

LECTURE II.

THE CONSTITUTION OF THE CHURCH OF SCOTLAND.

OF the principles already pointed out as the basis of the Christian Church, influencing its rise and progress, and governing the form of its constitution and organisation, the following may be here recapitulated as the sum. The commission of Christ, —“Go ye therefore and teach” (make disciples of) “all nations, baptising them in the name of the Father, and of the Son, and of the Holy Ghost; teaching them to observe all things whatsoever I have commanded you: and, lo, I am with you always, even unto the end of the world,”*—is the grand charter of the Church, the warrant and rule of its existence, the source of its authority, the supreme directory of its course and work. That commission was given not to an exclusive priestly caste, but to all believers without exception. It confers upon all equally the high honour, as it

* Matt. xxviii. 19, 20.

imposes upon all equally the imperative obligation, of being up to the full measure of their several abilities, means and opportunities, fellow-labourers with Christ the Lord, till all men and nations shall be subject to his sway. Moreover, the form of the commission, and the manner in which it was acted on by those who received it personally from Christ, and by their contemporaries, as well as the very reason and fitness of the course of procedure which is dictated by expediency, and shaped by the pressure of existing circumstances, seem to point clearly to nationality or territorialism as the form in which the Church should be constituted in order best to promote at once its edification and its extension. The religious ordinances positively enjoined, and the spiritual functionaries divinely sanctioned, are such as need not clash or interfere with the proper action of any form of regularly constituted civil government; and may therefore, without collision or disturbance, have their full scope and proper sphere in every nation. The Church may exist independent and free, and may go on her prescribed course conquering and to conquer, whether in alliance with the State or not. Such alliance is not necessary to the Church's existence, nor is it indispensable to the Church's prosperity and success.

But the State which does not acknowledge God, as a nation can do only by establishing religion, is in imminent danger of destruction ; for Shakespeare only paraphrases the prophecy of Isaiah when he says :—

“ States which have long gone on and filled the time
With all licentious measures, making their will
The scope of Justice, come to an evil end.”

The principles thus condescended on, as regulating the organisation and prescribing the work of the entire Christian Church in all lands, ought to be maintained as the principles especially and emphatically of the Church of Scotland. The origin and history and present circumstances of that Church, all make it of immense consequence to vindicate and maintain them as the only principles consistent with her primitive condition, and calculated to promote her peace and prosperity in the future. The origin of the Church of Scotland is involved, indeed, in considerable obscurity. The remoteness of her island shores from the great centres of civilisation, and the sparseness as well as the barbarousness of her aboriginal population, have combined to shed a mist on Scotland's early annals, as dense, and in many respects as misleading, as any that ever besets the path of any daring climber

of her mountain - ranges. Whether any of the apostles ever proclaimed the glad tidings of good things on her shores, is matter of mere conjecture. It may have been so; for of them as of creation's testimony to God, it could be said truly, "There is no speech nor language where their voice is not heard. Their line is gone out through all the earth, and their words to the end of the world." But so far as particular evidence in the case of Scotland is concerned, the fact is not instructed. There is no reliable proof, even, that the Gospel was preached in Scotland by any one during apostolic times. Fables and myths and monkish legends abound on the subject; but as far as concerns the first century, well-authenticated facts are absolutely wanting, and for several centuries thereafter, they are few and far between. Amid all uncertainty on other points, however, one thing is certain, that whensoever and by whomsoever first introduced, and howsoever its condition and course were affected by contemporaneous events, Christianity in Scotland assumed from the first, and has maintained throughout, more than in most other countries, a distinctively national form and character. The enthusiasm, learning, and devoted labours of Columba—the light that streamed from the little barren isle of Iona, not only on the

blue mountains of Mull and Morven, but across them over the whole country—and the influence and ecclesiastical polity of the Culdees—combined to stamp upon Scottish Christianity very notable peculiarities; and though, at the close of the thirteenth century, the Papacy had acquired power enough to compass the extermination of the Culdees and assert something like supremacy in Scotland, that supremacy was neither complete nor permanent. The pretensions of the prelates of York and Canterbury were adroitly pitted, when necessity arose, against the claims of the Supreme Pontiff; and although the faith and worship of our fathers were at that period in many respects as corrupt and as Popish as those of any other country in Europe, yet the clergy in common with the people of this land never suffered their Popery to extinguish or overmaster their native feelings of devoted patriotism, which led them ever to maintain to the death the freedom and independence alike of their Church and country. This appears most strikingly in the case of Robert Bruce, when, in spite of many complicating circumstances, and in brave defiance of threats from Rome, the patriotism of the clergy burned so strongly that it stimulated and strengthened the Estates of Scotland to meet the arrogant

Bull of Boniface VIII. with that bold and memorable manifesto, which proclaimed and secured against all comers the national independence of Scotland. Thus the same spirit which surprised the world when it flashed into glorious victory on the field of Bannockburn, asserted its might also in regard to ecclesiastical affairs; and even amid all the corruptions and abuses which disgraced the Church in the years immediately preceding the Reformation, saved Scotland from the miserable degradation of utter and unqualified subjection to any potentate furth of her own bounds.*

The Reformation vindicated fully the independence never wholly surrendered, and placed the Church then and thenceforward in a position of freedom from all foreign interference, and of fitness for exercising her true vocation, second to none ever attained by any branch of the Church of Christ on the face of the earth. The Reformation in Scotland was distinguished by being primarily the issue of aristocratic impulses, which prevented alike the encroachments of tyrannical control on the one hand, and excesses of popular licence on the other. Under the sheltering shield of the Barons—the Lords of the Congregation—John Knox and his

* Appendix D.

associates were permitted to sketch a plan for the future policy of the Church, which, if it had only been faithfully and fully carried out, would undoubtedly have made Scotland the glory of kingdoms, and the beauty of the excellency of all Christendom.

The causes which prevented the full execution of Knox's plan must ever be lamented by every true patriot. They are most discreditable to the parties more immediately concerned, and they have led gradually to a state of matters very different from that intended by the Reformers, and which it is exceedingly difficult to correct. The principal cause of the miscarriage of the plan is undoubtedly to be found in the covetousness of the nobles, not a few of whom, it is to be feared, were accessory to the Reformation much more from the greedy desire to share in the spoil, than from any pious or enlightened aim to amend the errors and mitigate the abuses of the Romish Church. The bait presented to them was indeed a very tempting one. Somewhere about half the property of the country had, by royal grant or by private donation and bequest, found its way into ecclesiastical hands; and acute observers, like the Regent Arran, had early perceived what a powerful factor this circumstance would

prove, in affecting the progress and issue of the Reformation. But no amount or force of temptation can justify the dishonest spoliation then perpetrated, and which thwarted so materially the wise and far-sighted policy of Knox. That policy was fitted, as far as human means can go, to cope with the evils of ignorance, poverty, folly, and crime, and to give to Christianity a fair opportunity for promoting the highest temporal, as well as the highest spiritual, welfare of all classes of the people; and if the worst passion that invades the heart had not operated to prevent its honourable execution, the oppressive taxes for education, poor-houses, prisons, and lunatic asylums, which now burden our population, might have been unknown in our favoured land.

The policy of Knox is embodied in the 'First Book of Discipline.' It bears unmistakable signs of having been, in the main at least, his own composition. It never obtained the formal approval of the civil authorities, and consequently was never legally obligatory, but privately it received the sanction of a large number, and of the more influential members, of the Privy Council. It was also practically acted on by the Church, so far as the Church single-handed could do so; and inasmuch as its tenor has

undoubtedly influenced most materially the character and condition of the Church, and must in many most important particulars be even yet more closely observed and followed in time to come, if the Church is to rise to the full measure of her duty to her Head and to the nation, it may be useful, in as few words as possible, to present a summary of its provisions.

The 'Book of Policy,' or 'First Book of Discipline,' was the proper complement of the 'Confession of Faith,' previously adopted by the Church, and sanctioned by the civil authorities. It was designed to regulate the organisation and procedure, the worship and government of the Church, as the Confession was designed to fix its doctrine; and for this purpose it was meant to supersede the 'Book of Common Order' used by the English Church at Geneva, which had hitherto been generally followed as the rule of worship and discipline by the Scots Reformers, but which in many respects was defective as the regulating code of a large national Church. It contains sixteen chapters, with many subdivisions; but without entering into detail as to these, its general purport and true character may be easily explained.

It rests fundamentally, as does the 'Confession of Faith,' on the utter exclusion of the priestly idea

of the Christian ministry from the conception of the Church, and on the ultimate authority of private judgment. Some appeals to the civil power for persecuting measures against the adherents of the Romish faith, are indeed inconsistent with a proper practical application of this latter principle, and with any enlightened theory of toleration. But its authors were human, and their system of polity is not in every particular proof against rigorous and minute criticism. They lived in very trying times, and their circumstances often tempted them to take up positions contrary to their own true principles. The key-stone of their polity, as delineated in this book, is to be found in their earnest and righteous demand that the property of the Church should not again be misappropriated and misapplied, as it had been under the system now happily abolished; that it should not be seized by individuals for their own selfish aggrandisement and indulgence, nor swallowed up in the fattening of a set of lazy and unprofitable monks, but that all the members of the commonwealth should participate in its benefits, by its solemn consecration to three great national objects: (1) To the moderate endowment of a strictly territorial ministry, adequate to the spiritual need of the whole population; (2) to the

maintenance of a complete and efficient system of schools and universities, calculated to secure not only elementary instruction for all, but the higher learning also for such as might be found capacitated to receive and improve it; and (3) to the relief and maintenance of the poor on principles manifestly not less of sagacious statesmanship than of Christian consideration and charity.

Let it never be forgotten that these three objects formed the grand absorbing aims of John Knox and his coadjutors. They were aims worthy of Christian patriots, and if they had been duly realised, those later questions as to spiritual independence and similar points, which have been so perplexing to many minds, and which have so vexed and torn the Church, would have been for ever solved or superseded, and the Church and the State, instead of being pitted against each other as jealous opponents, would have quietly settled down into their true normal condition of one grand prosperous Christian commonwealth.

For the purpose of carrying their views into effect, the authors of the 'First Book of Discipline' proposed that the work of the Church should be executed under four classes of office-bearers,—viz., Superintendents, Ministers, Elders, and Deacons.

The office of the *Superintendents*, of whom there were to be ten, overseeing the ten districts into which the whole country was to be divided, might in some respects be considered temporary, but functions also of a clearly permanent character were assigned them. Their first duty, which might exhaust itself, was to plant churches in sufficient number all over their respective districts; but they had also to provide occasional services of religion, where a regular ministry could not be maintained; and while stately preaching from place to place themselves, they were, by personal visitation and inspection of the different parishes and churches, to take minute and strict account of the conduct of ministers, of the order of congregations, of the education of the young, of the care of the poor, and of the manners of the people. *Ministers*, whose duties were identical with those still assigned to such office-bearers, were to be elected by the parishioners. This point is dwelt and insisted upon as of primary and essential importance. "It appertaineth to the people, and to every several congregation, to elect their minister." "For altogether this is to be avoided that any man be violently intruded or thrust in upon any congregation, but this libertie with all care must be reserved to every severall

church to have their votes and suffrages in election of their ministers." It was also provided, by the system of strict and constant superintendence, that ministers should not be slothful in their business, and for their maintenance a very moderate allowance out of the Church's patrimony was made; the fixing of the amount of their stipends, which is acknowledged to be a matter of difficulty, being avowedly regulated by the principle "that they have neither occasion of solicitude, neither yet of insolencie and wantonnesse." At the same time, wise and considerate provision was made for the "sustentation" of their wives and children after their decease, and for the "sustenance at learning" of such of their sons as should be "found apt thereto."

As *Elders* and *Deacons*, men "of the best knowledge, judgment, and conversation" were to be chosen. Their election was to be yearly according to the judgment of every particular kirk. Their office was to assist the ministers in their execution of discipline in all great and weighty matters. The *Elders* were to watch upon all men's manners, religion, and conversation that were within their charge, and to correct all licentious livers, or else accuse them before the session. They were to take

heed to the doctrine, diligence, and behaviour of their minister and his household, and if need were, admonish and correct them accordingly. The office of *Deacons* was to gather and distribute the alms of the poor according to the direction of the session, to assist the session, and read publicly in the congregation if need required.

Under these four classes of office-bearers the worship of the Church was to be maintained in purity, the sacraments orderly administered, and the work of the Church diligently done. There was no sinecure set before any man who professed to be a follower of the Lord Jesus Christ. The great object aimed at was to bring the rude and ignorant to knowledge, to inflame the learned to greater fervency, and to retain the Kirk in good order. In order to this, certain things were enjoined as indispensable, and others recommended as more or less expedient. The true preaching of the Word, the right administration of the sacraments, the public making of common prayers, the instruction of children and rude persons in the chief points of religion—these were all set forth as essential to the very idea of a Church. As for week-day services, the singing of Psalms, the systematic reading of the Scriptures in public, and other similar points—these

were left in a great measure to the judgment of particular congregations. At the same time, in large towns and populous places other services than those on Sunday were enjoined ; and positive orders were given not only for the special instruction of all households, but also for the public examination of all persons whatsoever in a knowledge of the principles of the Christian religion.

Such, in general, was the system of Church organisation delineated in the 'First Book of Discipline.' It is a system characterised at once by breadth and comprehensiveness, by large-hearted piety and sound principle, by moderation and by true patriotism. It contemplated no smaller results than the thorough saturation of the whole people with the truth as it is in Jesus Christ, and their solemn engagement to a man in His service through a scheme of endowed territorial work, complete in all its parts, embracing all the borders of the land, and amalgamating both clergy and laity alike in the exercise of ruling power, and in the discharge of common duties. It may be possible to detect a few flaws in some of the lesser details of this system ; but so far as the Church which now exists in this country is chargeable with shortcomings, it is that she has fallen short of the high standard of aim and

duty set before her in Knox's 'Book of Policy;' and if she would rise superior to the waves and billows of danger that now threaten her, she must try and imbibe more of the noble spirit of her greatest Reformer, and embody more completely in her life and work the system sketched with such masterly power and statesmanlike sagacity by him.

But Knox's views of the Church's duty to the nation were not confined to such points as the orderly maintenance of public worship, and the discipline of manners by means of ecclesiastical oversight and correction. His system of Church work embraced also the thorough education of the young, and the proper relief and maintenance of the poor. Accordingly the 'Book of Policy' proposed that, while a church should be planted for behoof of every thousand of the population, with every church there should be associated a school; that, in addition to this, every burgh and extensive town should have its college or grammar-school; and that liberal endowments should be provided for the principals, rectors, professors, bursars, and officers of the three national Universities of St Andrews, Glasgow, and Aberdeen. In regard to the Poor, stubborn and idle beggars were to be compelled to work, or punished by the civil magistrate; vagrancy

put an end to: but “for the widow and fatherlesse, the aged, impotent, or lamed, who neither can nor may travell for their sustentation,” God’s people were commanded to be careful; “and therefore for such, as also for persons of honestie fallen into decay and poverty, ought such provision to be made, that of our abundance their indigence may be relieved.”

It was, as has been already indicated, the unhallowed covetousness of the nobles and barons which prevented this magnificent scheme from being carried out in its entirety. “Some,” says Knox, “approved, and willed the same to have been set forth as a law; others, perceiving their carnal liberty and worldly commodity somewhat to be impaired thereby, grudged, insomuch that the name of the Book of Discipline became odious unto them. Everything that repugned to their corrupt affections, was termed in their mockage ‘devout imaginations.’ The cause we have before declared: some were licentious, some had greedily gripped the possessions of the Kirk, and others thought they would not lack their part of Christ’s coat; yea, and that before that even He was hanged, as by the preachers they were often rebuked. The chief great man that had professed Christ Jesus, and refused to subscribe the

Book of Discipline, was the Lord Erskine; and no wonder, for besides that he has a very Jezebel to his wife, if the poor, the schools, and the ministry of the Kirk had their own, his kitchen would want two parts and more of that which he now unjustly possesses. Assuredly some of us have wondered how men that profess godliness could, of so long continuance, hear the threatenings of God against thieves, and against their houses, and knowing themselves guilty of such things as were openly rebuked, and that they never had remorse of conscience, neither yet intended to restore anything of that which long they had stolen and reft. There were none within the realm more unmerciful to the poor ministers than were they that had the greatest rents of the kirks. But in that we have perceived the old proverb to be true, 'Nothing can suffice a wretch;' and again, 'The belly has no ears.'"

In consequence of this, the 'Book of Policy' was never legally sanctioned, either by the Privy Council on its first preparation, or subsequently by Queen Mary, though her approval was earnestly solicited. "The nobles," says Robertson, "held fast the prey which they had seized. The Protestant clergy found it a more easy matter to kindle zeal than to extinguish avarice. The very men whom they had

formerly swayed with absolute authority were deaf to all their remonstrances, when they applied for a moderate provision." By a scheme of appropriation adopted in 1561, the fruits of the benefices were allocated into three parts, two of which were to be retained by the Roman Catholic bishops and clergy, and the other third apportioned partly to the maintenance of the Protestant ministers, but principally to the uses of the Crown and the State. Not one-third of this third was ever made available for the proper purposes of the Reformed Church ; so that, as much of the Church's property had been misappropriated even prior to the Reformation, those best entitled to its revenues for the sustentation of religion in the land, never received so much as one-ninth even of these for this purpose ; and in this way, funds which, duly husbanded and honestly applied towards the ends to which they were lawfully consecrated by their original donors, would have amply sufficed at this date for the support of 3000 ministers, according to Knox's plan of a minister for each thousand of the population—for maintaining a system of schools and universities commensurate with all the wants of the country—and for managing and relieving the poor without a farthing of taxation,—have been vilely lost and

alienated from their original purpose, without any compensating result, save the miserable comfort that may be drawn from the sight of vast accumulations of the acreage of Scotland in the hands of individuals, many of them alienated from the religion of the people for whose good that property was solemnly destined.*

The 'Second Book of Discipline,' adopted by the Church in 1581, at the time of the Second Reformation under Andrew Melville, does not require any lengthened explanation. As distinguished from the 'First Book of Discipline' it deals more particularly with the jurisdiction and relations of the different courts of the Church. The whole country being divided into provinces, and these provinces being again divided into parishes, as well landward as town, care was to be taken that "in every parish and reasonable congregation, there wald be placitane or mae pastors to feid the flock, and no pastor or minister alwaies to be burdenit with the particular charge of mae kirks or flockes than ane alanerly." The office of superintendents was not continued, and the care of planting new churches where required was devolved upon the General Assembly. As to the patrimony of the Church still available for

ecclesiastical administration, that was to be divided into four parts. One of these was assigned to the pastor for his entertainment and hospitality. Another was allocated to the elders and deacons and ordinary offices of the Church, as well as to supplement the ancient foundations designed for the use of those now instituted as Doctors. The third part was bestowed upon the poor and on hospitals. The fourth was reserved for the repair of churches, and for other charges profitable to the Church in general.

The end of the policy thus established was declared to be "that God may be glorified, the kingdom of Jesus Christ advanced, and all who are of His mysticall bodie may live peaceable in conscience." On this ground its general adoption was advocated, and from its faithful observance by all were confidently anticipated such results as the following—viz.: That the Church of Scotland should become a pattern of good and godly order to other nations, countries, and Churches professing the same religion; that the poor members of Jesus Christ should no longer be defrauded of that portion of the patrimony of the Church justly belonging to them; that the whole community should be eased of their burdens of upholding churches and building bridges, and poor labourers of paying teinds; that the com-

monwealth should be profited, God glorified, the Church edified, the bounds thereof enlarged, and Christ Jesus and His kingdom set up.

These were great and worthy objects, and I have specified them here for the purpose of showing that the Church of Scotland, at the period of the Second, equally as at the period of the First Reformation, was true to her antecedents and loyal to the genius of her ancient constitution; that she sought the highest good of the whole realm and of all classes of the population; and that she manifested a profound conviction that this great end could be secured only through a thorough system of endowed territorial work.

John Knox's 'Book of Policy' never acquired the force of law. The provisions of Andrew Melville's 'Second Book of Discipline' have in many particulars been affected and modified by change of circumstances and the progress of time. But the principles embodied in these books form the basis of the constitution of the Church of Scotland at the present day, and must essentially characterise, now and always, all sound policy for effecting the work of Christ in the land.

The legislative acts and historical events which, subsequently to 1580, served to shape the cause and

affect the position of the Church, were—(1) Its re-establishment by the Act of 1592, generally termed the Church's Magna Charta, which gave legal force to the principal provisions of the 'Second Book of Discipline;' (2) the Solemn League and Covenant; (3) the Westminster Assembly of Divines, which prepared the 'Confession of Faith,' 'Form of Church Government,' 'Directory of Public Worship,' and 'Larger and Shorter Catechisms,' still in authoritative use; (4) the Revolution Settlement; and (5) the Treaty of Union.

Other incidents, some of them joyous, but many of them grievous, have, in the lapse of time since then, affected favourably or otherwise the influence of the Church and the number of her adherents. The reign of moderatism in the last century, the revival of evangelicalism in this; secession following secession of those who, in the heat of controversy, forgetting the essential importance of nationality as the means of securing permanent stability to any Church, separated from her communion on the ground of differences, and, in some cases, wrongs, which patient waiting and resolute perseverance would have succeeded in rectifying according to their wishes; the vindication of civil liberty achieved by the extension of the political franchise some forty years ago;

the vigorous prosecution of home and foreign missions for the last half-century ; and last, not least, the recent redress of a long-standing grievance by the repeal of the odious Act of Queen Anne which restored lay patronage in an unjust fashion ;—all these circumstances have had their effect in weakening or strengthening the National Church. But substantially, so far as inherent rights and chartered immunities, the framework of her constitution and the independent jurisdiction of her courts, her territorial organisation and the working machinery by which she practically performs her duty to the nation, are concerned, she stands where her great charter of 1592, confirmed by the Revolution Settlement and the Treaty of Union, placed her ; and where, by the principles set forth in the First and Second Books of Discipline, and never altogether relinquished, she has vindicated for herself a position alike honourable and useful, and which, if rightly improved by all belonging to her, even at the present day, is absolutely impregnable.

The constitution of the Church of Scotland is founded, as already stated, on the abnegation of the priestly idea of the Christian ministry ; and it is also, in its very essence, characterised by the thorough amalgamation of clergy and laity in the exercise of

ecclesiastical power, as well as in performing Christian duties. The Church holds, indeed, that certain ecclesiastical functions, such as preaching the Word and dispensing the sacraments, belong especially and properly to a regularly constituted and ordained class of ministers, but she repudiates as unscriptural and absurd the theory of apostolical succession maintained so arrogantly by some Churches; and she acts upon the principle that every person solemnly set apart to the ministry of the Word by one of her presbyteries, is as much a successor of the apostles as it is possible for any one to be. Such persons are alone eligible to the pastoral care of a parish; but in this office they are regarded as perfectly competent and entitled to perform all the duties and to exercise all the powers which in the New Testament are attributed to those who, beyond all question, are there spoken of indiscriminately under the two titles of bishop or overseer, and presbyter or elder. To these the Church of Scotland assigns the foremost ecclesiastical place in each parish. For the proper discharge of their various duties they are responsible not to any one in their particular parishes, but to a court of their peers, composing a presbytery, or a certain number of the pastors of adjoining parishes. With these preaching

presbyters there are associated a number, not fewer than two, but as many more as may, in varying circumstances, be considered requisite, of ruling presbyters, or lay elders, who, along with the minister, form the kirk-session, to which is intrusted the exercise of all discipline in the parish. There should also, according to the law of the Church,* be conjoined with these in every parish a certain number of deacons, for the ingathering and distribution of the charitable contributions of the congregation. The kirk-session thus constituted forms the lowest of the four judicatories composing that machinery of Church government which in this country enjoys the benefit of national recognition and independent jurisdiction, having been regularly established by the Revolution Settlement, and declared by the Treaty of Union to be permanent and unalterable. In every question of spiritual jurisdiction within a parish, the kirk-session is the proper court to interfere and pronounce judgment in the first instance; and it cannot but occur to any one acquainted with human nature how admirably adapted it is, by its popular constitution, and by the large preponderance of the lay element in it, to prevent everything like clerical meddlesomeness and oppression, and to

* Act of Assembly, vii. 1719.

check that ambition of spiritual dominion so generally attributed to ecclesiastics. The kirk-session has very great liberty and scope of action. Within the limits of propriety it is free to adopt whatever reasonable expedients may commend themselves to it for disseminating truth, for discountenancing error, and for checking immorality, vice, and crime. It may institute and maintain any number of religious services, whether on Sunday or week-days; dispense the sacraments anywhere in the parish as often as seems for edification; and support whatever agencies it pleases for educating the young, relieving the sick and poor, and promoting in any way the moral and spiritual welfare of the population. Of course, in carrying on such work it is not entitled to resort to anything approaching to persecution. It cannot compel parishioners, as such, to attend any religious meetings it may see meet to institute; nor can it exact from them pecuniary support for any benevolent schemes it may prosecute. It is a court of conscience, and in these matters can appeal to reason and good-feeling and sympathy alone. The principles of toleration, happily better understood now than in the days of our covenanting fathers, and distinctly embodied in statutes of the realm, protect Dissenters and

Nonconformists from all interference with their full exercise of the inalienable right of private judgment in matters of religious belief and policy. But no kirk-session earnestly prosecuting good work will ever fail to receive the respect, the sympathy, and the support of the parishioners. Their position is such as, duly improved, will ever secure, though they cannot peremptorily demand, such aid. Even over professed members of the national Church the kirk-session does not exercise arbitrary or unlimited control. Every one affected by its jurisdiction has the right of appeal to a higher court, the second in gradation of rank, composed of the ministers of all the parishes situated within a particular district, and of a representation from each of the kirk-sessions included in the same. This court is called the Presbytery. The number of parishes composing it is not the same in all cases, and may be altered from time to time by the General Assembly transposing parishes from one presbytery to another, or by the addition of new parishes erected under the Act 7 & 8 Vict. cap. 44. The original idea appears to have been that the thousand parishes deemed to be requisite for the spiritual wants of the population, when estimated to amount to one million, should be divided into fifty presbyteries—"twenty to every

presbytery, or thereabout.”* The idea is a wise one; and it might be well for the Church, without needlessly disturbing long-standing arrangements, or subjecting individuals to gratuitous inconvenience, to aim at carrying out this idea as far as practicable. At present the 1174 parishes of the Church are divided into 84 presbyteries. The largest number in any presbytery is 54; the lowest number is 4. The average of the whole is 14.† This last or average number is nearest what it should be in every case. Where the number is too large, the sense of individual responsibility is weakened, and the interest and attendance of members correspondingly relaxed. Practically, it is found in such cases that the constituency of the court varies greatly at different meetings; and consequently, its business is not conducted with that consistency and good order which are requisite to secure public confidence and right results. Where the number, again, is so small as it is in some cases, it lacks the weight essential to authority, and, very generally, the courage to take up and deal effectively with any case of discipline affecting a member. The proper functions of a presbytery are episcopal. Its duty is

* Book of the Universal Kirk, p. 212.

† Appendix F.

to oversee the whole work of the different parishes within its bounds, and, as need arises, to counsel or admonish the several ministers and kirk-sessions as to every point of their procedure. On appeal from a party aggrieved by, or complaint from a member dissenting from, the finding of a kirk-session, it reviews the sentence of that court in any case; and generally it takes account and superintendence of the morals and religion of the district assigned to it.

In regard to jurisdiction, every presbytery is in its turn subject to the court immediately higher in order, which is called the Provincial Synod, and which is composed of three or more presbyteries, as may be regulated from time to time. At present there are 16 provincial synods in the Church. The largest number of presbyteries in any synod is 8; the smallest is 3. The average is 5. Every minister within its bounds is a member of the synod, as well as every elder representing his kirk-session in any of the component presbyteries. In this way there is, or should be, an equality of clerical and lay members; and the moderator, who has only a casting vote, being always a minister, the laity have in point of fact the potential voice in the decisions of the synod, as they have in the same way in the presbytery.

The highest court of all in the Church is the General Assembly. It is the chief corner-stone of our ecclesiastical edifice, and it exercises a supreme episcopal, judicial, and legislative authority, which is essential to the unity and vigour of the Presbyterian system. It arose into being out of the exigencies of the Reformation, and at once asserted for itself an influence of the highest kind, which at no subsequent period has it ever altogether lost. The first General Assembly of the Reformed Church met towards the close of 1560. It was composed of forty-two members, of whom only six are named as ministers. The other members are styled generally commissioners of kirks ; and though some of these are known to have been ministers afterwards, the laity undoubtedly preponderated largely in the Assembly. It is not known precisely how or by what authority it was convened. It seems to have partaken of the character of a voluntary convocation, brought together by mutual understanding and a strong common sympathy, rather than by formal summons or invitation ; but at all events its powers were recognised and ratified by Act of Parliament. To subsequent meetings of the body thus spontaneously constituted, if not to its first meeting, all of high rank or position, whether in the Church or

State, were either invited or free to come. The king, the regents, members of the privy council, and the higher nobility, were all acknowledged to have a right to be present and vote when they pleased. This right, it is well known, the highest in the land accounted it an honour to avail themselves of; and hence, amid the religious fervour and earnestness of those exciting times, the General Assembly, from its very origin, commanded the profound respect of the nation, and wielded a power in no respect inferior to that possessed by the Parliament or civil estates of the realm.

The position and authority of the General Assembly were fully recognised and confirmed by the Acts 1592 and 1690, establishing and restoring Presbyterian Church government in Scotland; and shortly afterwards,* the system of representation, by which the General Assembly is constituted, was fixed by the General Assembly itself. According to that system, the presbyteries of the Church, the sixty-six royal burghs, and the five universities, are all entitled to send representatives to the General Assembly; but none are admissible as members of Assembly except such as are either ministers of parishes or ruling elders. The presbyteries are re-

* General Assembly 1694, Act v.

presented according to a certain fixed proportion by ministers and elders conjointly. The royal burghs and universities are represented by ruling elders. Practically, it has become the all but universal custom for presbyteries to return their ministerial representatives strictly according to the principle of rotation ; so that, as a rule, ministers are not in the General Assembly more frequently than once in four or five years. On the other hand, in very many instances the same representative ruling elders are returned year after year, in consequence of which their influence in the General Assembly is greatly increased ; and practically there, as in all the subordinate courts, the power of the laity is immense : and thus in the councils of the Church the popular element has a place and a potency accorded to it under no other regular form of Church government.

The power of the General Assembly is all but unlimited within its proper spiritual sphere. It can meet as often as need requires, though more than one annual meeting might not be dignified by the presence of a royal representative ; and the privilege of frequent meetings is virtually enjoyed by means of the Commission, which is in point of fact a Committee of the whole Assembly, which has four stated

times of meeting every year, and may meet and adjourn its meetings as often as it chooses. Moreover, the General Assembly seems to possess, with the sanction of a majority of the presbyteries, unrestricted power to determine its own composition, and to call to a share in its council whatsoever persons it pleases, as representatives of any estates, civil or ecclesiastical, in the realm. Modern re-daptism may maintain that custom of long continuance has conclusively settled the membership of the Assembly as it is at present made up, but no statute of the realm, and no condition in the establishment of the Church, seems to hinder the Assembly from exercising now the same privilege it claimed and exercised long ago ; and it is easily conceivable that circumstances may arise when it may be of advantage to the Church and country that the privilege should be exercised again.

The General Assembly is vested with supreme executive power, and practically controls and supervises all the other courts of the Church. By virtue of the system of orderly subordination which characterises Presbyterian government, and which harmonises so beautifully individual influence and freedom with the exercise of collective authority, the record of the actings of each inferior court is

required to be submitted at least once a-year to the inspection and review of its superior. The whole proceedings of the Church at large become in this way subject to the censure of the General Assembly; and either by reference, appeal, or complaint, any particular act or decision, whether of kirk-session, presbytery, or synod, may be submitted to its supreme and final judgment. As to legislative power, that also belongs constitutionally to the General Assembly, subject only to the provisions of what is known as the Barrier Act, passed by the Assembly in 1697. According to the system thereby established, any piece of new or amended legislation must be proposed, in the first instance, to the Assembly, either by an inferior court, or an individual member or members of the Assembly itself. The General Assembly may deal with such overture as it pleases. It may reject it, in which case it falls to the ground for the time. It may adopt it as it stands, or altered and amended, as it sees fit. If adopted, it must be transmitted forthwith for consideration by all the presbyteries of the Church; and only in the event of its being entirely approved by a majority of their number, can the Assembly pass it into a permanent law. In order, however, to stimulate presbyteries to pronounce without

delay their opinion upon all legislation so proposed, the General Assembly has, at pleasure, exercised the power of converting overtures, when transmitted, into what are called *interim* Acts, which are binding on the Church for one year; and thus, by a correlation of forces, it is brought to pass, that while acknowledged and pressing evils may receive an immediate statutory remedy, hasty legislation is effectually prevented, and the General Assembly very properly exercises its supreme legislative functions only in accordance with the deliberate and clearly ascertained mind of the whole Church.

I have dwelt thus particularly on these points, which, to ministers of the Church of Scotland, are all as plain as the alphabet, in order to convince others not so familiar with that Church's constitution, that that constitution—which we firmly believe to be “founded on, and agreeable to, the Word of God,” and which, against all disputants, we are fully prepared to maintain and prove, may be adopted by any Church in perfect harmony with every principle set forth in Scripture for regulating the organisation of Churches—is a constitution which commends itself to sound reason as admirably adapted to subserve the purposes of Jesus Christ, by enabling believers who live under it, with the

highest possible profit to themselves, to perform His work and promote His cause. The clearly recognised authority and independence of jurisdiction possessed by kirk-sessions, presbyteries, synods, and General Assembly—the system of carefully guarded subordination which binds these courts, each to its superior, and all to the highest—the peculiar genius of Presbyterian parity which presents a place for the labour and influence of each individual member of the Church, yet subjects all to the well-tempered and judicious authority of the whole body—and, above all, the principle of endowed territorial work on which the entire fabric rests,—all combine to make that constitution as nearly perfect as can well be conceived, and to give to the Church of Scotland a vantage-ground for national usefulness which it should be the holy ambition and devout endeavour of all connected with, or interested in her, to improve practically to the very uttermost.

The influence and services of that Church in the past have not been mean nor unimportant. By her faithful confession of sound doctrine, by her careful eschewal of worldly politics, by her keen sympathy with the cause of freedom, by the uniform patriotism of her feelings and aims, by the sufferings

of her martyrs ; by the patient poverty, the proud independence, the learned studiousness, and the indefatigable labours of her ministers ; and especially by her admirable system of schools admirably superintended,—she has fostered a spirit of true piety, of cheerful industry, and of laudable ambition in her sons, stimulated their advance to positions of honour and importance all the world over, promoted the nation's highest prosperity, and earned a just title to the noble encomium pronounced upon her by most intelligent and impartial investigators of her character and condition : “No sentiment has been so deeply impressed upon the minds of your committee, in the course of their long and laborious investigation, as that of veneration and respect for the Established Church of Scotland. They believe that no institution has ever existed which, at so little cost, has accomplished so much good. The eminent place which Scotland holds in the scale of nations is mainly owing to the purity of the standards, and the zeal of the ministers, of its Church, as well as to the wisdom with which its internal institutions have been adapted to the habits and interests of the people. Your committee most earnestly recommend to the Legislature the defence and preservation of an establishment with the per-

manence of which, in their judgment, the general prosperity and moral welfare of Scotland may be considered as intimately interwoven." *

The Church of Scotland is not free from failings. Her past history shows her to be chargeable with not a few shortcomings and mistakes. It may be that for these failures to improve the day of grace, the time of her merciful visitation may be brought to a close amid these days of rude and ruthless assault upon all venerable institutions like her, in which our lot has been cast. But she is still possessed of great vitality. She has still within her reach a grand field, and extensive means and opportunities for cultivating it. She needs but to work the work her great Master has given her to do—with courage, earnestness, and increasing diligence, in simple reliance on His promised blessing, and in love and charity towards all men; and "the gates of hell shall not prevail against her, neither shall her candlestick be removed out of his place."

There are one or two respects in which the practical working of her constitution has been found fault with, and in regard to which various remedies have been suggested. I have adverted already to the unwieldy size of some of her pres-

* Report from Select Committee on Patronage, p. 4.

byteries, which might easily be rectified by subdivision. The continuance of such objectionable features as this, is owing to the want of elasticity, which will inevitably characterise to a certain degree institutions of great extent and long standing, which, from the very inertia and self-complacency of antiquity, will always be backward "in devising remedies as fast as time breedeth mischief," and will not be always sufficiently alert in accommodating their attitude and their action to the changing aspect of surrounding circumstances. The grand remedy for this defect is to be sought in strengthening the executive of the Church. It is here that most critics have discovered the greatest weakness in her constitution. Excellent laws, it is admitted, may be added to her statute-book by the General Assembly under the safeguard of the Barrier Act; but many of them remain there to all intents and purposes a dead letter from the first, and doomed to fall soon into the impotency of utter desuetude, for lack of any power sufficiently energetic and authoritative to enforce them. Solemn resolutions, publicly committing and binding the Church to some commendable line of action, may be adopted without one dissentient voice, and yet from the same defect fall flat and be forgotten, with-

out leading to any appreciable or worthy results. Population, to an enormous extent, may be suddenly congregated in districts formerly distinguished only by their bleak and voiceless solitude, and yet constitutionally no sufficient provision is made for extending immediately to such population the benefits of religious worship and pastoral superintendence. Orders may be issued, and Acts may be passed, year after year, for furnishing the Church with important statistical information, and for eliciting, systematically and collectively, the missionary and charitable benevolence of the people; and ministers and kirk-sessions may habitually disregard such requirements, and yet no official notice be taken of their contempt and defalcation. These and similar blemishes are often condoned on in reference to the Church's constitution, and the blame of them all is very generally ascribed to a radical weakness in the Church's executive power. To remedy this defect, various expedients have been suggested. It has been proposed, for instance, to appoint superintendents, whose business it should be to exercise the power belonging to the Church of overseeing the work, and stimulating the exertions of all her members. The proposal cannot be said to be inconsistent with the character of the

Church's constitution. The 'Book of Polity' included superintendents among the office-bearers of the Church; and for some time after the Reformation, they actually took a leading part in its planting and administration. But such an office is alien to the feelings, if not contrary to the genius, of Scottish Presbyterianism. It does not seem to have worked very smoothly or efficiently during the brief period of its existence. It has too much affinity to the evils of Episcopacy—for which, in point of fact, it is but another name—and it demolishes the parity which lies at the root, and constitutes the safety and the strength, of presbytery. It is quite superfluous when the system of presbytery, as now nationally established in Scotland, is properly worked in all its parts. It may be that acts and orders of the General Assembly are not sufficiently respected, and not universally or implicitly obeyed. It may be that both ministers and kirk-sessions, presbyteries and synods, may be occasionally lax and perfunctory in the performance of their respective duties. It may be that the very parity of presbyters rendering everybody's business nobody's, and diminishing the feeling of official responsibility by dividing it among a great many members of the superintending

court, prevents often the timely admonition of a brother settling into indolence, tending towards heresy, or ensnared by immoral propensities and habits. All this may be perfectly true. But for all this the only effectual remedy is the same that would require to be looked to in the not impossible event of superintendents sometimes doing their work partially or superficially, and of their hints or admonitions being sometimes received with contempt or defiance. In both cases the life-blood of the Church must be purified, and her health invigorated. Her pulse must be quickened by a new heart; her vitality must be strengthened by the right spirit. A deeper realisation of individual responsibility must arouse and animate all her members and all her courts. To this end sacred fire must be sought, and must descend from heaven to touch the lips of her ministers, and to purge the hearts and consciences of her people. Every communicant and every Church court must feel intensely, what in point of fact is strictly and literally true, that on the conscientious faithfulness and energy of each individual member, and of every judicatory, from the highest to the lowest, depends the welfare of the whole Church. If this conviction were only all prevailing and predominant, it would

soon be apparent that the Church's machinery, as planned by Knox and remodelled by Melville, is in every wheel and pinion perfect, and needs but the consecrating oil of the sanctuary, which faith and prayer can alone secure, to make it move steadily, without a jar, and with glorious results to the whole community.