





# APPENDICES

TO THE

## SERMON

PREACHED BY

THE REV. E. B. PUSEY, D.D.

ON THE

FIFTH OF NOVEMBER, 1837.

CONTAINING

I.

AN EXPLANATION OF POINTS MISTAKEN BY THE AUTHOR OF  
"PASSIVE OBEDIENCE CONTRARY TO HOLY SCRIPTURE."

II.

REMARKS ON THE REVOLUTION OF 1688, AND THE PRINCIPLES  
INVOLVED OR NOT INVOLVED IN ITS CONDEMNATION, IN ANSWER  
TO AN ARTICLE OF THE EDINBURGH REVIEW.

III.

THE OXFORD DECREE OF 1683.

~~94841~~

OXFORD,

J. H. PARKER ; J. G. AND F. RIVINGTON, LONDON.

1838.

REIGN OF

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## APPENDIX I.

*Remarks on some Statements in the " Doctrine of Passive Obedience contrary to Holy Scripture, by a Clergyman."*

THE short interval which has elapsed since the first publication of this Sermon, has given room to few remarks upon it, so there is but little to observe. And indeed the doctrine contained in it, however contrary to the recognized maxims of many politicians, is probably still, if half unconsciously, that of religious people, and like a large body of sound principles besides, requires but to be stated, in order to be recognized as the truth and as having been previously, if less distinctly, held. There has been, happily, little occasion for its direct application, and so the better sort have been content to hold it in a general way, without applying it to any specific cases, or accurately settling its limits, or ascertaining whether they were consistent in admitting *any* exceptions or limitations to it, or whether Holy Scripture allowed of this. And many, doubtless, hold the doctrine as a whole, who have been taught to look upon the act of 1688 as an exception. Yet it cannot be too often inculcated, that the mind in every way is continually striving to right itself, and rid itself of inconsistency: and so it repeatedly happens, that the exception, if it be of any moment, will become the rule. In moral habits, as in maxims, or doctrines, a single allowed exception will nullify the force and influence of that which appears to be recognized or practised with almost the full consent of the mind or

will. There is danger to any principle or practice, as long as there is any opposed habit of thinking or acting, however slight. A single exception unnerves moral action, and loosens the hold of belief. Any exception to the doctrine of plenary inspiration, however minute the subject-matter, has prepared for the rejection of the whole; any unsoundness in what seemed the slightest shade of religious belief has ushered in entire unbelief; just as the slightest "letting out of water" is a token of the giving way of a barrier, the breaking down whereof deluges a whole country; or the slightest bowing of a wall is a prelude that it will in time fall; or a particle of decay in an apparently vigorous and flourishing tree an earnest that it will perish. It is then of more moment than many are aware, how we form our views upon any given point; it is not matter of historical speculation, or contentiousness about an abstract point, but an earnest practical question, whether we look upon the Revolution of 1688 as "glorious or inglorious." Uncompromisingness and unbendingness is the very condition of sound faith, moral action, right principle, consistent conduct, and, in detail, of any Christian grace, or virtuous habit; of honesty, for instance, or purity, as indeed is proverbial. One exception undoes more than many contrary actions do towards completeness. One, who admits habitually of any one exception however slight, to a given course of right action, is probably much less removed from him who is sunk lowest in the scale, than from perfect consistency. In the present case, our whole tone of feeling about the act of 1688 has, in the century and a half which has since elapsed, altogether varied from that of those who committed it; let any one read, in any common history, the account of the debates, doubts, palliations of those who were concerned in it, and contrast these with the exulting, or (which is more) the matter-of-course way, in which the "glorious Revolution"

is now spoken of, and he must vividly feel, that our principles of obedience are sunk very far below those of that time. Probably we are more akin, on the whole, to those who perpetrated the Revolution of 1793, than to the Christian submissiveness of the first ages of the Gospel; and if so, it will be of God's great mercy, but far more than man has any right to anticipate, if many of the atrocities of that last "atrocious Revolution" be not re-enacted among us, and London become not a Paris.

The few exceptions which have been lately taken to the principle of uniform passive obedience here inculcated have been such, as persons are wont to make, on the revival of doctrines, which for a time have slept, though they are, in truth, the uniform teaching of the great divines of our Church. Two or three points, however, have been noticed, by one, (on internal evidence a very young writer,) which since they have probably been felt by others, it may be well to clear up.

It is a vulgar error, that, because the King cannot rightly legislate without the counsel of his Parliament, therefore, the supreme power is divided between the King and his Parliament; and this is so taken, not only as matter of *fact*, but as matter of duty; that because the authority of the Sovereign is in some respects limited by law, therefore our allegiance no longer belongs to him alone, but is transferred to those institutions, by which it is limited; that "the Divine authority is lodged in the three [King, Lords, and Commons] conjointly<sup>a</sup>," and so that our allegiance lies distributed among them. Hence it has been inferred, that if one "section of the supreme

<sup>a</sup> Doctrine of Passive Obedience to Kings *contrary* to Holy Scripture, by a Clergyman, p. 13.

power would tread under foot the laws by which its own rights are bounded, the remainder of the supreme powers are charged with the duty of restraining or chastising the unruly member<sup>b</sup>;" i. e. in other words, if a king violates the laws, it is a sacred duty to chastise him !

This is probably a popular doctrine, in a sense other than this young writer takes it; for men like to be under the rule of an abstraction rather than of a personal being. To be under the rule of a *person* is something humiliating; the will is subjected to the will of another; but to be under the rule of an abstraction, as law, government, and the like, is to be under no rule at all, or, at the worst, one which we can change ourselves, or at least it keeps the ruler more out of sight. On the same principle, people speak of the Deity, the Divinity, Providence, Nature, as reminding them less of a Personal God, to Whom they are responsible, and Who, by His will, rules and controls theirs. And so it seems an ennobling thing to be under the rule of laws, both because the source of authority is thus shewn to emanate from ourselves, and we are in fact but paying obedience to our own will; and yet again, we seem to have yielded up some of the freedom of that will for a more enlarged good, and of our own free-will to obey, and still feel that we need no longer obey than our own collected will approves. Thus obeying, we are not subjected to a power without us, further that we have ourselves delegated the authority, and may resume it, when we will; in short, we are to govern ourselves, not be under the government of another. And this is the object of the democratic principle now at work throughout Europe.

It is an obvious answer to the fallacy of divided allegiance thus assumed, that no one takes an oath of allegiance to the Lords or Commons, nor to the laws, (although,

<sup>b</sup> Ibid. p. 15.



when they interfere with no higher law, we are bound to obey them, and it is in truth the Sovereign whom we obey in them, though legislating with the advice of that Court which he summons to deliberate *under him*;<sup>c</sup>) nor to any abstraction whatever, but to the Sovereign personally; and that not ordinary subjects, but the Members of Parliament, i. e. those who are supposed on this theory to be in their collective capacity the object of allegiance, take that oath of allegiance; that it is accidental only that the Sovereign has to call the Parliament together at all; that there is no treason against Lords or Commons or “the majesty of the people,” but that it lies against the person of the Sovereign only. The whole fallacy, however, arises from the modern misapplication of the term “three estates of the realm,” which historically means, the Peers, Commons, and Clergy, but which, now that men have ceased to look upon the Clergy as one estate, they have supplied ignorantly with the name of the King, and so confused all their notions about government. But, in truth, the King is “supreme,” and although he can legally perform some acts only by assistance of his Privy Council, others by aid of his Parliament, yet the Sovereign, and the Sovereign only, is the source of authority and the object of allegiance.

Again, the maxim that “a king can do no wrong,” is “an ancient and fundamental maxim,” and this is explained even by an eminent lawyer<sup>d</sup> *since* the Revolution of 1688,

<sup>c</sup> “*Under* our most religious and gracious Queen at this time assembled.” Prayer for the High Court of Parliament.

<sup>d</sup> Sir Wm. Blackstone, b. i. p. 246. He accordingly retains the older view, that in 1688 the king’s withdrawing himself out of the kingdom, was essential to the “abdication” and consequent vacancy of the throne; p. 245. and so does not regard the Revolution as involving the right of subjects to depose their sovereign, even on the breach of the supposed original contract.

that "whatever is exceptionable in the conduct of public affairs is not to be imputed to the king, *nor is he answerable for it personally to his people.*" The contrivance that he should do nothing at all, is an attempt to maintain ancient principles which have a hold upon the conscience, without sacrificing the licence of modern practice. The application of the maxim, so as to make every act responsible, yet to keep the Monarch irresponsible, gives rise, occasionally, to absurdities which in themselves shew, that the maxim was meant to declare the king irresponsible, but that its authors did not contemplate the uniform responsibility of any other. Practice still leaves the king in some sense free to do things, and so an awkward fiction is contrived to make others responsible for what they had no share in. The maxim implies then a higher monarchical authority, as a "fundamental" principle; that the king was free, and yet irresponsible.

A theory, on the contrary, which is obliged to resort to God's deliverance of Israel by Moses, for a "sanction of the right committed by God to a people unjustly enslaved to free themselves from the tyranny of their oppressors<sup>d</sup>," and to His grant of the ten tribes to Jeroboam for a proof that "all rebellion against a monarch is not in itself unlawful<sup>e</sup>," may proceed in the next place to justify the "glorious" tyrannicide of Harmodius and Aristogiton (so at least the blind though civilized heathen thought it) by the example of Ehud, or treachery by the inspired action of Jael, and would find it impossible to elude the principles upon which the see of Rome justifies rebellion or assassination, when required, as they deem, by "spiritual ends<sup>f</sup>." Far better indeed

<sup>d</sup> Doctrine of Passive Obedience, &c. p. 19.

<sup>e</sup> Ibid. p. 21.

<sup>f</sup> Bellarmine de Pont. Rom. v. 6. ap. Taylor, Sermon on Nov. 5, t. vi. p. 604.

were it to be at the mercy of the see of Rome in her worst days, than to allow the people to be the judge when the Monarch is guilty of a “lawless aggression against the powers and privileges<sup>g</sup>” of Lords and *Commons!* or of “an act of rebellion against the ordinance of God<sup>h</sup>.” Leaving such arguments as these, let people admit teachably the doctrine of Holy Scripture, and not tamper with their consciences by abstract theories, and they will see clearly what the duty of subjects is.

“What I have said of master and slave, understand ye also,” says S. Augustine<sup>i</sup>, “of potentates and kings, and all the heads of this world. Sometimes the ‘powers that be’ are good, and fear God; sometimes they fear not God. Julian was an infidel Emperor, was an apostate, unjust, an idolater; Christian soldiers served an infidel Emperor; when it came to the cause of Christ, they acknowledged Him only who is in Heaven. If he would that they should worship idols, offer incense, they preferred God to him; but when he said, ‘March; go against that nation,’ forthwith they obeyed. They distinguished their temporal lord from their eternal Lord, and yet, for the sake of their eternal Lord, were subject also to the temporal lord.”

With regard to the Service of the day, the author meant to point out a sense in which those who might be present in churches where it was used, might without discomfort join in it, although they look upon the Revolution of 1688 as an act of rebellion on the part of the nation, as unnatural and undutiful conduct on the part of the children of the dethroned Monarch. It is, in such cases, best to join in devotion in such sense as we can, to thank God for those

<sup>g</sup> Doctrine of Passive Obedience, &c. p. 13.

<sup>h</sup> Ibid. p. 16.

<sup>i</sup> Enarr. in Ps. 124. §. 7.

things for which we can thank Him, even if we cannot join in the sense in which the writers of [the prayers may have intended them. At the same time it must be observed, that as at the time, the actors in that Rebellion had great scruples, and spoke of their own act very differently from moderns, and would have been ashamed of, and repudiated, modern panegyrics; so also does the Service, though unsatisfactory, speak in a different tone from modern times, and is *so far* a witness against them. The authors of that Service abstained altogether from speaking of human agency; of the subjects, who owed allegiance to James, nothing is said or implied; they only speak of the work of Divine Providence as a whole, that He caused "all opposition to fall before William," that He "delivered the Church and nation from Popish tyranny and arbitrary power;"—and the flight of James II. *was* a remarkable instance of infatuation, such infatuation as the very heathen would ascribe to the direct agency of God; "Quos Deus vult perdere, dementat prius." The utter and sudden destruction, again, of the prospects of Popery by the very means which were taken to advance it, the sudden melting away of James's power, and his disappearance without a struggle from the land, where he ruled ungodlily, were "marvellous in men's eyes;" only, would that man's sin had not been mingled with God's deliverance, and so worse evils, than even Popery, been entailed upon us! It would even seem from the language, "making all opposition to fall before him, until he became our king and governor," that the writer or writers adopted the excuse, current at the time, devised by Lloyd, Bishop of St. Asaph, and which had, we are told, "the most universal effect on the far greater number of the Clergy<sup>1</sup>," that William obtained the crown by conquest; only, as they explained it, not over the

<sup>1</sup> Burnet, v. fin.

kingdom, which did not oppose him, but over the king<sup>k</sup>; and thus they set aside altogether the question of any resistance of subjects to a king. They had been spectators only of the deliverance wrought for them. As an argumentum ad hominem, then, the appeal to the Service is valid; even they who justified the act of 1688, justified it on grounds, which would condemn the present generation; they would have condemned themselves, had they acted on the principles on which moderns take it for granted that they acted. They avoided admitting the principle, even while they sanctioned the act. They could satisfy themselves that James's subjects had no share in his abdication; and could one take this view of the fact, the rest would be plain. The Service then takes a right view upon wrong data; they persuaded themselves that William was called in only to mediate, not to support subjects against their sovereign, and that James was removed by God not by man, and had left his throne vacant; were this so, one might readily take the rest of their view, and had this been so, the whole of our subsequent, and, still more, the impending history of our country, had been very different.

Reverting however to the Service of the day, the author cannot understand how any Clergyman, who has any scruple of conscience, can be held responsible to use a Service, which the Church has admitted only, but to which she has given no formal sanction, even through the unsatisfactory medium of Convocation. For himself he would prefer using the original Service for the day, which *was* recognized by Convocation, and omitting the subsequent interpolations relating to William III. It is with the original deliverance wrought by God, not with that wherein man mingled, that

<sup>k</sup> The lawyers, to escape the same difficulty, proposed the same theory, that William should claim the throne by conquest. Hume, &c.

the solemnity of the day is in almost every mind associated. Least of all, however, is it to be thought that the case of those who dislike this portion of the service for Nov. 5, is at all parallel to theirs, who object to portions of the Catechism, the Services of Baptism, Confirmation, Matrimony, Visitation of the Sick, and Burial of the Dead. For these imply doctrines, these are wound up with the character of our Church; our Church has solemnly recognized, and we have solemnly bound ourselves to use them; our Church would be altogether different from what she is, if she had not the very expressions which are by some objected to, or not taken in a literal sense. These a Clergyman is bound to use, although it would be obviously his duty to remain as a layman, though he could not minister, in the Church, if he could not assent to them; the expressions in the Service relating to William III. have no claims whatever upon us, unless they be enforced upon us by our Diocesan.

There is another topic, which it is well to notice, rather as a protest against the habits of the day, than as at all necessary in itself. The young "Clergyman"<sup>k</sup> calls upon me to "explain the real sense of the words" p. 25, that "suffering may make those who are partakers of it, more capable of the communication of the merits and influence of His Passion," which he says "if we take them in their natural sense must *necessarily* contradict the Thirteenth Art." It were sufficient to refer to the context of the passage thus selected, wherein I was speaking of "the members of Christ," of His being "persecuted in His members," of "the most eminent of His saints," of having been "baptized with His baptism." What then can this have to do with an Article on works *before* Justification,

<sup>k</sup> P. 24.

unless persons can be “ eminent saints of Christ,” “ members of Christ,” and yet never have been justified? Or is it not then true, that of persons who have been justified freely by God, and by Baptism made members of His Son, some are capable of larger communications of His merits and the influence of His Passion than others? And do not means of grace, which He has entrusted us with, which we may use or refuse, make us so? Does not prayer? or are not they, who, like Anna, have spent a life “ in fasting and prayer, night and day,” capable of larger communications, than others, or than at the outset they were? What means it, that we “ receive grace for grace,” but that we receive one degree of grace for, or upon, another, according to our use of His former gifts? or “ he that hath, to him shall be given,” than that by having, and using, we obtain larger and fuller gifts? what the parable of the talents, than that God condescends to give us His gifts to trade with, and make increase of, and return to Him (it is He who so speaks) “ with usury,” and which He will reward? And what is His reward, but Himself? He first gives to us, who were and had nothing; He enables us to use, and by using to enlarge, His gifts; He gives them not to us as a lifeless mass, but bedews us with His living Spirit, Wherein our spirit is to grow and make increase: He, who gave His Son for us, giveth us Himself, enlarges the mansions of our souls by Himself, enableth us to enlarge them, and enlarged fills them with Himself.

It is a meagre and suspicious theology,—suspicious, because ignorant of the ground whereon it stands, and the bounds laid down for it, and so fearful lest itself or others should be overstepping them unconsciously,—which would ever bring men back to first principles, confounds the superstructure with the foundation, and forbids men from “ going on unto perfection.” It forbids our using the rich treasures

of Holy Scripture, taking to the letter what it saith, glorying in the large and manifold gifts of our Father, unless at every step we be careful to repeat what it regards as the central doctrine, or *shew* that we are consistent with it. It would have us never fix our eye upon any one truth intently, unless such as itself chooses, for fear we should lose sight of others; it would make us concentrate and condense and congeal the wide expanse of revealed Truth; or have us walk as in an enemy's country, guarded on all points, and looking suspiciously around, instead of walking freely, as Isaac, "in the eventide to meditate," or in our new-created Paradise, "in the cool of the day," to hear unalarmed the voice of our now reconciled God.

Yet this heavy and burthensome theology is not of the character of Holy Scripture. Scripture teaches us not, by its example, to speak thus fearfully and perplexedly. It speaks unhesitatingly of Abraham's being "justified by works," without stopping to insert any clause which might save this doctrine from seeming to impugn that of justification by faith. It says, "Alexander the coppersmith did *me* much evil; the Lord reward him according to his works," (2 Tim. iv. 14.) without staying to shew how this is consistent with the Lord's command, "Bless your enemies." It says, "by hope we are saved," (Rom. viii. 24.) "by His life shall we be saved," (Rom. v. 10.) "by the Gospel ye are saved," (1 Cor. xv. 2.) "by grace ye are saved," (Eph. ii. 5. 8.) "by the washing of regeneration and renewal of the Holy Ghost He saved us," (Tit. iii. 5.) "in doing this *thou shalt save thyself*," (1 Tim. iv. 16.) "the word—is able to save your souls," (Jam. i. 21.) "when the wicked man turneth away from his wickedness which he hath committed, and doeth that which is lawful and right, he shall save his soul alive," (Ezek. xviii. 27.) without subjoining on each occasion every other limitation,



which in other places it furnishes; nor does it turn aside to guard its statement, lest it be thought to imply, that man can save his own soul. Again it says, "if by any means—I might save some of them," (Rom. xii. 14.) "how knowest thou whether thou shalt save thy husband?" (1 Cor. vii. 16.) "the prayer of faith shall save the sick," (Jam. v. 15.) "he shall save a soul from death," (ib. 20.) "others save with fear," (Jude 23.) without inserting one word to shew that prayer doth not save by its intrinsic efficacy, or that man cannot, of himself, save his brother. And though uninspired writers may not, of course, in expressing their own thoughts, use the same unguardedness as the Divine word, yet surely the timid spirit, which would ever be qualifying and guarding what Holy Scripture has left unqualified and unguarded, and suspects whatever, after the manner of Scripture, is left unqualified, betokens a weak faith, not in the individual, but in the age of which it is a characteristic, and is in the way to lose all fuller exhibitions of Divine truth. God hath put His Spirit into the Christian Church, within us; and "whithersoever the Spirit was to go, thither is our spirit to go," (Ezek. i. 20.) with the full freedom of those, into whose hearts and mouths God has put His thoughts and words, not abridging our liberty, or curtailing or qualifying His message, because they, who will, must "daily mistake our words."

This is said, not on account of the particular occasion, (for in this the words *were* guarded by the very subject itself,) but as a protest against the suspicious, captious spirit, which measures every thing, whether the language and thoughts of the fathers of the Church, or of those who would tread in their steps, by its own petty rule, instead of the capacious measure of the word of God.

*Feast of the Epiphany,*

1838.

The first part of the book is devoted to a general  
introduction of the subject. It is followed by a  
chapter on the history of the subject, and then  
by a chapter on the theory of the subject. The  
book is written in a clear and concise style,  
and is suitable for use as a text-book in  
any university or college. It is also suitable  
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## APPENDIX II.

*On the Revolution of 1688, and the principles involved or not involved in its condemnation, in reply to an article in the Edinburgh Review.*

AFTER the above remarks were in type, a fuller and more mature discussion of one principle of the Sermon appeared, written also in a calm tone very different from that which has usually characterized the periodical<sup>a</sup> in which it occurs.

The writer very honestly casts aside all "foolish sneers<sup>b</sup>," clears the deck of every thing superfluous, casts overboard all the unfair weapons which have at times been used, and grapples at once with the question, in a way which evinces honesty, and thus far deserves respect. He moreover,

<sup>a</sup> Edinburgh Review, Jan. 1838.

<sup>b</sup> p. 390. Heathenish language, such as "both agreeing in letting off an occasional volley at Guy Fawkes, whose shade must have been surprised and gratified at the participation of such eminent associates in his annual martyrdom," p. 396. and "the doctrines of Divine right and passive obedience were in favour it should seem, under Nebuchadnezzar and Darius the Mede," p. 399. is more in keeping, one should hope, with the work wherein it appears, than with the mind of the writer, in whom there are many gleams of earnestness. Surely men ought not to familiarize themselves to speak in jest, as if they were Heathen; and without anticipating the sentence of his Judge, they should recollect that Fawkes is alive still, though not in the flesh, and awaiting that sentence. Again, they are God's commands to obey Nebuchadnezzar and Darius, which are thus irreverently alluded to. There is other language, p. 410, which a serious man should not have used.

not concedes only, but insists that “ the doctrine of non-resistance to established authority is most strikingly declared in Scripture, from the total absence of all qualification and adaptation to the weak faith and cherished prejudices of the natural man,” and declares “ the endeavour to evade or explain it away, and find shelter under it for those heathen notions of manliness and nobleness of character, of which we are so loath to divest ourselves,” to be altogether vain<sup>c</sup>. This is healthful language, and we trust it may be a sign of an improved tone of feeling that such and some kindred sentiments have found their way into a publication which used to be the organ of others far different.

The writer further says, “ Every human commission is, therefore, ratified by the divine precept of obedience to it, and ‘ every power that is,’ *however derived*, is ‘ ordained of God,’” and that “ it is no doubt true, that it will not become the Christian to make captious objections, eagerly to seek for and avail himself of flaws in title or defects in forms<sup>d</sup> ;” that “ the doctrine of non-resistance is, at least, one which no sincere believer will endeavour to controvert or evade<sup>e</sup>.” Herewith then, the general principle is maintained in as ample a manner as could be wished ; and were these the abiding sentiments of our educated and half-educated classes, it might seem a secondary question how the act of 1688 were to be judged of according to these principles, whether it was condemned by them or escaped them. But these are not the principles popularly inculcated, or rather they are principles which would ordinarily be scoffed at ; and one act, as it embodies principles and presents them in a tangible form, and lays bare often to people themselves what they really mean under them, and moreover is taking an overt part,

<sup>c</sup> p. 400.

<sup>d</sup> p. 401.

<sup>e</sup> p. 397.

either with God's Law or against it, will, in practical influence, far outweigh any abstract principles. It is proverbial too, how acts are stretched into precedents beyond themselves; passion and excitement are no honest pleaders; the principles of an act are forgotten; it suffices that it seem any how to bear upon the present state of things, or can be but fancied into a resemblance to them. As long then as the Revolution of 1688 is panegyricized, so long there will be great danger, that it will be drawn into a precedent for acts very different in degree of guilt from itself. "Invasion of civil liberty," "English rights," are terms which are just as applicable, and in these days far more easily applied, to any question which the popular voice may demand, than to those which furnished the occasion for the Revolution of 1688. A revolution would in these days come, not from any aggression on the part of the Sovereign, but (which God avert!) from the resistance to aggression on the part of a section of the people. It would have the character of the first Rebellion, not of the second. The fact that a king has been deposed, and another murdered, remains in men's minds; one they have happily been taught to look upon with detestation, the other, unhappily, they have been taught to admire; and such admiration has the tendency to bring with it the penalty of all approbation of unlawful deeds, a confusion of men's perception of right and wrong, and so to produce "*progeniem vitiosiore*."

Each important act, moreover, has a necessary progeny of its own; which it will bring into being against the will often of its own parents. It gives a new direction to people's minds; the principles which lay variously interwoven with it, are developed, and those which were most marked and predominant in it, stamp their image upon its posterity; the rest are gradually effaced. The main

principles involved in the act of 1688, were that a nation under certain circumstances has a right to dethrone its monarch, that power emanates from the people<sup>f</sup>, that its will is to be received as law; that the king is the “*chief*” of the English Commonwealth” only; that government is in such sense appointed for the benefit of the ruled, that they, not the ruler, are to be the judges, what is for their benefit. The sovereign has ceased, in fact and practically, to be even a “coordinate part of the legislative,” except so far as from personal character, or a sort of unconscious respect, or having the means of more refined bribery, he may influence the legislators; it is a government of influence not of authority, and yearly becoming more circumscribed. The refusal of the sovereign to assent to an alteration in the laws which had received the sanction of the two Houses<sup>h</sup>, would probably excite more sensation now, than the dis-

<sup>f</sup> “It could not be held, without breaking up all the foundations of our polity, that the monarchy emanated from the parliament, or even from the people. But by the Revolution and by the Act of Settlement, the rights of the actual monarch, of the reigning family, were made to emanate from the parliament and the people. In technical language, in the grave and respectful theory of our Constitution, the Crown is still the fountain from which law and justice spring forth. Its prerogatives are in the main the same as under the Tudors and the Stuarts; but the right of the House of Brunswick to exercise them can only be deduced from the Convention of 1688. The great advantage therefore of the Revolution, as I would explicitly affirm, consists in that which was reckoned its reproach by many, and its misfortune by more; that it broke the line of succession.” Hallam, t. iii. p. 126, 7.

<sup>g</sup> Hallam Const. Hist. c. 15.

<sup>h</sup> It should not be forgotten, that a popular (the long) parliament once chose to construe the words of the then coronation oath, “*leges et consuetudines quas vulgus elegerit*,” contrary to their plain meaning and the authority of the English form of the oath, “the laws, which the people *shall* choose,” and thence to insist that the sovereign was bound to accept any laws proposed to him by the two Houses. What was then looked on as an insolent and wanton assumption of power, would now be taken almost as a matter of course.

pensionation with existing laws did in the time of James II. Panegyrist of the act of 1688, are wont to call it the "birth of English liberty," and the like; the very terms, which they use, imply that it has grown since. "The Revolution," says Hume obviously enough, "forms a new epoch in the constitution. By deciding many important questions in favour of liberty, and still more *by that great precedent of deposing one king*, and establishing a new family, it gave such an ascendant to popular principles, as has put the nature of the English constitution beyond all controversy. And it may justly be affirmed, without any danger of exaggeration, that we in this island have ever since enjoyed, if not *the best system of government*, at least *the most entire system of liberty* that ever was known amongst mankind." Only Hume lived not long enough to see "the ascendancy then given to popular principles," developed as they have been in our days into what seems ready to become the most fearful of all tyrannies. And if they are yet to be turned aside from holding on their natural course into some fresh and more fearful anarchy, it must be, not by opposing them in detail, but by reviewing our own principles. It is idle to contend against the building up of the superstructure which others are raising on our foundation, so long as we are continually strengthening that foundation, and preparing it to bear a more perilous and prouder pile of building. Chiefly, however, it is a primary duty (nationally as individually) to Almighty God, to confess our offences committed against Him; and it has been annexed by Him, as the condition of those offences being blotted out; it opens the hope also, that we humbling ourselves before Him, the evil which is their appointed portion may not be brought upon us.

It is then of much moment, as was said, to review the character of the act of 1688, (which by thoughtlessly

panegyrising, many of us have made ourselves sharers in,) even beyond the question of the principles at stake.

By the writer in question it is justified on the following principles<sup>h</sup>, that all authorities, a parish constable as well as a king, are “ powers ordained of God,” that it is “ just as plainly a sin to oppose” the one as the other, and so that the converse would be true, that if you may in any case of “ unprovoked violence, to life, person, or property, grossly exceeding the limits of the power which the state allots him,” resist the constable, you may the king. “ By the common understanding of the constitution, James’s subjects were no more bound to obey the legislation of the monarch, than the legislation of the constable.”

All this might be conceded, and not one step gained towards justifying the act of 1688. For there is an obvious and wide difference between resisting even the constable in such a case, and on one’s own authority expelling him the village, or degrading him from his office. Our good bishops refused “ to obey” against their consciences, “ the legislation of James;” but they “ owed<sup>i</sup> to his Majesty a natural allegiance, having been born in his kingdom, had oftentimes confirmed this by taking voluntarily the oaths of supremacy and allegiance, and could have at once but one king;” and so they suffered alike under James and William, because at the command neither of James nor William would they do that which was illegal, and contrary to conscience; they would neither read the declaration which was contrary to the law of man, nor take an oath contrary to the law of God, and yet under both James and William they lived as peaceable subjects. To

<sup>h</sup> Edinb. Rev. p. 401, 2.

<sup>i</sup> Abp. Sancroft’s Answer to King James, on being asked whether the bishops had joined in inviting William. ap. Clarendon, App. p. 310.



disobey a king who commands what is unlawful, and to dethrone him, are very different acts, and the ground which fully justifies the one, has no bearing upon the other; so also again there is a wide difference between the supposed extreme acts of the constable, and those of James. There is nothing which can in any way be described as “unprovoked violence to life, person, or property, grossly exceeding the limits of the powers,” analogous to the case of the constable.

“The glorious Revolution,” (says a writer<sup>f</sup>, whose language betrays the vehemence of his liberalism, and which one is almost ashamed of quoting,) “cannot be defended without rejecting the slavish principles of absolute obedience, or even that pretended modification of them, which imagines some extreme case of intolerable tyranny, some, as it were, lunacy of despotism, as the only plea and palliation of resistance. Doubtless he was not a Caligula, or a Commodus, or a Ezzelin, or a Galeazzo Sforza, or a Christiern II. of Denmark, or a Charles IX. of France, or one of those almost innumerable tyrants whom men have endured in the wantonness of unlimited power. No man had been deprived of his liberty by any illegal warrant. No man, except in the single though very important instance of Magdalen College, had been despoiled of his property. I must also add, that the government of James II. will lose little by comparison with that of his father. The judgment in favour of his prerogative to dispense with the test, was far more according to received notions of law, far less injurious and unconstitutional, than that which gave a sanction to ship money. The injunction to read the declaration of indulgence in churches was less offensive to scrupulous men, than the similar command to read the declaration of Sunday sports in the time of Charles I. Nor was any one punished for a refusal to comply with the one, while the prisons had been filled with those who had disobeyed the other. Nay, what is more, there are much stronger presumptions of the father’s than of the son’s intention to lay aside parliaments, and set up an avowed despotism. It is indeed amusing to

<sup>f</sup> Hallam, t. iii. p. 113—15.

observe that many, who scarcely put bounds to their eulogies of Charles I. have been content to abandon the cause of one, who had no faults in his public conduct but such as seem to have come by inheritance.

Herewith, by this writer at least, all the ground upon which the Revolution was of old<sup>f</sup> defended, is abandoned. It is well however to review the illegal acts of King James II, not as his apologist, but that we may have before us those facts, which were thought strong enough to make rebellion justifiable, or lawful, or glorious. This is the more important, because persons have vulgarly taken up some vague notions of the arbitrary proceedings of James II, and in ignorance of the real facts, of the extent of the real evil, and of the possibility of remedy and of the relative circumstances, they have assumed as an axiom that the case was in itself extreme, and that there was no other remedy.

“It is no wonder,” says even one<sup>g</sup> of the defenders of the Revolution, “that these events have long, by the representations of faction, been extremely clouded and obscured. No man has yet arisen, who has paid an entire regard to truth, and has dared to expose her, without covering or disguise, to the eyes of the prejudiced public. Even that party amongst us which boasts of the highest regard to liberty, has not possessed sufficient liberty of thought in this particular, nor has been able to decide impartially of their own merit, compared with that of their antagonists. The Whig party, for a course of near seventy years, has, almost without interruption, enjoyed the whole authority of government; and no honours or offices could be obtained but by their countenance and protection. But this event, which, in some particulars, has been advantageous to the State, has proved destructive to the truth of history, and has established many gross falsehoods, which it is unaccountable how any civilized nation could have embraced with regard to its domestic occurrences.

<sup>f</sup> See “Appeal from the new to the old Whigs,” exhibiting the principles maintained by the Whigs, in the impeachment of Dr. Sacheverel, in extracts from their speeches. *Burke’s Works*, t. vi. p.145—81.

<sup>g</sup> Hume, *Hist.* c. 71.

The illegal acts were: 1st and chiefly, that “James<sup>h</sup> assumed the power of legislation, for to dispense with existing laws was to legislate; his subjects resisted,” and this writer rests the lawfulness of the Revolution on this fact only. Yet the ultra-liberal writer just quoted, says<sup>1</sup>:

“The Kings of England, if not immemorially, yet from a very early æra in our records, had exercised a prerogative unquestioned by parliament, and recognised by courts of justice, that of granting dispensations from the prohibitions and penalties of particular laws. The language of ancient statutes was usually brief and careless, with few of those attempts to regulate prospective contingencies, which, even with our pretended modern caution, are so often imperfect; and, as the Sessions were never regular, sometimes interrupted for several years, there was a kind of necessity, or great convenience, in deviating occasionally from the rigour of a general prohibition; more often, perhaps, some motive of interest or partiality would induce the Crown to infringe on the legal rule. This dispensing power, however, grew up, as it were, collaterally to the sovereignty of the legislature, which it sometimes appeared to overshadow. It was of course asserted in large terms by counsellors of state, and too frequently by the interpreters of law. Lord Coke, before he had learnt the bolder tone of his declining years, lays it down, that no Act of Parliament can bind the King from any prerogative which is inseparable from his person, so that he may not dispense with it by a non-obstante; such is his sovereign power to command any of his subjects to serve him for the public weal, which solely and inseparably is annexed to his person, and cannot be restrained by an Act of Parliament. Thus, although the statute 23 H. VI. c. 8, provides that all patents to hold the office of sheriff for more than one year shall be void, and even enacts that the King shall not dispense with it; yet it was held by all the judges in the reign of Henry VII., that the King may grant such a patent for a longer term on good grounds, whereof he alone is the judge. So also the statutes which restrain the King from granting pardons in case of murder

<sup>h</sup> Edinb. Rev. p. 402.

<sup>1</sup> Hallam, t. iii. p. 83 sqq.

have been held void; and doubtless the constant practice has been to disregard them.

This high and dangerous prerogative nevertheless was subject to several limitations, which none but the grosser flatterers of monarchy could deny. It was agreed among lawyers that the King could not dispense with the common law, nor with any statute prohibiting that which was *malum in se*, nor with any right or interest of a private person or corporation. The rules, however, were still rather complicated, the boundaries indefinite, and therefore varying according to the political character of the judges.

But the immediate circumstances of the case render it the more striking. In the instance in which it was judicially decided, the chief Justice (Herbert) was an honest and upright man, (as he shewed himself afterwards by his protest in the case of Magd. Coll.) and yet he, and in the whole eleven out of the twelve judges, decided in favour of the validity of the dispensation. The exception is said<sup>k</sup> to have been a judge of very indifferent reputation.

“It is by no means evident,” continues the same author<sup>1</sup>, “that the decision in this particular case of Hales, which had the approbation of eleven judges out of twelve, was against law. The course of precedents seems rather to furnish its justification.”

And yet this case involves the whole question of the dispensing power exercised in this reign. And accordingly this writer goes on to argue the necessity of the revolution, not from the *il*-legality, but from the legality of this dispensing power.

“But the less untenable such a judgment in favour of the dispensing power might appear, the more necessity would men of reflection perceive of making some great change in the relations of the people towards their sovereign. A prerogative of setting aside the enactments of parliament, which in trifling matters, and for the sake of conferring a benefit on individuals, might be suffered to exist with little mischief, became intole-

<sup>k</sup> Lingard, vii. 106.

<sup>1</sup> Hallam, p. 86, 7.

rable when exercised in contravention of the very principle of those statutes, which had been provided for the security of fundamental liberties or institutions. Thus the Test Act, the great achievement, as it had been reckoned, of the protestant party, for the sake of which the most subservient of parliaments had just then ventured to lose the king's favour, became absolutely nugatory and ineffective, by a construction which the law itself did not reject. Nor was it easy to provide any sufficient remedy by means of parliament; since it was the doctrine of the judges, that the king's inseparable and sovereign prerogatives in matters of government could not be taken away or restrained by statute. The unadvised assertion in a court of justice of this principle, which though not by any means novel, had never been advanced in a business of such universal concern and interest, may be said to have sealed the condemnation of the house of Stuart. It made the co-existence of an hereditary line, claiming a sovereign prerogative paramount to the liberties they had vouchsafed to concede, incompatible with the security or probable duration of those liberties. This incompatibility is the true basis of the revolution in 1688.

In other words, it was pronounced by the authorized interpreters of the law, not as a new doctrine, but in accordance with antient practice, that a certain prerogative belonged to the king, which made the English monarchy not altogether unlimited, (for James's independence of his parliament arose from their having granted him supplies for his life,) but less restricted than suited the will of the then people; and therefore they were to rebel, and the existing line to be cast out, not so much on account of the acts in themselves, but as a necessary preliminary to a supposed better state of things, to make way for a more satisfactory arrangement of "the relations of the people towards their sovereign."

It is remarkable, (as it has been remarked<sup>m</sup>,) that even the revolutionary Convention, which tendered the crown to

<sup>m</sup> Hume, c. 70, p. 249, note.

William of Orange, did not absolutely deny this power of dispensation, but only declared it "illegal *as* it had been assumed and exercised *of late*;" so that it may well be supposed, that James thought himself justified in the particular cases, when even this body of men, so committed as they were, did not venture to deny it wholly, or in the abstract.

It is further remarkable, that this right of dispensation was exercised in behalf of that class, whose so-called "emancipation" was carried some years past, against the known strong repugnance of the Sovereign, through the threat of a civil war, in case of its refusal. It were easy to decide which, although finally settled more in accordance to the *forms* of law, was the most illegal.

2. *The Ecclesiastical Commission.* This was a revival of a Statute of Elizabeth, which was abolished by an act of the Long Parliament (no very acceptable authority), which last "act again had been repealed by 13 Charles II. c. 12, which, while it put down the High Commission Court, with its *extraordinary* powers of imposing fines, committing to prison, and tendering the oath *ex officio*, preserved to the spiritual courts the exercise of their *ordinary* jurisdiction, and to the Crown that of its *ordinary* supremacy. James consulted the judges, and was by them advised to appoint a standing court of delegates with *ordinary* powers to hear and determine ecclesiastical causes, and to pronounce on offenders ecclesiastical censures<sup>n</sup>." The Commission was doubtless an intrenchment on the authority of the Church, and on that ground probably, the then Metropolitan (San-croft), though appointed to it, never sat upon it. Since, however, two bishops, the Lord Chancellor, Lord Treasurer, the President of the Council, and the Chief Justice of the Common Pleas, consented to sit upon it; sanctioned also

<sup>n</sup> Lingard, t. vii. p. 109, 10.

as it was by the highest legal authority ; it will scarcely be thought ground for the deposition of a king. Least of all will it probably be argued in these days, that the appointment of an Ecclesiastical Commission with large and undefined and even oppressive powers, is a ground for disloyalty or rebellion.

3. The memorable case of Hough falls under the Ecclesiastical Commission. It was an invasion of rights which now seem undoubted, established to be so perhaps by the passive and suffering resistance of the body thus invaded. And at the time, chief justice Herbert declares<sup>o</sup>, " I utterly denied that dispensation to be of any force at all, because there was a particular right and interest vested in the members of that College, as there is in the members of many other corporations, of choosing their own head." Yet the Ecclesiastical Commission (in whole or in part) twice decided against the Fellows of Magdalen ; and it is said by the same liberal historian<sup>p</sup>, " Elizabeth would probably have treated the Fellows of any college much in the same manner as James II, if they had proceeded to an election in defiance of her recommendation ;" and he rests the tyranny of the act on the change of times ; " the right was not the less clearly theirs, and the struggles of a century would have been thrown away, if James II. was to govern as the Tudors, or even as his father and grandfather had done before him." The act remains the same, a wrongful act ; but the sanction which he then had, must be taken into account in estimating the ulterior measures which it foreboded, or the animus which it indicated. James II. had taken no oath which Elizabeth had not, and what would have been borne in the one, was clearly no sufficient ground for the expulsion of the other.

<sup>o</sup> State Trials, xi. 1263, ap. Lingard. p. 154.

<sup>p</sup> Hallam, p. 104.

4. The admission of dissenters into corporations, by means of a "motley council of catholics and presbyterians<sup>p</sup>," "the whole effect<sup>q</sup> of which was to place municipal power and trust in the hands of the Non-conformists, those precarious and unfaithful allies of the court." The legislation of James is in many points a remarkable anticipation of the measures of the nineteenth century; may it stop short of the rest and of the result!

Such were the acts alleged as the grounds for the revolt of 1688, and it will hardly be thought by any one dispassionately reviewing the whole, (whatever his abstract views may be,) that they furnished any adequate grounds for the deposition of King James: nor indeed, though in some measure the plea, can they in fact, in any sense be said to have been the *grounds*. They, and very little beside, (or principally the pitiable and disproved pretext of the suppositiousness of the new-born heir apparent,) were mentioned indeed in the declaration published by the Prince of Orange; yet it is confessed on all hands, that not these, but the dread of the establishment of Popery, and of danger to the national religion, were *the* grounds of the Revolution; that is, no past acts, but a dread of future danger, were the grounds of the Rebellion. Of those very acts too, some who were active in promoting this Rebellion, had been forward to partake; in Scotland, with few exceptions, the proclamation of "liberty of conscience" was accepted by the Presbyterian ministers<sup>r</sup>; in England, the abolition of the test was received with exultation<sup>s</sup> by the Anabaptists, Quakers, Independents, Presbyterians as well as Romanists; and the Protestant

<sup>p</sup> Innes' Life of James, ap. Hallam, p. 102.

<sup>q</sup> Hallam, p. 103.

<sup>r</sup> Lingard, p. 128, 9.

<sup>s</sup> See Authorities ap. Lingard, p. 145.



dissenters, chiefly, availed themselves of it<sup>t</sup>: some even preached in favour of it<sup>n</sup>. “The benchers and barristers of the middle Temple” and, as we are told<sup>x</sup>, “every description of persons, the clergy, non-conformists of all denominations, grand juries, justices of peace, corporations, inhabitants of towns, sent up addresses to the number of some hundreds, in consequence of the declaration,” which is now to furnish an adequate ground for the king’s expulsion; and of these “the clergy only limited their thanks<sup>y</sup> to some promises of favour to the established Church.”

On the other hand, the acquittal of the seven Bishops, and the fair choice of the jury, shewed that, however James might deem himself entitled to remove judges at his will, the fountain of justice was not poisoned: the acclamations, with which the acquittal was received by the army; the affecting devotion of the people to the Bishops on their way to the tower, and to their trial; and the manner<sup>z</sup> in which the army had received the King’s appeal to

<sup>t</sup> “Surely without reproach,” observes Mr. Hallam, (p. 103.) The remark seems to imply that his conscience revolted at his apology for those who availed themselves of an illegal act, and then made the illegality whereby they profited a pretext for rebellion.

<sup>u</sup> Pease and Barclay at Chester, Barillon ap. Lingard, p. 161.

<sup>x</sup> Hallam, p. 100.

<sup>y</sup> Ibid.

<sup>z</sup> Hume, c. 71. This has been strangely overlooked by Mr. Hallam, p. 117, where he mentions the “numerous army” as one of the pleas for the necessity of the Revolution. He says also, “above all, he would at the last have recourse to France;” this is wholly gratuitous; James had shewn no inclination to have any resort to the “hazardous” and unprincipled “experiment of bringing over French troops:” when his subjects were in rebellion against him, and had brought over foreign troops, he disclaimed it; and there is no reason to doubt him. Yet on such grounds alone Mr. H. contends that “at least the renewal of civil bloodshed, and the anarchy of rebellion, seemed to be the alternative of slavery, if William had never earned the just title of our

them, whether they would approve of the repeal of the test and papal statutes, shewed that the nation had nothing to fear. The very invitation<sup>a</sup> to the Prince of Orange from the association admits that “the army would be very much divided among themselves, many of the officers being discontented, and very many of the common soldiers do daily shew such an aversion of popery;—and among the seamen it is almost certain that not one in ten would do them any service in such a war.” With an army, which, on the points whence danger was apprehended, sided against him, how should the king be able, if he wished it, to force a religion upon his people? Nor had he, as yet, ventured upon any *system*, which should evince any such purpose; he had indeed forced upon the University of Oxford two Romanist heads of Colleges, (in one case the patronage having been confided to the Crown,) but the opposition which he had met with in the case of Magdalene College, and the sympathy which that opposition had excited, made it not probable that he would have essayed further steps, or had he essayed, would have been successful, or been able to corrupt the Church through her heads or the guardians of her faith.

Further, two eminent statesmen of the day declined joining the conspiracy to invite the Prince of Orange, on the ground of the *absence of any necessity*. “Halifax<sup>b</sup> all

deliverer.” *After* William invaded the country, anarchy may have been the alternative of his being king; before, no danger has yet been shewn.

<sup>a</sup> See it in Dalrymple, App. p. 229.

<sup>b</sup> Dalrymple *passim*. ap. Hallam, p. 111. See his *Letters*, Dalr. p. 186, 196, 208, 209, 235, and this so late as July 25, 1688. In a former letter, he says expressly, “all men are settled in their dislike of the unwelcome thing, that is endeavoured to be imposed on them; this consideration alone freeth me in a great measure from the fears I might otherwise have,” p. 208. as of the trial of the Bishops, he says, “It is

along discouraged the invasion, pointing out that *the king made no progress in his schemes.*" Nottingham<sup>c</sup> excused himself from signing, pleading scruples of conscience, because he "apprehended no ill consequences to religion or the *just* interests of his highness [the Prince of Orange] which a little time would not effectually remedy, nor could he imagine that the papists were able to make any further considerable progress." Lord Shrewsbury<sup>d</sup>, and Mr. Sidney<sup>e</sup>, (two of the seven conspirators,) both conveyed the same impression to the Prince, as at an earlier date did Lord Mordaunt<sup>f</sup>.

Moreover, it is admitted on all hands, that but for the birth of James's son the revolution might never have taken place.

"It was evidently the becoming father of that child," admits the same writer<sup>g</sup>, "which rendered his other offences inexpiable. He was now considerably advanced in life; and the decided resistance of his subjects made it improbable that he could do much essential injury to the established constitution during the remainder of it. The mere certainty of all reverting to a protestant heir would be an effectual guarantee of the Angli-

one of those faults that can never be repaired; all that can be done to mend it, will probably make it worse." p. 235.

<sup>c</sup> Dalrymple, 232, 237. ap. Lingard, l. c. "It is evidently true that James had made very little progress, or rather experienced a signal defeat, in his endeavour to place the professors of his own religion on a firm and honourable basis." Hallam, p. 116.

<sup>d</sup> Dalrymple, p. 214.

<sup>e</sup> p. 231.

<sup>f</sup> p. 202.

<sup>g</sup> Hallam, p. 112. Comp. Lingard, p. 211. "That birth proved the immediate occasion of his downfall." Barillon, the French Ambassador, writes, "The birth of the Prince of Wales may cause a considerable change, and strengthen the Monarchical side. But the factious think it the more necessary to oppose the designs of H. B. M. and that may hasten the execution of what they wish to undertake." June 21, 1688, ib.

can church. But the birth of a son to be nursed in the obnoxious bigotry of Rome, the prospect of a regency under the queen, so deeply implicated, according to common report, in the schemes of this reign, made every danger appear more terrible."

Thus then it is admitted by those who admit the validity of such necessity, that there was no visible, no overwhelming, present, necessity, for calling in the Prince of Orange; a little patience, and the "tyranny had been overpast;" whatever is said of breaking "social compacts," and the like, were and are but ingenious theories for justifying in men's own eyes what has taken place, not the grounds upon which it did take place; it was brought about, as its visible causes, partly by interested individuals and manifest traitors, who received from William the payment of their treason, partly by an undefined, mistrusting, faithless apprehension of the future, in no degree justified by the past, partly by the able, but unconscientious, game played by William<sup>b</sup>; it was brought about by Him, who guides all

<sup>b</sup> It is a singular instance of the early interference of the Prince of Orange in English affairs, that he was cognizant of all the severities of Judge Jeffries, which brought so much odium on James. So, at least, Jeffries stated to Mr. (afterwards Archbishop) Sharp, when he had nothing to gain, and was dying in the Tower, whither he had been, at his own request, removed for safety; "he had done nothing in that affair without the advice and concurrence of — who now is the darling of the people." (*Life of Abp. Sharp*, t. i. p. 97.) This application for his "concurrence" in the execution of Monmouth's followers, would even go towards establishing what "was often asserted," (*Hallam*, iii. 92.) that he "had a share in prompting the invasion of Monmouth" himself. This or the like conversation perhaps gave rise to the report, (*Lingard*, t. viii. p. 77.) that James was cognizant of the whole. It was safer to fix the odium on James. Or both may be true. The evidence of William's interference, however, does not rest on this; the early correspondence of English politicians with him is one of the most disgraceful parts of our history, and Dalrymple says, that "there are few great families in this country, who will not find that their ancestors (of whatever party they were) had a hand in it in one way or other." *App.* p. 180.

things, partly, we may hope, in mercy to our Church, in that He allowed us not to plunge into worse extremes, but also in its evil consequences, as a warning to us, how we take first wrong steps. The debates in the House of Lords<sup>1</sup> shew, that a great part of the nation were not prepared to make William king; and had not William terrified James into flight, encouraging the terrors infused by the memory of his father's murder, he probably had never himself been made king. William was made king, without the will and against the intention of the nation at large, because they had entangled themselves in a web of their own weaving, and he held the cord which confined it, drew it round, and inclosed them, and would not let them escape any other way.

“It was urged,” says Burnet\*, “that if, upon any pretence whatsoever the nation might throw off their king, then the Crown must become precarious, and the power of

<sup>1</sup> Several peers who joined in inviting the Prince of Orange, said they would not have done so, had they foreseen the issue. The Bishops, whom James urged to sign a declaration, expressing that they had no share in inviting over the Prince of Orange, and signifying their “dislike or abhorrence or detestation of his proceedings,” seem to have been suspicious of the use, which James would have made of it, and not to have believed that the Prince was really coming. Neither did they like to be associated with the Bishops of Chester (Cartwright) and St. David's. There is no ground to suspect them of temporizing, or wishing to make use of William, as did some temporal peers. Much then as one must lament their refusal, one has no right to blame them. They were also separated from most of their brethren, who had gone to their dioceses. (See the Account in Clarendon, 307, 312—23.) They had also been accused falsely in the declaration of William (for Compton, Bp. of London, alone had joined the conspiracy); and they might think, that since the like self-exculpation was not required of the temporal peers, James meant to use their declaration as a proof that the Bishops approved of his measures. His great earnestness shews how much value he attached to such a document.

\* Own Times, v. fin.

judging the king must be in the people. This must end in a commonwealth. A great deal was brought from both the laws and history of England to prove that not only the person but the authority of the king was sacred.—They did not deny but that great objections lay against the methods that they proposed [a regency, as if the king were personally incapable of governing.] But affairs were brought into so desperate a state by King James's conduct, that it was not possible to propose a remedy, which might not be justly excepted to. But they thought *their expedient would take in the greatest*, as well as the best part of the nation, whereas all other expedients gratified a republican party, composed of the dissenters and of men of no religion, who hoped now to see the Church ruined, and the government set upon such a bottom, as that we should have only a titular king, who, as he had his power from the people, so should be accountable to them for the exercise of it, and should forfeit it at their pleasure. The much greater part of the House of Lords was for this, and so was about a third part of the House of Commons. The greatest part of the Clergy declared themselves for it."

This feeling seems even to have increased as time went on; "there was an ill-humour," drops Burnet incidentally, "*already spreading itself through the nation*, and through the Clergy," i. e. persons were already recovering from the surprise in which they had been plunged, beginning to see that they had entered upon a more perilous course than they were aware, doubtful about its issue, and discontented with its authors. And this probably determined William at last to break silence, and by declining the regency, or any thing short of the crown, to open people's eyes, and shew them that they had no alternative, but that of accepting his terms, or recalling James: for whom could they make Regent? The vote of the Commons mem-

bers of the Convention, declaring the throne vacant, was rejected by eleven in the Lords; "but it was impossible," says Hume, "for the public to remain long in the present situation. The perseverance therefore of the lower house [of Convention] obliged the Lords to give way." To this may be added, that the House of Lords, then as on most cases of excitement, probably most truly represented the permanent sentiments of the people; the lower house of Convention, moreover, was put together, by chance, from surviving members of the Parliament of Charles II, and the Mayor, Aldermen, and fifty of the Common Council, which, towards the close of Charles II. reign, "was<sup>1</sup> entirely in the hands of the malcontents," and whose temper was not likely to have been improved by the forfeiture of their charter, even though taken from them under Charles by law and restored to them when, just before the invasion, James redressed all grievances. So little ground is there then for all boast about the Revolution of 1688, which was finally carried, because those who wished to make a tool of William, were taken in their own craftiness by one craftier than they.

Thus far then, it appears, I think, that the alleged justification of the act of 1688 fails, 1. because it was not on those principles that it, in fact, proceeded; but from an unreasonable panic on the part of the nation and treachery in individuals. 2. Because no case can be made out of such magnitude as to justify the application of those principles, even supposing those principles to be true. 3. The farthest to which these principles would in any case go would be a passive resistance, a refusal to obey the king against the laws, (as did our seven Bishops,) not aggression upon him or his expulsion.

<sup>1</sup> Hume, c. 59.

The writer in question remarkably confuses these two last points, resistance and aggression, and on that confusion rests his argument; he says<sup>m</sup>:

“ The members of that council [the Convention] met in fear and uncertainty; they, too, were determined on resistance, but it was long ere they decided on its consequences; and at last, whether through their fear of anarchy, or their passions, or their interests, the hand of Providence brought William to the throne, and the great change ended in the dethronement of a king and subversion of a dynasty. With the justification of each particular step in the change—of the forced abdication—of the assembling of the informal convention, and so forth—whether each was just, or expedient, or religious—we have nothing here to do. Nor are we at all concerned with the characters and motives of the actors in that revolution.—The only important question of conscience is, as Dr. Pusey will agree with us, whether James’s subjects had a right to resist him; a question involving the right of resistance to usurped authority in all generations.”

But the question as here put, is ambiguous, and that upon which it turns, is glossed over; the question is not simply whether James’s subjects had a right to *resist* him; but if this be granted, *what sort of resistance* they had a right to offer, refusal simply to concur in single unlawful acts, and to execute unlawful commands, or violence to his person and majesty—whether they had a right to *expel* him, or to offer that sort of resistance which would end in his expulsion. The points, with which it is said that we have nothing to do, are every thing in this question, or rather chiefly that one, which our homilies so remarkably condemn, and in which all the rest are involved, the calling in a foreign power, not simply as a mediator, but as an invader, with an armed force, against their own sovereign. It may be, after this, there was no retreat; and

<sup>m</sup> Edinb. Rev. p. 403.



those who invited the invader must have been involved in a civil war, Englishmen against Englishmen, and made our country the theatre of foreign war, the French against the Dutch, had James thought right to use the same means to defend his throne, as some of his subjects did to overthrow it; but this only further illustrates the evil of the first measure. If, as some moderns have contended<sup>a</sup>, every step was linked to the former, so that after William's landing there was no alternative, if James's recall of his obnoxious measures was too late, and there was no "locus pœnitentiæ" for a king, then clearly we are to view the first action in the full concentrated light of all which succeeded it, not glide smoothly over them, as if they were involuntary. So it is with the latter stages of most sin; it is at least in this sense, involuntary; they who perpetrate it, feel compunction at it, hesitate, shrink from it, but do it; because they have "sold themselves to do wickedness" by their first act, and they are no longer their own masters, but slaves.

The excuse "they were determined on resistance,—and at last the hand of Providence brought William to the throne," somewhat resembles that offered by a saint of God, in the one unrighteous action, to which he was led by compromising with a rebellious people; "They gave me the gold; then I cast it into the fire; and there came out this calf<sup>o</sup>." But the excuse availed him not; "The Lord," said Moses to the people, "was very angry with Aaron to have destroyed him<sup>p</sup>."

Nor can it be conceded that the motives and characters of the actors in this Revolution are to be passed over, as irrelevant; certainly not by one who would justify that act. For if there was (as there indeed was) a miserable duplicity, and self-interest, and private revenge, in many of the

<sup>a</sup> Hallam, p. 117, 118.      <sup>o</sup> Exodus xxxii. 24.      <sup>p</sup> Deut. ix. 19.

contrivers of that act, this, in itself, goes far to stamp the act itself, and to afford a presumption, that they involved the nation in it without reference to principle or Christian duty. Again, the falsehoods employed, both as to the supposititiousness of the Prince of Wales, and the objects of the Prince of Orange's coming, belong not to a righteous cause. They who acted from private motives were traitors, and this is but an ill element towards a "glorious," or if it did not at once sound as a contradiction, a Christian revolution.

And so, even waving for a time the peremptory duty of submission to authority, it will appear from the precipitancy of the act, how very far from a Christian act this was. What patience had been shewn? what forbearance? what endeavour to remonstrate with the king? what intervening step between flattery and rebellion? what fulfilment of the law, "If thy brother trespass against thee, go and tell him his fault?" Rather, the king had been inveigled to the brink of the precipice; in 1687, in<sup>a</sup> "his progress from London to Bath and thence to Chester, he was received with acclamations;" "the king," says the observant French ambassador<sup>r</sup>, "believes that his journey has served to bring back men's minds to him, and that the people have been undeceived as to many falsehoods;" "the singular contrast between the addresses, sent up to him in that year (1687,) and what we know of the prevailing disposition of the people in that year, and of their general abandonment of the King's cause before the end of the

<sup>a</sup> Lingard, p. 161.

<sup>r</sup> Barillon, *ib.* p. 163. Two letters of King James to the Prince of Orange, April and May, 1687, express, he "finds his Declaration contributes much to things being so quiet, the generality of the nation being satisfied with it, and at ease by it." *ap.* Dalrymple, *App.* p. 182, 3.

next" has been noticed by an Apologist<sup>1</sup> of the revolution, so that he says "we should have cause to blush for the servile hypocrisy of our ancestors, if there were not good reason to believe that these addresses were *sometimes* the work of a small minority in the name of the rest." This, if true, would so far excuse some members of a class; it does not excuse the nation; the University of Oxford, which was aggrieved, openly avowed herself aggrieved, and for so doing she was (and with her, the Church) taunted<sup>2</sup> for inconsistency and "apostasy from their professions:" of the King's other acts the Clergy alone<sup>3</sup> conveyed their disapprobation. And this then we are to suppose such intolerable servitude, that it required the desperate remedy of calling in an invader, and rebelling against the lawful sovereign! Truly it is more like the act of an assassin, who with fair speeches should lead on a person to the ambush set for his life, than that of a Christian people. Be it that in the case of the seven Bishops, James shewed himself little inclined to yield even to respectful remonstrance, yet by them he had been disobeyed; they had declared the measure of the sovereign illegal; and so he thought himself aggrieved: but what if others had done like them? what, had the people remonstrated instead of flattering? James issued orders<sup>4</sup> indeed "to prosecute all those clergymen, who had not read his Declaration, i. e. the whole church of England, 200 excepted;" but such resolves betray passion only, and can never issue in any result except the disgrace and defeat of him who engages in them; a whole people has always the means of self-redress against the permanent pressure of things unjust, by abstaining tranquilly from complying with them; or if there be risk in some cases to individuals—and

<sup>1</sup> Hallam, p. 100.

<sup>2</sup> Id. p. 107 and note.

<sup>3</sup> Id. p. 100.

<sup>4</sup> Hume, c. 70.

every thing valuable is to be purchased by the sufferings of the few, who are called to the more prominent posts,—what was this to be accounted of? In this case, it appeared too, from the result of the trial of the Bishops, that a little temporary inconvenience alone was the result; and, after their trial, James, although he used angry words, tried the issue no further. Poor and mean then were the attainments of Christian patience and endurance, were such as these its legitimate bounds! When, moreover, King James saw that his people did in earnest desire an alteration in his line of conduct, he altered it; the first intimation he received that it was displeasing to his subjects was the notice that the armaments of William were intended against him, and that William had been invited by some of his own subjects; but above a month before the Prince of Orange landed, he had begun to revoke the obnoxious measures; and before he sailed, every thing was restored to its former footing, every trace of misrule effaced<sup>y</sup>; and his acts, for they were not mere promises, were accepted “with the usual demonstrations of public joy<sup>z</sup>.” “It was pity,” said Lord Clarendon shortly before to the Princess his daughter and ultimate successor<sup>a</sup>, “that nobody would take this opportunity of speaking freely and honestly to the King;” but it was a readier way to betray him.

Such then having been the case, the rebellion of 1688 is, obviously, wholly unjustifiable on the most ordinary principles of Christian morality, without having recourse to any of the higher doctrines of non-resistance, or the more difficult trials of Christian principle. And in the rest of the subject we may lay aside all reference to that

<sup>y</sup> See Clarendon's Diary and authorities ap. Lingard, p. 227.

<sup>z</sup> *Ib.* p. 228.

<sup>a</sup> *Diary*, p. 68.

event, and speak of the principle only, in order to clear our own views of Christian obedience in itself.

The resistance to the supreme authority of a state, has been defended by a sort of common-sense-appeal, "you<sup>b</sup> would in such or such a case surely resist a constable, and since his authority is also from God, if you may resist the lowest, you may also the highest." Bearing in mind the fallacy above stated<sup>c</sup>, and that resisting a constable and ejecting a constable, resisting a king or not complying with unlawful commands, and deposing a king, are not one and the same thing, there are yet other points in which this supposed analogy between the highest and lowest authority fails.

1. It is obvious that the ground of resisting the constable, in any such extreme case as is supposed, lies in the *instant* necessity of the case. When violence is offered to life, if the authority be not resisted *then*, it is too late. There is a fallacy in selecting the instance out of just that class, in which physical force is necessarily employed. The analogy would not have held of a judge. Nor had any life been threatened or endangered by the measures of King James. 2. The lowest authority does not derive his power *directly* from God, but mediately through other authorities. We have then interpreters of the authority given to him; his authority is limited by the higher human authority, which delegated it; so that in resisting him, when violating his authority, we are executing the authority which the same source of authority has given to us. We are acting in obedience to the higher authority in resisting the lower. The king we are bid to obey "as supreme<sup>d</sup>," i. e. not deriving his authority from any earthly power, but directly from God, and being the channel through which

<sup>b</sup> Edinb. Rev. p. 401.

<sup>c</sup> p. 22, 23.

<sup>d</sup> 1 Pet. ii. 13.

power is conveyed to inferior authorities. 3. There is no danger of any ulterior confusion in resisting the lower authority; we do it, at our own responsibility, but as being answerable to a higher human authority for our actions. No further evil can result beyond that involved in any resistance whatever. But a nation, or as it always is, part of a nation, when it rebels, risks bringing the most hideous miseries and brutalities on those who would gladly live at peace, causing innocent blood to be shed, and sending souls unprepared to their account. There are then, obviously, reasons why God may in His goodness have enjoined *absolute submission* to the supreme authority of the state, even though in some cases that owed to inferior authorities may be dispensed with. But in fact, absolute submission has been peremptorily commanded to *all* human authority, except when the law of God intervenes; and in any such extreme cases, in which men are called upon actively to resist the inferior, they are in fact obeying the superior. "We ought to choose to serve the higher," says S. Aug. No exception then is made out; and so it were well that men should reverently weigh the awful words, the more awful as coming at the close of the Epistle which so largely discourses of God's mercy in Christ, "Let every soul be subject unto the higher powers. For there is no power but of God; the powers that be are ordained of God; so then he who resisteth the power resisteth the ordinance of God; AND THEY WHO RESIST SHALL RECEIVE TO THEMSELVES DAMNATION." We have nothing to do with dispensing God's judgments; but we may, at least, on the other side, beware the sentence against those, "who knowing the judgments of God that they which commit such things are worthy of death, not only do the same, *but have pleasure* in them that do them."

Nor will the distinction alleged<sup>e</sup> between the Roman Emperors whom S. Paul commanded to obey, and the supreme but limited authority in modern states, avail any thing. And that on two grounds; 1. that there is no proof of the alleged compact; 2. that Scripture commands men to obey not legal only, but illegal authority. It were indeed very dangerous to leave it to the subject to determine, when or under what circumstances the Sovereign broke his coronation oath, and thereby according to this theory absolved them from their allegiance. It is known that George III. regarded an act, which afterwards received the royal assent, as contrary to that oath, i. e. according to this view, (which, since 1688, may be alleged with much more force,) contrary to that compact, on which the Sovereign held his throne. His words, when pressed by Mr. Pitt upon that subject, are well known, "I can go back to Hanover, but I cannot break my oath." There was no doubt also that the act was displeasing to the vast majority of the English nation; they who carried it did not venture to appeal to a fresh and "free Parliament;" it was a revolution, as great in its effects as that of 1688, considered as such. What then could these theorists have said, against a declaration on the part of a convention, that "— having endeavoured to subvert the constitution of the kingdom, by breaking the original contract between king and people, has abdicated or forfeited the government, and that the throne is thereby vacant?"

Even they could hardly hold, (holding as they do that the House of Commons are the delegates of the people,) that the Houses of Parliament could, against the will of the people, with whom the compact was made, absolve the Sovereign from his oath; most (with George III.) would think that they could not, with it. This is in-

<sup>e</sup> Edinb. Rev. p. 407.

stanced, only as a recent tangible case to illustrate the danger of any such principles; the oath is the only ground upon which the alleged compact can be maintained; its terms are necessarily large and broad; it would be difficult to prove that James broke it, and so that he broke the compact at all; the proof might make the throne of any monarch precarious,—except that the way in which that compact, since the revolution, would be broken, would be only to the grief of “those who are quiet in the land,” who pray for kings and resist them not. But in truth the oath is an oath to God, not a compact with man; towards man, “the king can do no wrong;” he is responsible, and not the less, but the more awefully responsible, because responsible to GOD only, the “King of kings, and Lord of lords, and *only* Ruler of princes.”

The king, indeed, at his Coronation, solemnly promises<sup>f</sup>

<sup>f</sup> The following was the oath taken by James and Charles I, which was not altered before the Revolution. 1. “Sir, Will you grant and keep, and by your oath confirm to the people of England, the laws and customs to them granted by the Kings of England, your lawful and religious predecessors; and especially the laws, customs, and franchises, granted to the Clergy and to the people by the glorious King St. Edward your Predecessor? 2. Sir, Will you keep to the Church of God, the Clergy, and people, peace and concord in God entirely, according to your power? 3. Sir, Will you to your power cause law, justice, and discretion in mercy and truth to be executed in all your judgments? 4. Sir, Will you grant to hold and keep the laws and rightful customs, which the commonalty of your kingdom have, and to defend and uphold them to the honour of God so much as in you lye?” (Prynne’s *Signal Loyalty of God’s true saints towards their kings*, ii. 269, printed from the originals.) After the Revolution, the first was altered thus, “Will you solemnly promise and swear to govern the people of this kingdom of England, and the dominions thereto belonging, according to the *statutes in parliament agreed on*, and the laws and customs of the same?” The second was omitted. In the third, the word “discretion” only is omitted. For the fourth, is substituted “Will you to the utmost of your power maintain the laws of God, the



to his people, that he will discharge such and such duties; but he was king before this promise; for the maxim "The king never dies" goes precisely to this point, that the successor of any particular king, becomes king without any interruption, condition, or uncertainty, by the very fact of the death of the former. "Immediately" upon the decease of the reigning prince in his natural capacity, his kingship of imperial dignity, by act of law, without any interregnum or interval, is vested at once in his heir; who is *eo instante* king to all intents and purposes. And so tender is the law of supposing even a possibility of his death, that his natural dissolution is generally called his *demise, demissio regis vel coronæ*, an expression which signifies merely a transfer of property; for, as is observed in Plowden, when we say the demise of the Crown, we mean that, in consequence of the disunion of the king's natural body from his body politic, the kingdom is transferred or demised to his successor; and so the royal dignity remains perpetual."

true profession of the Gospel, and the protestant reformed religion established by the law? And will you preserve unto the bishops and clergy of this realm, and to the churches committed to their charge, all such rights and privileges as by law do or shall appertain unto them, or any of them?" Blackstone, i. 235. The oath taken by James and Charles I, was the same as that of Richard II. (Signal Loyalty, ii. 246.) It differs remarkably from that subsequent to the Revolution, in that 1. it recognizes the king to be the source of law, "the laws granted by the kings to the people of England?" 2. And not only the original granter of those laws, but the existing king, "Will you grant (concedere) and keep the laws &c." So that we have not only, as was alleged in the Statute, 1 W. and M. st. 1. c. 6. "a change in the wording," in that the Parliament is now for the first time expressly named, but an actual change of principle. But the very alteration of the wording shews that, in their own apprehension, it admitted of question before, and so they were, of course, on their own admission, not justified in asserting so peremptorily that James II. had broken the "original contract."

‡ Blackstone, i. 249.

This promise then only the more solemnly confirms the duties to which, by the very fact of becoming king, he already stood pledged ; as, (in as far as one may compare those solemn acts wherein God is pleased to deal with us “ after the manner of men,”) He was already King of His people, and they were His people, yet did it please Him to add to this their original obligation the solemn sanction of mutual promise, “ Ye have seen what I did unto the Egyptians, and how I bare you on eagles’ wings and brought you unto Myself. Now therefore, if ye will obey My voice indeed, and keep My covenant, then ye shall be a peculiar treasure unto Me, above all people, for the whole earth is Mine. And Moses came and called for the elders of the people, and laid before their faces all these words which the Lord commanded him. And all the people answered together and said, All that the Lord hath spoken, we will do. And Moses returned the words of the people unto the Lord<sup>h</sup>.” This has the forms of, and has been called<sup>1</sup>, “ the solemn compact whereon the Jewish Government was founded, in which the Lord Jehovah appeared as the immediate sovereign, and the Jewish people His immediate subjects;” yet were not the Jewish people less solemnly bound before ; God had before spoken of them, as His people, and demanded them, as such, at the hands of Pharaoh ; and they had been previously guilty of murmuring<sup>k</sup>, tempting<sup>l</sup>, disobedience<sup>m</sup> against, Him, which shews that they were already in that situation.

The Covenant with Israel was not made at Mount Sinai, but with the Fathers, four hundred and thirty years before ; this solemn act was an impressive acknowledgment of that mutual relation, but did not constitute it, because it existed before. There is, of course, a

<sup>h</sup> Ex. xix.

<sup>k</sup> Ex. xvi. 8—12.

<sup>1</sup> Graves on the Pentateuch, p. ii. l. iii. p. 260.

<sup>l</sup> Chap. xvii. 2. 7.

<sup>m</sup> Chap. xvi. 28.

manifest difference between a compact of man with God or with his fellowman, because "He is faithful, and cannot deny Himself," or break His covenant: but the case illustrates this, that there may be a mutual promise, even where the relation existed before. Again, the Coronation is a solemn act of worship, wherein God, by His ministers, confers His authority on each successive king, who thus becomes "the anointed of the Lord:" it is not a compact with the people, nor do they delegate to the king a power which they have not, but an oath to God, and a sanction and consecration from God to that individual.

But 2. Scripture commands to obey not only lawful, but illegal power. Illegal power has a claim upon the obedience of the subject, when there is no other higher claim conflicting with it. Not only were the Emperors, whom the Apostles bade Christians obey, themselves without any title raised to the throne, but the office, it need not be said, was itself illegal. It was a true tyranny; their accumulation of offices, and all their functions were contrary to existing laws; they were usurpers, exercising unlawful authority; but Scripture bade men obey these; and the principle contained therein is this, that the Christian subject is to submit patiently to whatever the supreme power of the country in which he lives, lays upon him, (obeying whatever is not contrary to conscience, and, since conscience cannot be thereby injured, suffering every thing quietly,) praying "for kings and all that are in authority, that we may lead a quiet and peaceable life in all godliness and honesty," and living that quiet and peaceable life, submitting to the authority, whatever it may be, and whether exercised for or against him. "What signifies it," says S. Aug.<sup>n</sup> "to this mortal life, which in a few days is passed and closed, what signifies it, under whose rule man lives,

<sup>n</sup> De Civ. Dei, v. 17.

while on his way to death, if they who rule do not compel to things unholy and unjust?"

In all this, *nothing has been said, nor was any thing said in any part of the Sermon, implying the Divine right of kings*; it has been maintained broadly that a person must live quietly under the authority of the country in which Divine Providence has placed him, being in fact a sojourner and a pilgrim here, and a citizen of a better country, yet seeking the good of the country in which he sojourns. Still less has any thing been said here or elsewhere implying "an indefeasible hereditary right." This involves a number of difficult questions, into which it was not necessary to enter. For those who lived at that time, and had taken the oath, the whole case appears to us very plain; they had sworn allegiance not only to the existing monarch but to his heirs; even such, as had not taken it, had been born under the rule of an hereditary line of kings, and so it can hardly be held that the son of James II., (especially being born while his father was the acknowledged king,) was not born with a title to the throne, that injustice was not committed or guilt contracted by passing him over, that he was not the rightful king. But when those generations had passed away, and others had sprung up, born under the rule of the new line, and bound by no pledges to the old, the case was in a great measure altered; the rising of 1745 was different from that of 1715, and this again from the first attempt of James II. to recover his kingdom in Ireland. Those who lived at those periods had cases to solve of more or less difficulty; and it would be presumptuous to pronounce, that the Scotch, born members of an antient strict hereditary kingdom, were wrong, even in 1745, in obeying him, who demanded their allegiance, as their lawful king. For

a voluntary attempt to disturb the king *de facto*, and an obedience to the king *de jure*, if he reappear to claim it of those on whom he *has* a claim (whoever these may be) are obviously very different. It has been annexed as a penalty to a first wrong step, whether in public or private morals, that it involves persons in perplexities from which in a straight course they had been free; so that not only do they increase their own difficulties in seeing or doing their duty, through the bias which any such act gives the mind, but they make those duties themselves more intricate and complex. A person who has done a private wrong, very often, after a time, cannot repair it without doing a further wrong to another person. Such reparation as could be offered, would be a fresh injury. Even short of this, a case will often become so involved, that a person finds it difficult to decide, which way his duty really lies, though bent upon performing it, if he could decide. This is acknowledged even in public matters, though there is rarely there so much conscientiousness, and consequently there is so much the more real perplexity. Thoughtful minds feel that the nation lies under the guilt of sacrilege for the spoliations under Henry VIII, Edward VI, and Elizabeth; yet how to remedy this, after the spoliations have been confirmed by time, they have not seen; or again, to take a case of secular politics, whether, on the restoration of any lawful dynasty, they who have been dispossessed of their estates during a period of illegal rule, should recover them, or they retain them who have lawfully purchased them from that unlawful power? However decided, the decision has seemed harsh and unjust; the restored government both in France and England allowed those to suffer whom it would naturally have most favoured,—its own adherents, so difficult did it find it to adjust the conflicting claims. So also, whenever by men's own mis-

conduct or that of their forefathers, a disputed succession has arisen, the duty of allegiance, elsewhere so plain and simple, became greatly obscured; and he who should pronounce such or such an act to involve the sin of rebellion, knows little of the deep instinctive fixedness of the human affections, and would confound the mere decision of a majority, (if it were such,) with the will of God.

But the case is obviously wholly altered, when the hereditary line becomes extinct; the existence of the family of the Stuarts was a memorial against us; there was a direct line of princes, who each in succession would have sat upon the throne, inheriting it from his father; and though it might not be difficult to say, when they should have ceased to claim allegiance, it was not easy to decide, when the subject ceased to owe it, if claimed. One born under James II. was clearly bound to him and to his son; was his son's allegiance different from his own? or since the son of James II. was entitled to their allegiance, was not also his son's son? These, as the history of Scotland shews, were practically questions of real difficulty; if many could without scruple or compromise remain tranquil under the new dynasty, even when their allegiance was claimed by the representative of the old, yet many doubtless in so doing consulted their safety rather than their conscience, many were perplexed. But since the hereditary right is derived from the paternal character of government and the affection due to the king and his son and his son's son after him, it is equally a fact, that the extinction of the descendants of James II. removed all these harassing difficulties. It were absurd to parallel a case, wherein a Convention, illegally brought together, in a state of anarchy, excluded the heir-apparent to the throne, or those who were yet in the loins of the father, (as in the case of the lineal descendants of James II.) with that wherein one, *de*

*facto* king, in concurrence with the two Houses of Parliament, and having to ascend upwards for the nearest of kin, selected the descendants of an aunt in preference to those of a niece. The first, the consciences of many, who shared in it, rebelled at, (whence they so readily believed the heir of James II. to be supposititious,) the other is an abstract question, belonging to the constitutions of empires, but no way affecting allegiance. Still more absurd would it be, at any time after the line of James II. was finally extinct, to affect to raise any question, because the line then on the throne had, nearly two centuries past, parted off one generation higher than another. Under ordinary circumstances, it might be well, in order to avoid disputes, to adhere to a rule, even in such a case as this, and to leave nothing to choice; but it would be the mere pedantry of legalism, to represent it as involving the whole principle of hereditary succession; the objection on principle to the "act of succession" was, that it set aside the line of James, not that it preferred that of the House of Hanover to that of Orleans: whether, of princesses who had been married into foreign families, and become part of them, the descendant of the one or the other should be preferred, was obviously a different question, and one which never excited any scruple. Either were foreigners, not our hereditary princes. The line, which (if we measured the succession to the crown, by the legal rule which amongst us settles the succession of property) was passed by, has passed, first, into the family of Orleans, then into that of Sardinia, and now again is transplanted into that of Modena°. Whatever lawyers, accustomed to the technicalities of their profession, may think, they will never persuade

° In the Preface it is said "the King of Sardinia;" the Edinburgh Reviewer, who probably does not recollect the time when it was the King of Sardinia, has rightly corrected the "Duchess of Modena;" for the King of Sardinia, who died in 1824, left no male issue.

men that the principles of hereditary succession may not be fully acknowledged, without tying down the succession of the Crown to all the minute rules which regulate the inheritance of a farm. The blessing spoken of by God is, "He shall never want a son to sit on his throne;" this our service recognizes as a blessing, "that our posterity may see his children's children and peace upon Israel;" but this withdrawn, it were affectation to say that any principle whatever is involved in taking the next of kin a century or two back; any reason in the nature of things, why persons should not go to the branch nearest the original stock, as well as to that which has latest separated, the eldest as well as the youngest, the head as well as the tail. The fact, that persons were not content with the succession, so long as the direct line of James II. existed, and that all have been contented since, outweighs all such petty technicalities. The Jacobites did doubt the right of the present family before; they have not doubted it since<sup>p</sup>, and so the unhappy distinction has been merged. For these reasons I distinctly waived the question of hereditary right as wholly irrelevant<sup>q</sup>; the reign of William and Mary was the direct produce of rebellion; that of the House of Hanover of an act of settlement passed, at least, as was said, "in a more orderly way." And the principles of the Non-Jurors have nothing at variance with their full recognition.

Now, however, not only has any perplexity been removed, (such as, it is known, conscientious men, and peaceful subjects did feel,) but (it may be freely said) the restoration of things to their former state, wherein they were before any act of disobedience, may by pious minds

<sup>p</sup> The Edinburgh Rev. supposes, that Sir W. Scott must have gone on his technical principles, and consequently have been ignorant that the present line was not nearest of kin to James II; he had better have imagined that he was not so ignorant, and so did not go on his technicalities.

<sup>q</sup> Pref. p. viii.



be acknowledged with thankfulness as the act of God's mercy, undoing what we had done amiss, and reforming what we had deformed: and so, since it has pleased Him that the direct line of the Stuarts should become extinct, one may look upon this, not only as removing the last possible doubt as to the claims of the present line upon the obedience of all their subjects, but as effacing for the most part, if not altogether, the blot which stained our shield. And so again, one may think that regular succession (as it was allotted to the line of Judah in marked contrast to the broken reigns of Israel) is the more religious and happy lot, as not taking things into our own hands, and reposing more confidence in God, as the calmer proceeding and having less of self, without therefore insisting that it is, in all cases, essential. This was not asserted, but rather the contrary, and the blessings of regular succession no reflecting person will probably deny.

And so, without denying that the authorities of a republic are included under the Scripture sanction, or that they who have the misfortune to be born under one, are bound to obey them, one may hold that the regal form comes more within the letter of Scripture, has *more* sanction from it, enjoys this sanction directly, (whereas others have it by way of inference only,) and is more in accordance with the will of God. And some reason of this we may see, in that the more a form of government encourages the character of tranquil submission, and discourages self in the mass of the nation, so much the more favourable is it to the developement of the Christian character. Compare the tone of mind produced by the Republican form of Government (in State, and for the most part in Church) on a nation descended immediately from ourselves, with that which in the main belongs to the bulk of the English people, or again, the effects of dissenting, with

that of real Church, education, and it will appear how much more the Patriarchal Government fosters a humble, generous, unselfish, spirit—one might say, how intrinsically selfish, civil or ecclesiastical Republicanism in itself is, however it may be modified, or even subdued, in individuals living under it. And on this ground Aristotle, whose abiding influence on the human mind is a guarantee for his understanding it, rests mainly his unhesitating dictum<sup>r</sup>, “of the three forms of Government, kingly rule is the best, republican<sup>s</sup> the worst.” For contrasting kingly with its deflection, tyrannic rule, he says, “both are monarchies, but they differ exceedingly; for the tyrant seeks his own advantage, the king that of the ruled; *for he is not a king, unless he is independent*, and possesses every good more than others; but such an one is in want of nothing; he then would look out for which might benefit, not himself but the ruled; for he who was not thus independent would be a sort of elective king.” An independent king is the most unselfish, and the more removed a government is from kingly, the more selfish, according to Aristotle, it is, and the wider that selfishness is extended.

Again, the more assimilated a government is to paternal or patriarchal rule, so much the more primitive is it, and the more does it correspond and harmonize with the first instincts and feelings of our nature. Then also regal government is a little image of the government of God; a slight emblem truly, as every thing must be, yet still enough so to have a propriety and intrinsic beauty which no other has. The republican change in the prayer of our Lord (one would not wish to bring it to the recollection of any, who knows it not) strikes every one probably not simply

<sup>r</sup> Eth. Nicom. viii. 9.

<sup>s</sup> Lit. “Timocracy,” of which Democracy is regarded by Aristotle as the degenerate state.

as offensive, (in that man ventured to change His prayer, but as grotesque, as having an intrinsic absurdity and impropriety: i. e. our instinctive feeling is, that what is under the immediate protection of God, and has His immediate Presence, must be His "Kingdom." The selection of a king as one of the offices, whereby to shadow forth our Lord before His coming, confers on the office an eminence and title to our veneration, which no other civil form can possess. It has been consecrated by being brought into relation with Him; as it shadowed forth Him, so a portion of His effulgence has streamed back upon it; and commands and draws our affection and reverence.

Without then asserting any Divine right of kings in such sense as to pronounce any other form of government unlawful, or going at all into the question of "succession;" one may say, that kingly rule comes recommended to us by natural feeling, by practical experience, by its tendencies; but, above all these, by its having been chosen by God, as the mode in which He should represent His rule, by His having once delegated to it His authority, by His sanctioning<sup>†</sup> it among His people, (however in their mode of asking for it at last, that people may, through faithless fear, have sinned,) by His causing it frequently, and alone to be sanctioned by Holy Scripture, by His making it an image of that blessed rule, wherein all those, who submit to the easy yoke of His Son, find their peace. Here as in so many other-cases, intimations have been

<sup>†</sup> The Edinb. Rev. p. 405. ventures to follow Locke in speaking of Jephthah's "articling with the people" as a proof that "the general organization of the twelve tribes at that period was neither more nor less than republican—unscriptural as the phrase may appear"—unscriptural indeed, when "the LORD their God was their king." Both alike forgot that the Jewish Government was a theocracy; that there was no power of altering the laws, placed any where, and that the chief judges were priests, giving sentence in the Name, and in the House of God.

given sufficient for those who wish to follow out what they think to be most pleasing to God. The evidence recommends itself in great part to men's affections, and will have no weight with such as suppress their affections or have them not; it implies a reverent contemplation of God's Providence, such as looks upon nothing, not even the sparrow's falling to the ground, as chance; so then, whereas the opposite spirit would argue that kings are commanded to be obeyed in Scripture, because the then governments *happened* to be kingly, it would rather consider that they were therefore ordered to be then kingly, nay and to have been occupied by bad and unlawful kings, in order that a sanction might be given to the rule best adapted for man, and all excuse be taken away from rebellion. And there would be this practical difference, that a Christian living under a democracy, should feel that his country had, in whatever way, forfeited a privilege, one living under a monarchy, that he therein possessed one. The one should be anxious to maintain that he has, the other, although he must submit to his authorities, such as they are, and use no means to remove them, must still wish that the commonwealth might revert to the more primitive state, as one more in accordance with God's will, and freer from moral disadvantages. Such, at least, must be the case wherever the Church is not co-extensive with the State, and has not won the State to herself. The Church has within herself a regal, as well as a prophetic and a priestly office, committed to her; for a real member of the Church, it matters little what constitution he lives under; for whatever there is unselfish and elevating in monarchy, belongs in a much higher degree to the spiritual authority of the Church. Should then the will of God be, that the present democratical principle should be the destruction of earthly monarchies, and that the Church should be purified

by the desolation which was their destruction, and her powers and influence thereby developed, she might, unaided, well correct all those evils, to which now earthly monarchy is the counterpoise. What then is contended for, relates to the present mixed state of things, wherein the Church is imperfectly developed.

What, however, was contended for, was not the Divine origin of *kingly* rule, but the Divine origin of *government*. That which was designated as the "unbelieving theory" presupposes, as the original state of things, one which Christians know not to have existed, and that whatever approximation to it any where occurred, was a state of debasement. It assumes the most degraded state in which we now find man, to have been his original condition, that he lived much like the beasts which he hunted and whereon he subsisted, in a half brutish state; that thence he gradually formed societies, submitting himself, according to his exigencies, to the most experienced warrior or the most skilful huntsman, abridging his own natural rights, and entering into a compact with the chief whom he elected. Hence it is inferred, that since he was at one time in a state out of society, he was free to enter into it upon what terms he pleased, and, upon non-fulfilment of those terms, his original rights returned; that power emanated from below, from the people, and might be resumed at their will.

Quum prorepserunt primis animalia terris,  
Mutum et turpe pecus, glandem atque cubilia propter  
Unguibus et pugnis, dein fustibus, atque ita porro  
Pugnabant armis, quæ post fabricaverat usus;  
Donec verba, quibus voces sensusque notarent,  
Nominaque invenere; dehinc absistere bello,  
Oppida cœperunt munire, et condere leges<sup>u</sup>;

<sup>u</sup> Hor. Sat. i. 3. 99 sqq.

is the heathenish and Epicurean<sup>x</sup> source of some boasted modern theories on the origin of language and government. Holy Scripture, on the other hand, instructs us, as was said, that man was not originally in such a state; that the savage state is the degradation and decay, not the birth-place or cradle of our race; that man never was out of society, and accordingly cannot be regarded as entering into it *de novo*; it exhibits to us families *separating*, “overspreading the whole earth,” not *combining* into societies; it derives the existence of nations from families, having in them a right of primogeniture, and these derived from a single head, an emblem of unity, and the source of authority. Scripture thrice repeats<sup>y</sup>, “By these [the sons of Japheth] were the isles of the Gentiles divided in their lands; every one after his tongue, after their families, in their nations:” “these are the sons of Ham, after their families, after their tongues in their countries, in their nations:” “these are the sons of Shem, after their families, after their tongues in their lands, after their nations:” and then sums them up in their single head, “these are the families of the sons of Noah after their generations in their nations, and by these were the nations divided in the earth after the flood.”

Man, then, never was in a state, in which to make terms for himself, unless when he forfeited the state in which it had pleased God to place him. These are sufficient indications, that, until God selected a peculiar people and priests, the priesthood and patriarchal authority descended with the primogeniture; and it is remarkable how the most ancient traces of society which we have, external to the Bible,—those in Homer, still retain the character impressed upon it originally by God. Aristotle<sup>z</sup>, again,

<sup>x</sup> Comp. Lucret. v. 923—1115.

<sup>y</sup> Gen. x.

<sup>z</sup> Eth. Nicom. l. c.

remarkably points out the connection of kingly and paternal with Divine rule, of which they are effluences. “Images and types, as it were, of the different sorts of government, you may find in families. For the relation of the father to his sons, has the character of regal rule; for the father takes care of his sons; whence also Homer calls Jupiter ‘Father;’ for the regal aims at being a paternal rule.”

And thus God, who at the beginning created all things in One, even in His Eternal Word, and “made of *one* blood all nations of men for to dwell on all the face of the earth<sup>a</sup>,” and, when these lower things had dissipated themselves, and, by breaking the bonds of obedience, had rent the band which held them to Him the Centre of all Unity, and were severed from Himself and from each other, “gathered together in One all things in Christ<sup>b</sup>,”—He, “the lover of concord,” imparted unity and harmony and affection to all our relations by making them spring from one source. From the closest relation of a single family to that widest which embraces the whole family of mankind,—family, clan, tribe, nation, language, kindred, tongues,—He has impressed the character of family upon the whole human race; long separation effaces it not; a family likeness remains in those longest severed, and a kindred tone of mind and feeling abides, as a source of union,—(such as cements ourselves more naturally to the German tribes than to the French, or, yet farther, makes us feel more akin to the sons of Japhet than to the Eastern descendants of Shem, or the black progeny of Ham)—but yet, at the very last, there is one outermost band, which comprehends the whole, not simply that we are man (*homo sum*,) but men descended from one common stock, and so

<sup>a</sup> Acts xvii. 26.

<sup>b</sup> Eph. i. 10. ἀνακιφαλαίωσθαι, “gather together in one Head.”

owing to each other not only the duties of a common nature, but the affections of an uneffaceable, inextinguishable kindred. “Have we not all one father? hath not one God created us? why do we deal treacherously every man against his brother?” And not only has God bound each several relation together, by thus setting out from unity, but has intertwined them one with the other, and, in that He made the kingdom to spring out of the family, He tempered kingly rule with the affectionateness of the paternal, and gave it the reverend authority of a father, and has exhibited the majesty of fatherly authority in the glory of kingly rule, while to each He delegated part of His attributes—to the parent, His creative<sup>d</sup> power to give life to that which was not, to the kingly authority His irresponsible sovereignty,—and would be preeminently loved in the one, and feared in the other, yet loved also in the king, and an object of awe in the father.

“The “Non-Jurors” it has been well said<sup>e</sup>, “believed the fifth commandment contained the origin and force of all government; it assumed the bible account of the first foundation of society, the way in which the great God and Father of all formed society in the beginning, and thus communicated ever afterwards His divine authority to the families, and so on to the kingdoms of the earth. They held in the sublimest and fullest sense that doctrine of which Aristotle caught a glimpse, when he said, “*ἐν οἰκίᾳ πρῶτον ἄρχαι καὶ πῆγαι πολιτείας καὶ δικαίου,*” and which is so beautifully drawn out in the first few sentences of our duty towards our neighbour in the Church Catechism.”

It has been made a reproach to these principles, that

<sup>c</sup> Mal. ii. 10.

<sup>d</sup> A testimony of language hereto is furnished by the words *παιδοποιεῖν*, &c. which analogy runs through many languages.

<sup>e</sup> British Critic, No. 41. Account of the Non-Jurors, p. 45, 6.



they are antiquated, that they have lain so long dormant. It is said ;

“ These doctrines went so quietly to sleep<sup>f</sup>, that he who now arouses them from their century of oblivion may fairly be termed an innovator,” “ a class of writers whom the *world* had pretty generally consigned to a contemptuous oblivion.”

It is a reproach to us and our people that they have lain so long comparatively dormant ; but it was an inevitable consequence of the act of 1688. The “ contemptuous oblivion” was that of men who had acted against a law ; despised the law of God in act, and then strove to forget what was a reproach to them, like the foolish woman who “ forgetteth the covenant of her God.” Who but the penitent wishes to keep in memory laws or principles which he has violated ? These doctrines had indeed, as has been observed<sup>g</sup>, been much shaken by the continuance of the first rebellion, and, some time before the second, Bp. Morley<sup>h</sup> saw that there were “ few who yet held the doctrine

<sup>f</sup> Edinb. Rev. p. 399. The Reviewer, with an amusing inconsistency, speaks, in the same breath, in a martial tone, of “ buckling on once more the armour of our old revolution principles, which has stood the buffets of an hundred and fifty years too well to be now laid aside at the first blast of a hostile challenge, even though wafted from the cloisters of Oxford ;” “ has stood the rust of 150 years,” he should have said, on his own shewing. These “ buffets” are like the escape of that valiant knight from the men in buckram. “ I am eight times thrust through the doublet ; four, through the hose ; my sword hacked like a handsaw ; *ecce signum*. I never dealt better since I was a man ; all would not do.” The only antagonist which the “ old revolution principles” have had to stand against, have been the “ new revolution principles ;” but “ all would not do.” Against these, they, as being inconsistent in themselves, have not stood. See Burke’s Appeal from the New to the Old Whigs.

<sup>g</sup> Pref. p. ix, x. Sermon p. 47. and note s.

<sup>h</sup> “ Not long before his (Bishop Morley’s) death, (for he then kept his chamber,) my father carried me with him to Farnham Castle. I

of non-resistance, that it would not stand in the day of trial." But the act of 1688 overthrew what was before tottering: it was the overt act of its abandonment, and fixed our loss of it for long after. It was not merely that these doctrines were held down, together with the Church, by presbyterian monarchs; or that they were unpalatable to those, whose throne had been set up by their violation, but that men had, from that time, two conflicting duties, that of allegiance to the rightful sovereign, and that of peaceable submission to the sovereign, whom God had allowed to be set over them, to "the powers that be" so long as He should allow them to "be." This extended to all; all conscientious men (and it is not until these are compelled to sanction any set of opinions that they will even for a time prevail) however they might wish for the restoration of James, as undoing a national sin, must acquiesce in the duty of submitting to the king *de facto*; and this would have a tendency to relax views, contradicted by the existing state of things, under which men were living and acting. Action is the life of principle. To the Non-Jurors this was supplied by "suffering for conscience sake;" their whole subsequent life, and the privations in which it was passed, were an enacting of their principles, and so with them these principles abode. Those, on the contrary, who remained

was not above twelve years old, but remember the Bishop talked much of the Duke, and concluded with desiring my father to tell him from him, that if ever he depended upon the doctrine of non-resistance, he would find himself deceived, for there were very few of that opinion though there were not many of the Church of England that thought proper to contradict it in terms, but was very sure they would in practice. My father told me he had frequently put King James in mind of Morley's last message to him, though to very little purpose: for all the answer was, that the Bishop was a very good man but was grown old and timorous." Lord Dartmouth MS. note on Burnet, ap. Dalr. App. p. 289.

in the Establishment, the *Juring* Clergy, were the more injured by this very opposition of principles; they who could not, from whatever motive, make up their minds to "forsake all," had to justify themselves to their own consciences. They had chosen a part which, however they veiled it from themselves, involved a compromise of their former principles; and it was on this principle so modified, or confused, that they acted; and their action must, in their own despite, bend their principle.

It is not necessary to suppose any sordid motives in all those who retained their preferments, and took the oaths to William; even Beveridge, though he took the good Archbishop's advice, and, when he was offered Bp. Ken's not-vacant office, "said Nolo from his heart," must have taken the oaths; and Bp. Patrick bore to occupy a seat, whose possessor God had not yet translated to his rest. These must have had some means of satisfying themselves. Bp. Lloyd of St. Asaph, who seems to have had the more weight, as having been one of the seven Bishops, who had suffered in the popular cause of resisting James, although happily he only, with one other, avoided the unattractive unpopular suffering, involved in declining the oaths to William, was imposed upon, it is said<sup>1</sup>, by Burnet. He justified himself at one time, it seems, as if the oath was only a promise to live quietly under William<sup>k</sup>, at another, that "acquisition begets right<sup>l</sup>;" Dr. Tenison<sup>m</sup>, afterwards Archbishop, on the ground, "that though it were to be wished it had been otherwise, yet now we were to make the best of it, and join the government, as it was, for fear of a worse." These two theories probably comprised the *Juring* Clergy; that of Lloyd proceeding on the theory that William had acquired his throne by conquest<sup>n</sup> over

<sup>1</sup> Clarendon Diary, p. 117.

<sup>k</sup> Ib. 172.

<sup>l</sup> Ib. 123.

<sup>m</sup> Ib.

<sup>n</sup> See above App. i. p. 10.

James, which, though untenable in fact, involved in itself so far no sacrifice of principle, and so “brought<sup>o</sup> off the greatest number of those, who came in honestly to the new government;” that of Tenison went on the duty of submitting to existing governments. The excuse devised by Lloyd of St. Asaph justified the oath, but was false in fact; that felt doubtless by Tenison, was right in itself, but availed nothing towards justifying the oath. The oath, although considerably modified, in that it omitted any mention of William’s being the “lawful and rightful king,” still involved the abjuration of King James, since, though it may be often the duty of a Christian to obey usurpers, he can bear “faith and true allegiance” to one sovereign only at once. Whatever allowance, then, may be made for the difficulties of the times, the *principles* have been justly stigmatized, which could enable a man to take an oath of allegiance to William, reserving<sup>p</sup> in his own mind the single case, that King James should again be in a condition to re-demand it. It is very possible that many may have taken the oath in the first instance, (whether persuaded by authority or any of those mixed motives which blind men’s eyes,) with indistinct notions of the extent of the fealty which it involved; and thus, they were caught, as it were, and committed to principles, other than they meant, or drew back inconsistently. The case, however, of such as kept altogether aloof from politics, wrapt up in the care of their immediate plot in the vineyard, or (as Bull) living in other times, among the fathers of the Christian Church, and bent only upon bringing out their treasures for the use of after-ages, is again different. These may well be excused, if they paid no more attention to the difference between James and William, than St. Paul may be conceived to have done

<sup>o</sup> Burnet v. fin.

<sup>p</sup> Burnet ib.

to that between Claudius and Nero. Such would take the oath in the simple sense of obeying quietly any authority, aiding none, but letting these things pass over them, like wintry clouds which hid not from them their Sun.

It is of moment to notice the first principles upon which people act, since these will enter into their future conduct, even though subsequently modified. Had the oath of abjuration, "acknowledging William as lawful and rightful king, and denying the right and title of the Prince of Wales," been proposed in the first instance, men's consciences would have revolted at it, and most of the Clergy, at least, would probably have become Non-Jurors. Proposed as it was, towards the end of the reign of William, it was taken probably in the same acceptance in which they had already familiarized themselves to take the former. Inexplicable as it seems that any should take it who yet held their allegiance to King James, it does not appear that either the number of the Non-Jurors was much increased, or the secret acknowledgment of King James at once abandoned. There seems too much room for the insulting triumph<sup>9</sup> over these men's entangled consciences, as there is much truth in the concluding remark ;

"The dominant faction might enjoy perhaps a charitable [?] pleasure in exposing many of their adversaries, and especially the high Church Clergy, to the disgrace and remorse of perjury. Few or none however who had taken the oath of allegiance, refused this additional cup of bitterness, though so much less defensible, according to the principles they had employed to vindicate their compliance in the former instance; so true is it that, in matters of conscience, the first scruple is the only one which costs much to overcome."

Still the oath, however imperfectly received, or however

<sup>9</sup> Hallam, t. iii. p. 265.

miserable the history of that imperfection, must have had considerable, though a gradual influence; they who took it in these inadequate senses, were not therefore hypocrites or perjured, but men who wished to do their duty quietly, although they saw not the highest obligations of duty, or could not make up their minds to see them, so as to be obliged to abandon every thing for them. As time went on, and the restoration of King James or the accession of his son became more improbable, the oath would gradually become more equivalent to what it ought<sup>r</sup> ever to have been, a simple “promise of peaceable obedience;” would thus be taken with a fuller acquiescence, and so would more fully proscribe the principles to which this abjuration of King James was opposed.

The oath also had made it well-nigh impossible for those who took it, explicitly to maintain their own principles; those principles therefore became of necessity indistinct and confused, if not debased and cowardly; and these have no means of maintaining their ground against more defined views. Those of the Revolution of 1688, although assailable from the ancient position of the Church, or liable to be dragged on into a more consistent extreme, (as by moderns they have been,) were still more tenable than any which could be opposed to them by such as had acknowledged the Prince of Orange; they had, at all events, the appearance of straight-forwardness, and those who did not fall back upon a stronger position, must of necessity gradually fall into them. Thus in the trial of Dr. Sacheverel, it was remarked with triumph, that his defenders had in fact taken up the principles of the Revolution<sup>s</sup>.

Practical men further, (and perhaps the English, as a too

<sup>r</sup> Hallam, *ib.*

<sup>s</sup> Burke, *Appeal from the new to the old Whigs*, Works, vi. 161—3.

merely practical nation) are apt to neglect principles when not directly embodied in practice. It seems to them useless to maintain or enquire into principles, which cannot be carried out immediately into practice. As soon as William was, in whatever way, made king, the present duty of peaceable subjection to him, probably went far to efface the dormant claims of King James. Claims, for the time, suspended, would give way to the more vivid impression of actual obedience. The speech of Lord Nottingham to Burnet<sup>t</sup> probably expressed the practical character of mind of very many of the laity, "though he could not agree to the making a king, as things stood, yet, if he found one made, he would be more faithful to him, than those who made him could be on their own principles."

Again, after the defeat of King James at the Boyne had extinguished all prospect of his restoration, there was apparently no practical end in maintaining doctrines, which could not then be maintained without tending to unsettle the allegiance to the existing authorities. Even although the new throne was made hereditary, yet to insist strongly upon hereditary rights was to maintain those of the heir of King James; to maintain the doctrine of absolute submission was to impugn the claims of the existing family. As the feelings of dutiful submission were thus cut off from the past, so neither had they any present object, around which to entwine themselves. The new line was suspicious of loyalty to which they had no claim. It has been truly though bitterly said<sup>u</sup>;

<sup>t</sup> Burnet's Own Times, v. fin. "They thought" they said "a king thus *de facto* had a right to their obedience, and that they were bound to adhere to him, and to defend him even in opposition to him with whom they thought the right did still remain. The Earl of Nottingham was the person that owned this doctrine the most during these debates."

<sup>u</sup> Hallam, p. 124. see also on the trial of Dr. Sacheverel, p. 275, sqq.

“The ministers of William III. and of the house of Brunswick had no choice but to respect and countenance the doctrines of Locke, Hoadley, and Molesworth. The assertion of passive obedience to the Crown grew obnoxious to the Crown itself. Our new line of sovereigns scarcely ventured to hear of their hereditary right, and dreaded the cup of flattery that was drugged with poison. This was the greatest change that affected our monarchy by the fall of the house of Stuart.”

Lastly, the act which had taken place, must in itself, for the time, fix the national character in one direction. Beyond what took place in the minds of individuals, a tone was thus given to the character of the whole nation. Not a party, as in the first rebellion, but the whole nation, by acquiescence, at least, was implicated, and it has not repented. It was often insisted by older defenders of the Revolution, that little was changed<sup>x</sup>, that it was but “one exception to a general rule,” that it was a case of necessity, of *extreme necessity*<sup>y</sup>, the utmost necessity<sup>z</sup>; they conceded that<sup>a</sup>

“the doctrine that commands obedience to the supreme power, *though in things contrary to nature*, even to suffer death, which is the highest injustice that can be done a man, rather than make an opposition to the supreme power [is reasonable,] because the death of one, or some few private persons is a less evil than disturbing the whole government;”

and pleaded only for the single case of the Revolution. But, in moral conduct, the exception is for the most part, just the touchstone of a man’s character; one violation of the moral law degrades a whole character; one violation

<sup>x</sup> See e. g. a strong passage in Burke, speech in the House of Commons, Feb. 9, 1790, quoted l. c. p. 168, note.

<sup>y</sup> Sir J. Jekyl ap. Burke, l. c. p. 161, 2.

<sup>z</sup> Mr. (Sir R.) Walpole, *ib.* 159. and so the rest.

<sup>a</sup> Sir J. Hawles, one of the managers of the prosecution, *ib.* p. 155. The Italics and the words inclosed in brackets are in Burke.



of honesty, purity, faith, taints the whole man; it has changed him, although he be afterwards even honest, pure, and faithful: one violation of obedience to the "ordinance of God" has changed the character and destiny of a whole nation. We are not what we were.

"The laws<sup>b</sup> were not so materially altered as the spirit and sentiments of the people. Hence those who look only at the former, have been prone to underrate the magnitude of this revolution. The fundamental maxims of the constitution, both as they regard the king and the subject, may seem nearly the same, but the disposition with which they were received and interpreted were entirely different.—Laws and statutes as remedial, nay more closely limiting the prerogative than the bill of rights and act of settlement, might possibly have been obtained from James himself, as the price of his continuance on the throne, or from his family as that of their restoration to it. But what the revolution did for us was this; it broke a spell that had charmed the nation. It cut up by the roots all that theory of indefeasible right, of paramount prerogative, which had put the crown in continual opposition to the people."

Not only, however, were the principles carried out in a large body into a virtual republicanism, but the event shook the feelings of loyalty among quiet people. Their obedience might be transferred, their reverence could not. A better authority<sup>c</sup> says in 1777,

"The state of the country is this; the people knowing it to be agreed on all hands, that this king has not the hereditary right to the crown, and there being no hope that he who has it can be restored, have grown cold and indifferent upon the subject of loyalty, *and have no warm attachment to any king.*"

One need not follow into modern times the history of this change of opinion, or ask whether research into first

<sup>b</sup> Hallam, iii. p. 124.

<sup>c</sup> Dr. Johnson, ap. Boswell's Life, Sept. 17, 1777.

principles has been indeed our characteristic, and so, whether it was our depth or shallowness which for a time seemed well nigh to obliterate its traces. Yet the development of the opposite principles has prepared their destruction; the first French Revolution happily checked their growth among us, and the almost contemporary death of the last claimant of the English throne, and the virtual extinction of that branch of the House of Stuart, have left men free to form an unwarped judgment.

We are not what we were; but by God's blessing we may again be, in principle, if not in our future doom, and even that doom may be mitigated; principles which have been bent down by transitory circumstances, or their expression repressed by a sense of duty, may yet again, now that pressure is removed, burst forth into open day, "strike root downwards, and bear fruit upwards." The principles are deeply fixed not in occasional Services, but in our daily worship; they are not brought before us only by the recurrence of a yearly fast, but in our most solemn worship, in the Communion; "the old Homilies," in which a flip-pant infidel said that they "sculked<sup>d</sup>," have been preserved from the attempts of the Archbishop<sup>e</sup> of the Revolution, and are appealed to as authority, and are circulated widely as the teaching of the people<sup>f</sup>. It seems a sign of

<sup>d</sup> Bolingbroke, quoted *ib.* p. 399.

<sup>e</sup> Abp. Tillotson, who though with reluctance, took the office of Abp. Sancroft.

<sup>f</sup> "The Homilies" (says Mr. Hallam, t. iii. p. 280, note) "are so much more vehement against resistance than Sacheverel was, that it would have been awkward to pass a rigorous sentence on him. In fact, he or any other clergyman had a right to preach the homily against rebellion instead of a sermon. As to their laying down general rules without adverting to the exceptions, an apology which the managers set up for them, it was just as good for Sacheverel: and the Homilies expressly deny all possible exceptions."

God's favour, that we may now, without impeachment of present duty, review the acts of our forefathers, and our own acquiescence in them ; it seems as if, now the opposite doctrines have grown, their advocates were ready to abandon the manure of the Revolution, which fostered them, and in which (though any see it not) their life is still wrapped up. "The Revolution," it is said by its defenders<sup>g</sup>, "has for us no more sanctity than any other great political act, of which the consequences yet survive." The difficulties then in disowning it, are diminished ; the panic of Popery soon subsided, and left the mass of the nation, at least in England, indifferent to it ; politicians only, who wished to build on upon the foundation so laid, or to extol themselves and their own party, gave it a spurious celebrity ; or, so long as a claimant to the throne existed, were obliged to maintain it ; but it never could have any hold upon people's affections ; it was a calculating affection which they bore it. It is indeed one thing to condemn the principles of the Revolution, and another to act upon the principles, which condemn it ; it is a difficult task to take shame to ourselves for what we gloried in, and for having gloried in it ; but it is yet more difficult to unlearn "the heathen notions of manliness and nobleness of character, of which we are so unwilling to divest ourselves." "How many," says its late upholder<sup>h</sup> well, "how many devices of worldly wisdom, how many false systems of worldly honour and morality, how many rebelling impulses of the heart, are crushed by this stern command !"

They, too, who would maintain the ancient principles of Non-resistance, must prepare for obloquy and the charge of inconsistency which was ever the share of the Church at the hands of the world. At first, also, men's unacquaintance

<sup>g</sup> Edinb. Rev. p. 398.

<sup>h</sup> Ib. p. 400.

with the doctrine will expose its upholders to these charges, even from good men. "Non-resistance" seems to be interpreted into "opposing nothing," and "passive obedience" into "non-chalance;" so that, if any oppose what emanates from persons in authority, though neither kings nor bishops, or who have no authority as to that which they recommend, or none over those to whom they recommend it, or have authority as a whole, but not as a small minority of that whole, the principles will seem to be infringed. This will soon pass away, as people come to realize the principles, and not speak of them in a scarcely-half-understood reference to former times. But, beyond this, as being religious principles, they cannot be understood by the irreligious or unreligious; they will seem to be violated when they are not, and not to be violated, when they are. Politicians, who are accustomed to the unconscientious servility of worldly men, cannot understand the noble and free service of those, who serve Him, "Whose service is perfect freedom" and "in and for Him" serve those, and, if needs be, suffer from those, to whom He hath delegated His authority; but "for Him" also disobey them, when they command to disobey Him. Such must prepare too to suffer, for lost ground is probably not to be recovered without suffering; not without suffering are men replaced in the state from which they have fallen; and there are signs enough that they who live, must if they would "live godly, suffer persecution;" too happy, if their suffering be, in their Saviour, and in His Name, accepted for His Church.

The above discussion has been lengthened in parts, beyond what might seem necessary for the main subject, or for any immediate practical end, out of respect for the memory of those who had to shape their course in those

difficult times. For us, whose allegiance is clear, it were easy to carry our principles through in theory; but in treating of times, full of perplexities from which we have been freed, it is a duty to our forefathers to take into account difficulties which we do not share; and it may be a warning to posterity, that they may avoid the like. It were easy at once to side with the Revolutionists, or with the Non-Jurors; but the mass of the nation was neither; but felt with the Non-Jurors and acted with the Revolutionists. They had felt, or wished, or acted, up to a certain point, with the Revolutionists, and then were surprized; and while they could not go on with a free conscience, had advanced too far, to find their way back to the secure and elevated position of the simple-minded Non-Jurors. And now, it is easy for both parties to despise them; and the liberal party, whom they unwillingly aided, now feel themselves at liberty to discard them, and to trample on their memories. Yet these off-hand modes of deciding are shallow and unphilosophical, as well as unjust and unchristian; and, therefore, without sharing their perplexities, or approving of their line of conduct, it seemed but due to them, (even at the risk of embarrassing the immediate question,) to attempt to explain some of the grounds upon which they did, or may have acted. We cannot for a moment suppose the main body of the English Clergy, specially of our Universities, such as we know them to have been, to have been perjured, although it seems strange how, with their sentiments, they could have taken the oath of abjuration. But the way to prepare to act with a more self-denying consistency and clearer conscience, is not, hastily to condemn them, but to appreciate their difficulties. And if the like trial befall men in the present course of things, may God, with a greater charity of judging, give them power to act as these should have acted!

The discussion, though relating to the politics of other days, has necessarily become so mainly political, that it becomes necessary to recall to mind to such as share, or inquire into, these views, that their end is not that of present nor of worldly politics. Indeed had it not been so said<sup>1</sup>, it would be difficult to conceive what end of present politics they could be thought to answer; for one set of men is now scarcely more committed than another to the principles of "the revolution;" nor are they who are supposed to be the objects of attack, of sufficient moment; they are but unwilling, unconscious instruments of a spirit mightier than they; they follow a popular impulse, which they cannot direct nor guide, tossed about this way or that, as the waves may beat the highest. But apart from this, not secular politics but religious or irreligious principles are the objects of the pulpit; and the act of 1688 was originally animadverted upon, as an illustration of principles under which it falls, but which extend far beyond itself, and that, not for the sake of the State, but of the Church. We love our country, because it is the home, it has been the benefactress, it still recognizes, it in great measure is, and belongs to, the Church, has long been sanctified by her presence, and may once more, we trust, be identified with her; we love it because it was the scene of the good deeds of the fathers of our Church, and is blended with their memory, and guards and still reverences their hallowed ashes; we love it, because in it "our lines have fallen in a goodly heritage," because in it our tasks have been allotted and our crown is to be won. But she is not *the* object of our affections, fair though she be; she is not our Ark, but the mountain only, whereon our Ark for the time dwells; it is

<sup>1</sup> "That day seems to have been selected for a simultaneous pulpit-attack, from the Ecclesiastical high-places of England and Ireland, against her Majesty's Ministers and Commons." *Ib.* p. 396.

for the sake of that Ark, that we “pray for her peace,” and if that be bidden to remove, it is not in the deserted hill-top of Zion, but in the living temple, which is “throughout all the world,” that our home is. The interests of secular politics is in proportion as they bear upon the Church, and since we know not what is good for her, we must often be in that proportion indifferent about them.

The main object of the Sermon was to inculcate, in the times which are coming upon the earth, patience and self-denial; the Revolution of 1688 was (as the day suggested) animadverted on as a signal case of the reverse, of a fretful and self-depending impatience and self-will; and that, both as an object of repentance, and in warning; the Church has once disobeyed, and she has suffered, not as yet in her temporal estate, but in her spiritual<sup>k</sup>; a great revolution in part has, in part is, taking place with regard to the relation of the State to her, which must, at last, break up many of those bonds, which have been entwined round her, since, and as the consequence of, the Revolution; her bondage seems likely to be unintentionally loosened through their agency, who would fain see her “sit in the dust;” and her entrusted powers for the benefit of mankind called out to a greater extent than heretofore. But, as a condition of this high and enlarged office, and of all other duties which may seem to be in store for her, as the reformed Apostolic Church of the West, probation and severity appear to be likely to be allotted to her, as they have been to her branches in Scotland and America. Severity, by an uni-

<sup>k</sup> “By the profanation of the *offices* of the Church to strengthen secular parties,” the Author meant chiefly her bishoprics, which since the Revolution has been made subservient to political ends, and which were not before, (see the places quoted in the Sermon, p. 48. not. q, r.); he did not mean, (as the Edinb. Rev. has explained it,) of “political services in the Liturgy.”

versal law which, since the fall, has been appointed to the whole physical and moral creation of our world, is the condition of the extinction of evil and the growth of good; it is the means of checking physical and moral fever, and destroying the destroyers of the future harvest; it cuts off luxuriance which would waste its strength, and come to no maturity, and even we have learnt in physical things to act upon this rule, and imitate the process; it hardens that which without such hardening would bear no fruit; and in morals we speak of "hardy virtues." These are images of what God has in His Word declared, that "whom He loveth, He chasteneth;" the moral or physical processes which we see or act on, commend to our mind, and assure our faith in, that system which He acts on with ourselves individually, or with our Church; it tells us of its fruits, while it impresses upon us that, in a creation through sin "made subject to vanity<sup>1</sup>," together with the sunshine of His favour, there must be seasons when He seemeth to hide His face, and "who can stand before His cold<sup>m</sup>;" that cold<sup>n</sup> as well as heat, winter as well as summer, night as well as day, are part of His covenant with the earth. His secret training of the Heathen prepares us to receive cheerfully even an enlarged portion of these remedial gifts, bitter and grievous for the time, but in the end health and peace and joy. A weak faith murmurs at these gifts, or, when it can, puts them hastily aside, and deprives itself of their fruit, for it cannot recognize God's hand in them; and thus our forefathers, at the Revolution, seeing not in James's measures God's Fatherly, though chastening hand, became impatient with the human instrument, cast aside rudely the cup, which He was tendering to them, and in so doing forfeited the mercies which might have made us a praise in the earth, and fell

<sup>1</sup> Rom. viii. 20.

<sup>m</sup> Ps. cxlvii. 17.

<sup>n</sup> Gen. viii. 22.



into sin. God has let us go on our own way, and now out of our own way He is bringing, in an opposite direction from heretofore, fresh, and it seems bitterer, trial upon us; but if we abide it, thereby not a cure only for our ills, but a means of glory. How we are to act, may He give those who have the guidance of things, the wisdom to discern; but for ourselves, the lesson of the Revolution comes with great force upon us, to beware of impatience, lest it tempt us into sin, and to look to the end. It may be that, as in Israel of old, the tale of the bricks was laid upon them, and yet no straw given, and “the people were scattered throughout all the land of Egypt, to gather stubble instead of straw, and the officers were beaten, and God for a time “delivered<sup>o</sup> not His people at all,” but rather commenced their deliverance by increasing their troubles, so it may be now; we are to look that it should be so; and take with us the example of His people, which He so often sets forth in His later prophets as the emblem of His deliverances, and wait till He shew forth His power and accomplish His ends. States have seldom done this, and so have fallen from one destruction to another and finally perished; they would deliver themselves, and so have fallen; the Church waited patiently for Him, and so He saith<sup>n</sup>, “I removed his shoulder from the burthen; his hands were delivered from making the pots; thou calledst upon me in trouble, and I delivered thee; I answered thee in the secret place of thunder.” The book of Psalms lays open the interior history of God’s dealings; and sometimes recording, but more frequently stripping off, all the outward circumstances, exhibits to us the secret springs, or leads us into the inmost sanctuary of God; and there is no instruction, which it more frequently impresses on those who will hear, than this, or rather this is the uniform tenor of its teaching, that

<sup>o</sup> Ex. v. 23.

<sup>n</sup> Ps. lxxxi. 6, 7.

“the enemy assails, man prays, God delivereth.” The Psalms know of no other course of events, which shall end well, than this, and so fills up the teaching of the sacred history, that where He acts by human means it is He who acteth; that He delivereth His people by raising up Moses among them, or Cyrus, a heathen from a far country; that He delivereth St. Stephen to the Jews, or St. James to the Gentiles, or rescueth St. Peter, or changes Saul the blasphemer and persecutor into Paul the Apostle and prisoner of Jesus Christ: and the combined lesson is, that knowing all things, and so the interests of our own Church too, to be in His hands, we should be content to leave them there, and not by hastily taking them into our own, or confiding them to man, provoke Him to leave us to ourselves and our own wisdom. To impress this upon one important audience was the object of the Sermon, not any temporary end. “It is better to trust in the Lord than to put any confidence in man.” “Some trust in chariots, and some in horses, but we will remember the name of the Lord our God. They are brought down and fallen, but we are risen and stand upright.”

*Martyrdom of King Charles I.*

## APPENDIX III.

### OXFORD DECREE OF 1683.

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The "Oxford Decree" of 1683 is here reprinted, both because persons have a very vague notion about it, as something containing certain ultra doctrines about government, instead of being, as it is, a careful and thoughtful document, and in order to shew in what company certain maxims, now commonly received, are found, and from what sort of persons they proceed. Collyer<sup>a</sup> says, that "most of the authors from whom the propositions were extracted, had either acted in or abetted the late rebellion. The Decree was drawn up in Latin by the [Regius] Professor in Divinity [Dr. Jane], passed the Convocation on Saturday, July 21, and presented to H. M. in English on the 24th." Both the English and Latin consequently are authentic copies.

The Address from the University of Cambridge, about the same time, contains altogether the same doctrine, though not enunciated in the same formal way. It says<sup>b</sup>,

"No earthly power, we hope, no menaces or misery, shall ever be able to make us renounce or forget our duty. We will

<sup>a</sup> ii. 902.

<sup>b</sup> ib. 905.

still believe and maintain that our princes derive not their title from the people, but from God<sup>c</sup>; that to Him only they are accountable<sup>d</sup>; that it belongs not to subjects either to create or censure, but to honour and obey their Sovereign<sup>e</sup>, who comes to be so, by a fundamental hereditary<sup>f</sup> right of succession, which no religion, no law, no fault, no forfeiture, can alter or diminish<sup>g</sup>.

The Oxford Decree having been “given<sup>h</sup> in evidence by Dr. Sacheverel at his trial, and reprinted in a book or pamphlet entitled an entire confutation of Mr. Hoadley’s book on the original of government, taken from the London Gazette, published by authority, London, reprinted in the year 1710,” was, by the Whig majority, which condemned Dr. Sacheverel, ordered to be burnt together with his Sermons. It was condemned as containing “several positions, contrary to the constitution of this kingdom, and destructive to the Protestant succession, as by law established.” The reprint, rather than the Decree itself, probably was condemned, since the Decree of 1683 was not contrary to the then constitution, but only to that of 1688, so that it could only be condemned, as

<sup>c</sup> Prop. 1. Oxf.

<sup>d</sup> Prop. 3. Oxf.

<sup>e</sup> Prop. 2. Oxf.

<sup>f</sup> Prop. 4. Oxf.

<sup>g</sup> Prop. 2. Oxf.

<sup>h</sup> Lords’ Journals, 23 Martii, 1709. At the same time, a printer was attached for printing Dr. Sacheverel’s speech and several other parts of the trial.

itself condemning by anticipation what afterwards took place. Only four Bishops were present on this occasion. The grounds alleged apply especially to the second, third, fourth, and fifth propositions, so that the Whig Peers, by no unusual combination of extremes, joined themselves with the individuals, whose maxims were there condemned, *i. e.* Romanists as well as Presbyterians and Republicans.

“Those,” says Bp. Collyer<sup>1</sup>, “who blame these gentle-

<sup>1</sup> *Ib.* p. 903. No topic has been more employed against these principles, as an inconsistency imputed to those who upheld them. The Romanist Lingard as well as the infidel Hume seem to have a delight in exposing this alleged failure of principles in the hour of trial. Lingard says on this Decree, (xiii. 341.) “Five years did not elapse before the framers of this Decree were called upon to practise the doctrine which it taught. They felt its inconvenience: ‘the badge and character of the Church of England’ were thrown away; and the *University* made a present of its plate to the invader, who sought to deprive the reigning sovereign of his Crown.” In like way, Hume, (c. 71.) “The Prince’s Declaration was read at Oxford by the Duke of Ormond, and was received with great applause by that loyal *University*, who also made an offer of their plate to the Prince.” Yet Barnet, the Whig historian, who was present, names only *one Head of a College*, who in the name of *some* others made such an offer. “At Crookhorn, Dr. Finch, son to the Earl of Winchelsea, then made Warden of All Souls College in Oxford, was sent to the Prince from some of the Heads of Colleges, assuring him that they would declare for him, and inviting him to come thither, telling him that their plate should be at his service if he needed it. This was a sudden turn from those principles that they had carried so high a few years before.” *Own Times*, v. fin. So then from an historian who would be inclined to make the most of the inconsistency, we have—not the *University*—not the Colleges—not even most or all the Heads of Colleges, but only *some* unnamed *Heads*, represented by one who seems to have been an officious forward person. The University remained what it had been, loyal to the sovereign set over them, even though ill-treated by him, and for this adherence they are taunted under the name of Jacobitism. One charge destroys the other. They, who remained

men of the University, as if they set the obedience of the subject too high, do not seem to have fully considered, that the Homilies and Statutes make submission to the Crown no less absolute, the passive chain altogether as heavy, and strike the resisting principle as strong, as any inference which can be drawn from the Oxford Decree." 13, 14 Car. II. c. 3. 13 Car. II. c. 6. 14 Car. II. c. 6. 25 Ed. III. c. 2. 14 Car. II. c. 4. Homil. X. Exhortation to Obedience. Homil. XXXIII. against Disobedience and Wilful Rebellion.

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*The Decree is here printed as it appeared in the Gazette, which is a free translation of the Latin, but is, as was said, also authentic.*

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*Whitehall, July 24, 1683.*

This day was presented to his Majesty the following Judgment and Decree of the University of Oxford, passed in their Convocation, on Saturday the 21st instant.

*The Judgment and Decree of the University of Oxford, passed in their Convocation, July 21, 1683, against certain pernicious books, and damnable doctrines, destructive to the sacred persons of princes, their state and government, and of all human society.*

ALTHOUGH the barbarous assassination lately enterprised against the person of his sacred Majesty, and his royal brother, engage all our thoughts, to reflect with utmost

Jacobites when there was nothing to hope from the exiled king, are not likely to have been the first to have "declared for the invader." Without justifying the particular "Heads," it should be recollected that beyond that time, it was hoped by many, even by Archbishop Sancroft, that the Prince came as a mediator, not as an invader.

detestation and abhorrence on that execrable villany, hateful to God and man; and pay our due acknowledgments to the Divine Providence, which by extraordinary methods brought it to pass, that “the breath of our nostrils, the anointed of the Lord, is” not “taken in the pit” which was prepared for him, and that under his shadow we continue to live and enjoy the blessings of his government; yet notwithstanding we find it to be a necessary duty at this time, to search into, and lay open, those impious doctrines, which having of late been studiously disseminated, gave rise and growth to these nefarious attempts, and pass upon them our solemn public censure and decree of condemnation.

Therefore to the honour of the Holy and Undivided Trinity, the preservation of Catholic truth in the Church; and that the King’s majesty may be secured both from the attempts of open bloody enemies, and machinations of treacherous heretics and schismatics: We, the Vice-Chancellor, Doctors, Proctors, and Masters Regent and Not Regent, met in Convocation, in the accustomed manner, time, and place, on Saturday, the One and Twentieth Day of July, in the Year One Thousand Six Hundred and Eighty-three, concerning certain Propositions contained in divers books and writings, published in the English, and also the Latin tongue, repugnant to the Holy Scriptures, Decrees of Councils, writings of the Fathers, the faith and profession of the primitive Church; and also destructive of the kingly government, the safety of his Majesty’s person, the public peace, the laws of nature, and bonds of human society, by our unanimous assent and consent, have decreed and determined in manner and form following.

*The First Proposition.*

All civil authority is derived originally from the people.

*The Second.*

There is a mutual compact, tacit or express, between a prince and his subjects; and that if he perform not his duty, they are discharged from theirs.

*The Third.*

That if lawful governors become tyrants, or govern otherwise than by the laws of God and man they ought to do, they forfeit the right they had unto their government. *Lex Rex*.<sup>a</sup> *Buchanan*<sup>b</sup> *de Jure Regni Vindiciæ contra Tyrannos*. *Bellarmino de Conciliis et Pontifice*. *Dolman*<sup>c</sup>, *Milton*, *Goodwin*<sup>d</sup>, *Baxter's H. C.*

<sup>a</sup> *Lex, Rex: the Law and the prince, a dispute for the just prerogative of King and People, containing the reasons and causes of the most necessary Defensive Wars of the Kingdom of Scotland, and of their expedition for the aid and help of their dear brethren of England. . . . Published by authority, Lond. 1644, 4to.* "The authors of "*Lex Rex*" "*Jus populi vindicatum*" and others were known to have written these libels from pique against the Government, because they justly suffered under it." Sir G. Mackenzie *Just right of Monarchy*, p. 6.

<sup>b</sup> "It is undeniable that Buchanan wrote this book" *de Jure regni* "to persuade Scotland to raise his patron, though a bastard, to the crown." Mackenzie, *ib.* "it is condemned as slanderous, and containing several offensive matters by the 124 Act. Parl. 8. Jas. VI. A. 1584, which was the first Parliament that ever sate after his book was printed." *Id.* p. 8.

<sup>c</sup> "In the year 1594 Parsons the Jesuit or (as Mr. Camden says) he, Cardinal Allen, and Sir F. Inglefield under the name of *R. Doleman*, wrote a book entitled "a conference about the next succession to the crown of England," divided into two parts. The first, pretended to have been the discourse of a civil Lawyer, concerning succession by proximity of blood in general, contains, for the most part, in nine chapters, the very principles of sedition and rebellion; proved and maintained, (as is there also pretended,) by examples and texts of Holy Scripture; examples in France, Spain, Germany, England, and other nations. The English examples and instances, generally, are partially cited, or mis-applied, or not fully understood by the author.—In the year 1648, as a preparative to the deposition and murder of King Charles the first, there was published a pamphlet, and printed at London by Robert Ibbitson, under the title of "several speeches,



*The Fourth.*

The sovereignty of England is in the three estates, viz. King, Lords, and Commons. The King has but a co-ordinate power, and may be overruled by the other two. *Lex Rex. Hunton, of a Limited and Mixed Monarchy*<sup>e</sup>. *Barter's H. C.<sup>f</sup> Polit. Catechis.*

*The Fifth.*

Birth-right and proximity of blood, give no title to rule or government; and it is lawful to preclude the next heir from his right and succession to the crown. *Lex Rex. Hunt's*

delivered at a conference concerning the power of parliaments to proceed against their king for misgovernment:" and the heads in the title page, upon which these speeches are pretended to be made, are in number nine, and the very same, verbatim, with the titles of Doleman's nine chapters in his first part of the "conference touching the succession to the crown:" and the matter and words of the speeches themselves, almost in all things, are the very same, except the transitions, connections, and some few, not material passages, which are left out. From these conferences of Doleman, which by crafty men were published by retail, in several Pamphlets, speeches, declarations, pernicious deductions, &c. and from the nine speeches last mentioned, all the factious in the late times of rebellion, were furnished with arguments, reasons, examples and pretences for their seditious practices. And the suggestions of the act for the trial of King Charles the first, and the materials of the long speech Bradshaw made, to declare the grounds of the sentence, and aggravate the things laid to his charge, by mis-applying both law and history, were borrowed from these books: as likewise was much of the most seditious part of Milton's book, entituled, "the defence for the people of England." Also in the year 1655 at London, was printed an abstract of Parsons' book containing the substance, and often the words of it." True and Exact History of the Succession—written for the information of such as have been seduced by the "brief history of the succession," p. 1, 2. [Christ Church Pamphlets, 4. C. 17.]

<sup>d</sup> "Goodwin, Joh. one of the most violent of the Republican Sectaries in the time of Charles I. was born 1593, died 1665." Watt. Bibl. Brit.

<sup>e</sup> A Treatise of Monarchy in two parts; concerning Monarchy in general, and concerning this particular Monarchy. 1643, 4to.

<sup>f</sup> Holy Commonwealth, or Political Aphorisms, opening the true principles of Government. Lond. 1659, 12mo.

*Postscript*<sup>k</sup>. *Dolman. History of Succession*<sup>h</sup>. *Julian*<sup>i</sup> *the Apostate. Mene Tekel.*

*The Sixth.*

It is lawful for subjects without the consent, and against the command of the supreme magistrate, to enter into leagues, covenants, and associations, for defence of themselves and their religion. *Solemn League and Covenant. Late Association*<sup>k</sup>.

*The Seventh.*

Self-preservation is the fundamental law of nature, and

‡ Argument for the Bishops right with the Postscript, and two Discourses about the Succession and Bill of Exclusion. London, 1682, 8vo.

<sup>h</sup> “A brief history of the Succession, collected out of the records and most authentic historians for the satisfaction of the Earl of H.” “Much of the materials of this pamphlet, and most of the history contained in it, are taken out of the Jesuit’s [Parsons’] book, the speeches and conferences before-mentioned.” (see above, p. 87. not. d.) True and Exact Hist. (a learned refutation of it, exposing its dishonesty,) p. 2.

<sup>i</sup> A libel written against James towards the end of the reign of Charles II. by Sam. Johnson.

<sup>k</sup> For the exclusion and banishment of James II. when Duke of York, “The paper was seized in the Earl of Shaftsbury’s Closet by Fran. Gwin, Esq. one of the Clerks of H. M. most Hon. Privy Council, and read Nov. 24, 1681, at the Old Baily before H. M. Commissioners of Oyer and Terminer.” It exists in a Pamphlet entitled, “The Two Associations one subscribed by 156 Members of the H. of C. 1643. The other seized in the Closet of the Earl of Shaftsbury, London, 1681.” [Among the Atterbury Pamphlets in Christ Church, 5. B. 10.] Those who entered it, did “in the presence of God solemnly promise and vow” that they would “never consent that the said James Duke of York, or any other, who is, or *hath been* a Papist, or *any ways adhered to the Papists* in their wicked designs, be admitted to the succession of the Crown of England. But by all lawful means, and by force of arms if need so require, according to my abilities, will oppose him, and endeavour to subdue, expel and destroy him, if he come into England or the dominions thereof and seek by force to set up his pretended title,” also “that with our joint and particular forces we will oppose and pursue unto destruction all such as upon any title whatsoever shall oppose the just and righteous ends of this association.” *Ib.* p. 4, 5.

supersedes the obligation of all others, whensoever they stand in competition with it. *Hobb's De Cive. Leviathan.*

*The Eighth.*

The doctrine of the Gospel concerning patient suffering of injuries, is not inconsistent with violent resisting of the higher power in case of persecution for religion. *Lex Rex. Julian Apostate. Apolog. Relat.*<sup>1</sup>

*The Ninth.*

There lies no obligation upon Christians to passive obedience, when the prince commands any thing against the laws of our country; and the primitive Christians chose rather to die than resist, because Christianity was not settled by the laws of the empire. *Julian Apostate.*

*The Tenth.*

Possession and strength give a right to govern<sup>a</sup>; and success in a cause or enterprise, proclaims it to be lawful and just: to pursue it, is to comply with the will of God, because it is to follow the conduct of His Providence. *Hobbe's<sup>a</sup>. Owen's Sermon before the Regicides, Jan. 31, 1648. Baxter. Jenken's Petition<sup>m</sup>, Oct. 1651.*

*The Eleventh.*

In the state of nature, there is no difference between good and evil, right and wrong; the state of nature is a state of war, in which every man hath a right to all things.

*The Twelfth.*

The foundation of civil authority is this natural right, which is not given, but left to the supreme magistrate upon

<sup>1</sup> "An apologetical Narration, humbly submitted to the Hon. Houses of Parliament, by Thomas Goodwin, Philip Nye, William Bridge, Jer. Burroughes, Sidrach Simpson." Lond. 1643. Also entitled, "An apologetical Narration of some Ministers, formerly in exile, now members of the assembly of Divines." [Christ Church Pamphlets, B. 129.]

<sup>m</sup> "Certain Conscientious Queries of Mr. William Jenken, being the grounds of his late Petition and Submission to the present power, 1651, whereunto is annexed his Petition, still very much desired."

men's entering into societies; and not only a foreign invader, but a domestic rebel, puts himself again into state of nature, to be proceeded against, not as a subject, but an enemy, and consequently acquires by his rebellion the same right over the life of his prince, as the prince for the most heinous crimes has over the life of his own subjects.

*The Thirteenth.*

Every man after his entering into a society, retains a right of defending himself against force, and cannot transfer that right to the Commonwealth, when he consents to that union, whereby a Commonwealth is made; and in case a great many men together have already resisted the Commonwealth, for which every one of them expecteth death, they have liberty then to join together or to assist and defend one another. Their bearing of arms subsequent to the first breach of their duty, though it be to maintain what they have done, is no new unjust act, and if it be only to defend their persons, is not unjust at all.

*The Fourteenth.*

An oath superadds no obligation to pact, and a pact obliges no farther than it is credited, and consequently if a prince gives any indication that he does not believe the promises of fealty and allegiance made by any of his subjects, they are thereby freed from their subjection, and notwithstanding their pacts and oaths, may lawfully rebel against and destroy their sovereign. *Hobbs, de Cive. Leviathan.*

*The Fifteenth.*

If a people that by oath and duty are obliged to a sovereign shall sinfully dispossess him, and, contrary to their covenants, choose and covenant with another, they may be obliged by their later covenants, notwithstanding their former. *Baxter H. C.*

*The Sixteenth.*

All oaths are unlawful, and contrary to the word of God.  
*Quaker.*

*The Seventeenth.*

An oath obligeth not in the sense of the imposer, but the taker's. *Sheriffs Case.*

*The Eighteenth.*

Dominion is founded in grace.

*The Nineteenth.*

The powers of this world are usurpations upon the prerogative of Jesus Christ; and it is the duty of God's people to destroy them, in order to the setting Christ upon His throne. *Fifth-Monarchy-Men.*

*The Twentieth.*

The presbyterian government is the sceptre of Christ's kingdom, to which kings as well as others are bound to submit; and the king's supremacy in ecclesiastical affairs, asserted by the Church of England, is injurious to Christ, the sole King and Head of His Church. *Altare Damascenum*".  
*Apolog. Relat. Hist. Indulg. Cartwright<sup>o</sup>. Travers<sup>n</sup>.*

*The Twenty-first.*

It is not lawful for superiors to impose any thing in the worship of God that is not antecedently necessary.

*The Twenty-second.*

The duty of not offending a weak brother, is inconsistent with all human authority of making laws concerning indifferent things. *Protestant Reconciler<sup>p</sup>.*

<sup>n</sup> The author was David Calderwood, a learned Presbyterian writer. It was published under the name (formed from his own by transposition) of Edwardus Didoclavus. It contains a bitter attack on Episcopacy and the English Liturgy. The author had been banished in 1618, published the *Alt. Dam.* in Holland, A. 1623, and returned to Scotland 1637, (a little before the formation of the Covenant.) Pref. to the A. D.

<sup>o</sup> Hooker's Puritan Opponents.

<sup>p</sup> "Protestant Reconciler, humbly pleading for condescension to dis-

*The Twenty-third.*

Wicked kings and tyrants ought to be put to death; and if the judges and inferior magistrates will not do their office, the power of the sword devolves to the people; if the major part of the people refuse to exercise this power, then the ministers may excommunicate such a king; after which it is lawful for any of the subjects to kill him; as the people did Athaliah, and Jehu Jezabel. *Buchanan. Knox. Goodman*<sup>a</sup>. *Gilby*<sup>r</sup>. *Jesuits.*

*The Twenty-fourth.*

After the sealing of the Scripture canon, the people of God in all ages are to expect new revelations for a rule of their actions<sup>a</sup>; and it is lawful for a private man, having an inward motion from God, to kill a tyrant<sup>b</sup>. <sup>a</sup> *Quakers and other enthusiasts.* <sup>b</sup> *Goodman.*

*The Twenty-fifth.*

The example of Phineas is to us instead of a command;

senting brethren in things indifferent, and unnecessary for the sake of peace, and shewing how unreasonable it is to make such things the necessary conditions of Communion. By a Well-wisher to the Church's peace and a lamenter of her sad divisions." [Dan. Whitby, D. D.] 1682, 3. In the same year, Dr. Whitby signed a recantation prepared for him by S. Ward, Bishop of Salisbury, wherein he expressed his "true and hearty sorrow for having, through want of prudence and deference to authority, caused it to be printed and published, for any evil influence it hath had upon the dissenters;"—that "whereas it containeth several passages, which I am convinced in my conscience are obnoxious to the Canons, and do reflect upon the governors of the said Church, I do openly revoke and renounce all irreverent and unmeet expressions contained therein." The specific "propositions" here condemned, he "openly renounced, being false, erroneous, and schismatical, and revoked and disclaimed all tenets, positions, and assertions contained in the same book, from whence these positions can be inferred." ap. Sykes "short account of Dr. Whitby." He died 1726, an Arian.

<sup>q</sup> "A noted Puritan, and classed among the Reformers of Religion in Scotland, was born at Chester, 1520, died 1601 or 2." Watt. *Bibl. Brit.*

<sup>r</sup> Ant. Gilby, a Scotch writer, contemporary with John Knox.

for what God hath commanded or approved in one age, must needs oblige in all. *Goodman. Knox. Naphtali*’.

*The Twenty-sixth.*

King Charles the First was lawfully put to death, and his murderers were the blessed instruments of God’s glory in their generation. *Milton. Goodwin. Owen.*

*The Twenty-seventh.*

King Charles the First made war upon his parliament, and in such a case the king may not only be resisted, but he ceaseth to be king. *Baxter.*

We decree, judge, and declare all and every of these propositions to be false, seditious, and impious, and most of them to be also heretical and blasphemous, infamous to Christian religion, and destructive of all government in Church and State.

We farther decree, That the books which contain the aforesaid propositions and impious doctrines, are fitted to deprave good manners, corrupt the minds of unwary men, stir up seditions and tumults, overthrow states and kingdoms, and lead to rebellion, murder of princes, and atheism itself: and therefore we interdict all Members of the University from the reading of the said books, under the penalties in the Statutes expressed. We also order the before-recited books to be publicly burnt by the hand of our Marshal, in the Court of our Schools.

’ “ Naphtali, or the Wrestlings of the Church of Scotland ; with the testimonies of some who have died for the Truth since the year 1660 ;” ascribed to Sir James Stewart or Stuart, of Goodtrees Bt., Solicitor-General for Scotland, and Mr. Js. Stirling, Minister of Paisley. Sir J. S. wrote in its defence in 1699, “ Jus Populi Vindicatum, or the People’s right to defend themselves and their covenanted Religion, vindicated : being a Reply to the first part of the Survey of Naphtali.’ sc. “ A Survey of the insolent and infamous Libel, entituled Naphtali ; by Andrew Honyman, Bp. of Orkney.” Edinb. 1668. 2 parts, 4to. [Watt.]

Likewise we order, That in perpetual memory hereof, these our decrees shall be entered into the registry of our Convocation : and that copies of them being communicated to the several Colleges and Halls within this University, they be there publicly affixed in the Libraries, Refectories, or other fit places, where they may be seen and heard of all.

Lastly, We command and strictly enjoin all and singular the readers, tutors, catechists, and others, to whom the care and trust of institution of youth is committed, that they diligently instruct and ground their scholars in that most necessary doctrine, which in a manner is the badge and character of the Church of England, “ Of submitting to every ordinance of man for the Lord’s sake, whether it be to the king as supreme, or unto governors as unto them that are sent by Him, for the punishment of evil doers, and for the praise of them that do well.” Teaching that this submission and obedience is to be clear, absolute, and without exception of any state or order of men. Also that they, according to the Apostle’s precept, exhort, “ That first of all supplications, prayer, intercessions, and giving of thanks be made for all men, for the King, and all that are in authority, that we may lead a quiet and peaceable life, in all godliness and honesty, for this is good and acceptable in the sight of God our Saviour.” And in especial manner that they press and oblige them humbly to offer their most ardent and daily prayers to the throne of grace, for the preservation of our Sovereign Lord King Charles, from the attempts of open violence and secret machinations of perfidious traitors ; that the Defender of the Faith, being safe under the defence of the Most High, may continue his reign on earth, till he exchange it for that of a late and happy immortality.

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*Also by the same Author.*

Remarks on the prospective and past benefits of Cathedral Institutions in the promotion of sound religious knowledge and of clerical education, second edition, 1833.

Scriptural view of Holy Baptism, second edition, enlarged, *in the press*.

Thoughts on the benefits of Fasting. (Tracts for the Times, Nos. 18 and 66.)

Sermon preached at the Consecration of Grove Church.

Churches in London, with an Appendix.

Earnest Remonstrance to the Author of "A Pastoral Epistle from his Holiness the Pope," on the danger of Ridicule in Religion. Reprinted in Tracts for the Times, Vol. 3.

Confessions of S. Augustine. Old translation revised, and the Latin Original, *in the press*.

