages in the dialogue, where B. describes a good king, an upright ruler, and a pattern for the people. Here he draws on Scripture, and on the classics, referring to the serpent lifted up in the wilderness, and to the description by Seneca in *Thyestes*. The case of tyrants is then taken up. B. had used the expression, "legal tyrants," of those who were "tyrants indeed, because they were superior to the laws, and legal, because elected by the consent of the people." He also calls those tyrants "who, by violence and without the people's consent, obtained supreme power and governed their respective states for many years in such a manner as to leave the public no reason to be dissatisfied with their administration." He quotes a historian: "By force to rule your country or parents, though you should have the power, and should rectify their errors, is still offensive and vexatious." Of the best, he says: "This kind of tyrants ought, perhaps, to be tolerated, if they cannot be removed without general ruin; as we choose to submit to certain bodily distempers rather than to expose our life to the hazardous experiment of a doubtful cure."

Of the bad, he says, that they "are not connected with us by any civil or human tie, but ought to be put under an interdict, as open enemies to God and man." (p. 261.) M. brings in a distinction, that they who elect kings may bind them by laws, "but you know that ours are not kings by election but by birth; and I have always been of opinion that the Crown was not more a hereditary right than the power of making their will the law. Nor have I lightly adopted this opinion, but deliberately, and under the sanction of great statesmen, with whom, if I have erred, I need not be ashamed of my error. For without mentioning others, the lawyers affirm that by the imperial law enacted concerning their authority, the whole power of the people was transferred to them, so that their pleasure should stand as law." (p. 263, a.) B. then discusses this assumed right of kings: "Our kings, at their inauguration, solemnly promise to the whole people to observe the statutes, customs and institutions of our ancestors, and to adhere strictly to the system of jurisprudence handed down by antiquity." (p. 266, b.) M. is not satisfied, but replies: "I see what you call tyranny sanctioned by the oracle of God; and what you execrate as the ruin of law, called by the Deity the law of the realm." B. at once examines the argument, used so often since, that Romans 13th chapter was written to Christians as to their duty under Nero. He quotes Chrysostom: "These passages of Paul's relate not to a tyrant, but a real and legitimate sovereign, who personifies a genuine god upon earth, and to whom resistance is certainly resistance to the ordinance of God." Buchanan declares: "Paul does not here treat of the magistrate, but of the magistracy—that is, of the function and duty of the person who presides over others, nor of this nor of that species of magistracy, but of every possible form of government." As to submission to wicked princes, he says: "If you

should contend that even bad princes are ordained by God, take care lest your language should be charged with captiousness. For God, to counteract poison by poison, as an antidote, sometimes sets a bad man over bad men for their punishment; and yet, that God is the author of human wickedness, no man in his senses will dare to affirm, as none can be ignorant that the same God is the author of the punishments inflicted on the wicked." (p. 269.) B. maintains the power of the people to punish bad princes, saying: "Conceive Paul to be living in our times, when not only the people, but the sovereigns adopt the name of Christian. At the same period, let there be a prince, who thinks that not only human, but also divine laws, ought to be subservient to his capricious lusts; who would have not only his decrees, but even his nods as laws; who, as Paul says in the gospel, 'neither fears God nor reverences men; who, not to say anything worse, squanders the revenues of the church upon parasites and buffoons, who derides the sincere observers of religion and deems them fools and madmen; what do you think would Paul write concerning such a man? If he should wish to be thought consistent, he will declare him unworthy of being reckoned a magistrate; he will put all Christians under an interdict to abstain from all familiarity, all conversation, and all communion with him; his punishment by the civil laws he will leave to the citizens, and will not think them stepping beyond their duty, when they announce that the man, with whom the divine law will allow them no communion, can no longer be their king." (p. 273.) Again he says: "We contend that the people, from whom our kings derive whatever powers they claim, is paramount to our kings; and that the commonalty has the same jurisdiction over them which they have over any individual of the commonalty." (p. 280.) After a reference to the ecclesiastical censure of wicked kings in

Christian lands, the dialogue closes with a claim for Scotland of her right to her own system of government, enjoyed for "above 2,000 years."

This treatise, dedicated to King James VI. of Scotland, springing from the troubles of the times, written by one who knew early poverty, and yet by his character, ability and attainments, rose to occupy a high place, as a man of learning, who mingled with the great of earth, stands out among the writings of its day. Its discussions entered into the life of the people, and appear in the later literature. They concern not Scotland alone, but all nations, for there are few questions that occur to us in these latter days relating to Civil Government, that are not touched upon in this treatise, provided we substitute for one man's will bearing on his subjects the will of one people bearing on another people. For there is here no assumption of any fancied excellence of the Scots, that they should be the fountain of authority to their kings, far less that they, as a people, might assert their will as a law for other peoples as inferior. Far otherwise, for in the opening words of the dialogue, the author urges his friend and others possessing early advantages that he had not possessed, "to use every effort in communicating splendor to literature, and to recommend themselves and their countrymen to the notice of posterity. If they continued for a little their joint exertions, the consequence would be that they would eradicate from the minds of men an opinion that in the frigid regions of the globe the learning, politeness and ingenuity of the inhabitants diminish in proportion to their distance from the sun; for, though nature may have favored the Africans, Egyptians and most other nations with quicker conceptions and greater keenness of intellect, yet she has been so unkind to no tribe as to have entirely precluded it from all access to virtue and glory." (p. 239 a.) A strange passage for our day! In George Buchanan's time, one

people, pre-eminently, in their enterprise and love of gain, traversed the seas, and subdued many lands, setting up the cross. Their wealth corrupted them. They were oppressive. Power passed from their hands. Other nations, in love of gain, followed in the course of conquest. All put forth the claim to rule by virtue of racial superiority, to dominate the peoples that, to use our author's expression, live nearer the sun. Our own nation, by the vicissitudes of war, has had the interests of a great archipelago cast upon its care. We must be very tender of the rights of men. We must give as well as take. We must raise up and not crush down.

The work of George Buchanan, that has been considered, found no favor with the royal house, for it disposed of the divine right of kings. It was condemned by the Parliament of 1584. In 1664 a proclamation was issued against any translation of it being in the possession of any person, and in 1688 the Council prohibited any one from selling it or lending it. Nor yet is it in favor, where the idea is fostered that certain families are born to rule, where medieval forms are kept alive to impress the populace. Yet, all the condemnation of it did not confute it.

I next consider the treatise *Lex Rex*, *The Law and the Prince*.

Scotland cherished her kings, after they had proved unworthy of the crown. James VI. ruled till 1625, when Charles I. succeeded, full of the conceit that George Buchanan labored to overthrow, the divine right of kings. Thus he forced a conflict between himself and the Parliament. There was the war of pamphlets, as well as the Civil War. Among the writings, this work *Lex Rex* stands out. It was published in 1644 by Samuel Rutherford. I use the edition of Robert Ogle, Edinburgh, 1843, in referring to it. The author was born in the parish of Nisbet in Scotland in 1600. He was sent to the University of Edinburgh in 1617, and in 1623 was chosen a

regent of the College. He took up the study of theology. King James had been pressing Episcopacy on Scotland even by persecution, but Rutherford obtained a charge in the parish of Anwoth by the influence of John Gordon. In 1636 he was summoned before the High Commission Court at Wigton, and deprived of his office for writing against Arminianism. He was tried also at Edinburgh, and sentenced to be confined within the town of Aberdeen. There he wrote many of his Letters. The crisis soon came, when Charles I., in 1637, attempted to force the use of the Liturgy on Scotland; and in the turmoil, Rutherford left Aberdeen, and attended the Assembly of 1638. His case was heard, and he was given a seat under his appointment. He was approved by the Assembly's Commission as a professor in St. Andrews. In 1643 he was named as one of the Commissioners to the Westminster Assembly. In 1644, John Maxwell, the excommunicated bishop of Ross, published a treatise at Oxford, entitled *Sacro-Sancta Regum Majestas*, or the Sacred and Royal Prerogative of Christian Kings. He strove to show that the royal prerogative is derived from God alone, and demands the absolute and passive obedience of the subject. Rutherford replied in the work *Lex Rex*, issued in London, the same year, 1644. Bishop Guthrie said that every member of the Assembly "had in his hand that book lately published by Mr. Samuel Rutherford, which was so idolized, that whereas Buchanan's treatise was looked upon as an oracle, this coming forth, it was slighted as not anti-monarchical enough, and *Lex Rex* only thought authentic." After the Restoration of Charles II., the book was ordered to be burned by the hand of the common hangman at Edinburgh. It met the same treatment at St. Andrews and at London, and a proclamation was issued that every person possessing a copy, who should not give it up to the king's solicitor, should be treated as an enemy to the

government. Rutherford was summoned to appear before the Parliament at Edinburgh on a charge of high treason. But he had received a higher summons, owing to his many labors and great exertions. He died on the 20th of March, 1661, in the 61st year of his age.

Lex Rex is a far more elaborate work than *De Jure Regni apud Scotos*, having five times its compass, and developing more fully the principle of the people's power in civil government. There are forty-four questions considered, and under them all the teachings of Maxwell are examined. The discussion is full, in the light of Scripture, history and reason, the writings of eminent publicists being largely used. All is given in a systematic form, with many divisions and subdivisions. The questions are such as these: Whether government be by a divine law? Whether or no government be warranted by the law of nature? Whether or no the king be only and immediately from God, and not from the people? Whether or no sovereignty is so in and from the people, that they may resume the power in time of extreme necessity? Whether or not royal birth be equivalent to divine unction? Whether or no he be more principally a king who is a king by birth, or he who is a king by the free election of the people? Whether inferior judges be essentially the immediate vicegerents of God, as kings, not differing in essence and nature from kings? Whether the supreme law, the safety of the people, be above the king? Whether or no the king be the sole supreme and final interpreter of the law? The 38th question is, Whether monarchy be the best of governments? We may not wonder that under the Stuarts, such a treatise was given to the common hangman. Of present interest is his 12th question: Whether or no a kingdom may lawfully be purchased by the sole title of conquest? Herein he considers a two-fold right of conquest—Conquest

turned in an after-consent of the people, becometh a just title—Conquest not a signification to us of God's approving will, as if "God's law should say, 'Murder thou, and prosper and reign'; and by the act of violating the 6th commandment, God should declare his approving will, to wit, his lawful call to a throne." (p. 47, b.) "If it be said that the divine impulsion, stirring up a man to make a bloody conquest, that the ire and just indignation of God in justice may be declared on a wicked nation, is an extraordinary impulsion of God, who is above a law, and therefore no man may resist it; then all bloody conquerors must have extraordinary revelation from heaven to warrant their yielding of obedience to such an extraordinary impulsion, and if it be so, they must show a lawful and immediate extraordinary impulsion now. But, it is certain, the sins of the people conquered, and their most equal and just demerit before God cannot be a just plea to legitimate the conquest, for though the people of God deserved devastation and captivity by the heathen, in regard of their sins before the throne of divine justice, yet the heathen grievously sinned in conquering them." (p. 48, a.) Here Rutherford quotes Zech. 1:15; Jere. 50:17, 18, 33, 34; 51:35. He says further: "I doubt not to say, if Joshua and David had no better title than their bloody sword, though provoked by injuries, they could have had no right to any kingly power over their kingdoms; and if only success by the sword be a right of providence, it is no right of precept. God's providence, as providence without precept or promise, can conclude a thing is done, or may be done, but cannot conclude a thing is lawfully and warrantably done, else you might say the selling of Joseph, the crucifying of Christ, the spoiling of Job, were lawfully done. Though conquerors extort consent and oath of loyalty, yet that maketh not over a royal right to the

conqueror to be king over their posterity, without their consent." (pp. 49, 50.)

After the publication of *Lex Rex* came the defeat of the Royalists, the establishment of the Commonwealth, and the Restoration of Charles II. Though he had taken all the oaths to a Constitutional government, including the Covenants, persecution soon began, even of those who had welcomed him. John Brown, of Wamphray, imprisoned in 1662, was banished. He went to Holland in 1663, and there in 1665 he published the *Apologetical Relation*, setting forth the sufferings since August, 1660, of the witnesses for the Covenants of Scotland. The Council ordered the book to be burned in the High Street of Edinburgh on February 14, 1666, by the hands of the common hangman; and all persons who had copies of it were required to give them up. Such as concealed them were to be fined £2,000 Scots if discovered. The oppression continued, and in 1666 came the rising in the West. The account of it reads much as the story of the Boston Massacre a century later, that ushered in our Revolution. In 1665, Sir James Turner had been sent into the shires of Dumfries and Kirkcudbright to break up the conventicles, to levy fines, and to force the people to conform. The troops were quartered on the people and harassed them. In Galloway, in the middle of November, 1666, says the old account, "when two or three countrymen providentially passing by, did see a poor old man bound hand and foot like a beast by the soldiers, sent out for that effect by Sir James Turner that bloody atheist, being moved with compassion did calmly and friendly desire the soldiers to loose him, but they accounting this such a high indignity in their rage and fury assault them with drawn swords, whereupon the countrymen were necessitated to their defence, and in their defence did wound one of the soldiers, at which the rest cast down their

arms." Then the account goes on to tell of the capture of Turner at Dumfries, the advance to Lanark, and the defeat at Pentland. The defence of this rising came forth. I refer to the book "Naphtali, or the Wrestlings of the Church of Scotland for the Kingdom of Christ, contained in a true and short deduction thereof, from the beginning of the Reformation of Religion, until the year 1679; together with the last speeches and testimonies of some who have died for the truth, since the year 1660." The cause of civil and religious liberty appears herein in a new phase, as preceding attainments had been overthrown, but the underlying principles in the argument are the same as in the former treatise. Naphtali was at once reviewed, the title of the review being a Survey of Naphtali. This called out an elaborate reply, the author being Sir James Stewart, of Goodtrees. John Howie mentions in connection with him James Stirling, the minister at Paisley. The book was anonymous; Jus Populi Vindicatum, or the People's Right, to defend themselves and their covenanted religion, vindicated. Wherein the Act of Defence and Vindication which was interprised Anno 1666, is particularly justified." The date is 1669. It was proclaimed in 1688 along with the books of Buchanan and Rutherford. The Surveyer had made this statement: "They were posed, where they had learned under pretence of religion, it is lawful for subjects to rise in rebellion against lawful authority." The Answer says: "The true query was this: Where had they learned to rise in their own defence and in the defence and maintenance of the true reformed religion? If the query had been thus proposed, it might have received a direct answer, to wit. They had learned this from the law of God, the law of nature, the civil law, the law of nations, sound reason, and the practice of Christians, both under the law, and under the gospel, not only

at home, but also abroad." (Prefatory Epistle to the Christian Reader.) The discussion is as broad as the offer thus made. The whole book combats the non-resistance, passive obedience theory in support of which the Survey was written. Still the flames of persecution raged, till heroic men at Sanquhar in 1680 disowned the king. In 1687 Alexander Shiels published anonymously "A Hind Let Loose, or An Historical Representation of the Testimonies of the Church of Scotland for the interest of Christ, with the true state thereof in all its periods." This closed up the formal treatises of the era of oppression. This book emphasizes the testimony in various periods for the offices of Christ, the reigning Mediator. For example, under Period I. Comprehending the testimony of the Culdees, the author says: "Their testimony was stated in a peculiar manner, for the verity, value and virtue of Christ's natures and offices, in asserting his truths relative to either, against the malignants and sectaries of their time; particularly for the concerns of his prophetic office." (p. 25, Glasgow Edition, 1797.) Period II.: "Their testimony did more particularly relate to the concerns of Christ's priestly office, which was transmitted from the Culdees to the Lollards, and by them handed down to the instruments of Reformation in the following period." (p. 30.) Period IV., from 1570 to 1638: "Hitherto the conflict was for the concerns of Christ's prophetic and priestly offices, against paganism and popery. But from the year 1570, and onward, the testimony is stated, and gradually prosecuted for the rights, privileges and prerogatives of Christ's kingly office." (p. 65.) "It (this testimony) hath this peculiar glory in it, that it is not only for the truth of Christ, of greater value than the standing of heaven and earth, but also it is the very truth for which Christ himself died, considered as a martyr; and

which concerns him to vindicate and maintain as a monarch." (p. 66.) This concerned the independence of the Church under Christ, her Head. The next century brought out the eminent testimony of the same line of witnesses for Christ's rightful supremacy in the State.

When the Revolution of 1688 set aside King James, the Crown was again made head of the church, and the Covenants were disowned. Therefore the Society people stood out from the Established Church of Scotland. The civil action of 1688 was differently regarded. The people had set aside the regular royal succession in the Stuart line. King James' son became now the Pretender, but the royal family retained the throne. The old ideas as to kingly birth revived, and began to flourish anew, and with the accession of the House of Hanover, the contentions came again, of prerogatives and rights, under the party names of Tory and Whig. In the controversy, the Secession ministers in Scotland were led as against the Covenanters to take the position that the existence of a government, and not its character, determined the duty of conscientious subjection to it. The Covenanter position was that the moral or divine condition of civil government is fundamental to a conscientious acknowledgment of it. Thus, shortly before the era of our Revolution, Rev. John Thomson, a Secession minister of Kirkintilloch, wrote a pamphlet. "The Presbyterian Covenanter displayed in his political principles, and the impostor detected." This called out another formal treatise that went to the foundation of these questions. It was issued on the eve of the Revolution, three years before the Declaration, wherein the contention of the Covenanters was embodied in the utterance of the resolute Colonists, who maintained and established this cause against the Tory Government, gaining independence. This formal treatise was "Vindiciæ Magistratus,

or the divine institution and right of the civil magistrates vindicated, wherein are properly stated and ascertained, the true nature and extent of the moral power of civil society and magistracy, legislative and executive. The just instituted authority of magistrates, the inviolableness of just human laws and constitutions in general, and particularly those of Scotland. The natural and unalienable rights of individuals in, or with respect to civil society. And the true causes from which a moral relation flows, and upon which a moral obligation is founded, etc." (Edinburgh, 1773, pp. 236.) The author was John Thorburn, the Covenanter minister at Pentland. The arguments of the pamphlet carry us back to Rutherford's reply to Maxwell, the defender of the divine right of kings. The defence in the book of man's "unalienable rights" carries us forward to 1776. We must mark that, the author says: "The preservation and maintenance of religion and its rights is really fundamental to the security of all the other rights of mankind, and of society, natural or civil." (p. 93.) Again, "We will not grant, as he (Mr. Thomson) every power, law, or constitution, in any nation, framed by the people, to be moral, whether it agree to the standard of morality or disagree. But we will grant every power, law, or constitution, in any kingdom of the world, heathen or Christian, that in its nature, end and designs is agreeable to the moral law and institution of God, to be moral." (p. 198.) Lord Kames characterized it as the "best defence of Whig principles."

This, then, is a line of testimony and argument for the rights of God, the divine institution of civil government, and the rights of man. The Constitution of 1787 departed from certain great principles that concern God and man. Surely has this nation been judged. A partial reformation has been made. The right of man to be free from bondage to his fellow man has

been vindicated. Not yet, however, does the nation bow to the Ruler of all, the Governor among the nations. His is a beneficent sway. All nations are to be blessed in Him, who taught us to pray: "Thy kingdom come; thy will be done in earth, as it is in heaven."

"He shall judge thy people with righteousness, and thy poor with judgment. The mountains shall bring peace to the people, and the little hills, by righteousness. He shall judge the poor of the people, he shall save the children of the needy, and shall break in pieces the oppressor. They shall fear thee as long as the sun and moon endure, throughout all generations."