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# Reframing the covenant: *A Solemn Acknowledgment* (1648) and the resubscription of the Solemn League and Covenant

Neil McIntyre  and Jamie McDougall 

Theology and Religious Studies, University of Glasgow, Glasgow, Scotland

## ABSTRACT

The Solemn League and Covenant, having first been subscribed in 1643, was commanded to be subscribed again in 1648 by the Commission of the General Assembly of the Church of Scotland and the Committee of Estates of the Scottish Parliament. As part of this nationwide resubscription process, which was managed by the lower church courts, ministers read aloud an explanatory document, *A Solemn Acknowledgment of Publick Sins and breaches of the Covenant*, before their congregations. By assessing the design, delivery and reception of the resubscription campaign, this article seeks to shed light on this significant but largely overlooked moment in the seventeenth-century British revolutions. It reflects also on the intellectual and cultural legacies of this episode, revealing in particular its role in the development of Presbyterian dissent in Scotland as well as its seeding of an idea of governmental accountability in Scottish political thought.

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## Introduction

From the summer of 1648 to the early winter months of 1649, the political and religious establishment in Scotland was in flux. On 8 July 1648, after protracted negotiation, James Hamilton, duke of Hamilton, led a Scottish army across the border in support of the Engagement treaty signed by Hamilton's brother, William Hamilton, Earl of Lanark, John Campbell, Earl of Loudoun, and John Maitland, Earl of Lauderdale, in December 1647. The treaty sought to restore the authority of Charles I in the three kingdoms of England, Scotland and Ireland in exchange for a Presbyterianised Church of England. The Hamiltons aligned the Engagement with the ends of the Solemn League and Covenant, which had been concluded by Scots Covenanters and English Parliamentarians in 1643, and were successful in cajoling the Scottish Parliament to support the venture. With Hamilton's inexperienced and ill-equipped force suffering a humiliating defeat at the hands of the New Model Army at Preston on 17 August, however, there was a scramble to fill the power vacuum in the north.

The defeat of the Engagers sparked a revolt in the south-west of Scotland. The westerners, backed by fellow opponents of the Engagement and, critically, the Church of Scotland, struck an agreement with the remaining Engagers to convince the New Model commander Oliver Cromwell that no further military action was necessary.

**CONTACT** Neil McIntyre  [neil.mcintyre@glasgow.ac.uk](mailto:neil.mcintyre@glasgow.ac.uk)  University of Glasgow

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Concluded on 27 September, the Treaty of Stirling protected the lives and estates of Engagers but forbade their holding of public office until the Scottish Parliament and General Assembly met again in January 1649.<sup>1</sup>

At the same time, the Commission of the Kirk, the General Assembly's standing committee, considered its response to the Hamiltonian failure.<sup>2</sup> The architect of the 1638 National Covenant, Sir Archibald Johnston of Wariston, was foremost in shaping that response.<sup>3</sup> On 5 October, a draft of *A Solemn Acknowledgment of Publick Sins and breaches of the Covenant* was approved.<sup>4</sup> The following day, the Commission declared that the Solemn League and Covenant was to be renewed in December alongside the proclamation of the *Solemn Acknowledgment* by the clergy. Not only were Engagers debarred from this process, they were also prohibited from taking part in the celebration of communion which was prescribed to follow.<sup>5</sup>

The significance of the complex religious politics in these months has been largely obscured by contemporary events in England. The failed Treaty of Newport (15 September), the Remonstrance of the Army (November), Pride's Purge (6 December), the Agreement of the People (15 January 1649), and the execution of the king (30 January) have each been accorded substantial scholarly attention.<sup>6</sup> The complexity of the 1648–49 period north of the border – in many ways resembling the fluidity of British politics in 1659–60 and 1688–89 – has not received the same level of scrutiny as a result. Recent work on covenanted Scotland by Laura Stewart side-stepped the matter by ending her study with the Engagement crisis.<sup>7</sup> The period of transition has been considered by Allan Macinnes, but his focus on national politics has obscured local developments.<sup>8</sup> Only David Stevenson has written on the period in detail, providing a valuable, but incomplete, narrative account.<sup>9</sup> There is, therefore, considerable scope for a deeper analysis.

These historians have, however, observed how the fracturing of the covenanting regime in 1648 marked the beginning of the end of covenanted government in Scotland. Indeed, Presbyterians recognised this themselves when reflecting on the mid-century upheavals.<sup>10</sup> Somewhat ironically, the Engagement also sundered the project of British confessional confederation sustained by the Solemn League – enthusiasm for which had been in sharp decline in England since 1646. But there is a paradox here. Although the downfall of the Covenants can be traced to the Engagement controversy and its aftermath, the Church of Scotland had great success in its reimposition of the Solemn League and Covenant on parish communities. In the process, the nature of covenanting, and indeed, what it meant to be a Covenanter, was subtly, but significantly, reframed.

In order to enhance our understanding of this phase of the British Civil Wars and its legacy, this article will assess the drafting, framework and reception of the *Solemn Acknowledgment*. It will first contextualise the work of the Commission of the Kirk by reflecting on subscription campaigns that took place earlier in the decade, thus placing the resubscription of the Solemn League and Covenant in a rapidly evolving covenanting subscription culture. It will then scrutinise the committee meetings and personnel that were implicated in the renewal project. Having clarified the procedure, attention will turn to the parishes of Scotland and how the Commission's instructions were interpreted and implemented on the ground. Of particular import here are the surviving kirk session and presbytery minute books of the Church of Scotland. Covering the period from the mid-

sixteenth to the late-nineteenth centuries, these records provide a remarkably detailed insight into local society in Scotland at this time and are amongst the most comprehensive resources of their kind in Europe. In charting the resubscription campaign, such local perspectives have allowed us to assess the successes and failures of this policy in its practical implementation. As we have suggested above, and as we shall see, the records serve to demonstrate the continued power, reach and influence of the covenanted church and state after the Engagement crisis, with the nation put on trial for the venture in a dramatic corporate penitential performance that was imitative of the ordinary processing of penitents before the lower church courts. Once atoned for, covenanted Scots could proceed to the renewing of their covenanted obligations to God and one another.

Finally, the article will highlight how the reimposition of the Solemn League and Covenant through the interpretative framework provided by the *Solemn Acknowledgment* contributed to a reframing of covenanting ideology, thereby giving rise to a tradition of ideological adaptation that was developed by Scottish Presbyterians later in the century and beyond. As we shall see in the final section, the *Solemn Acknowledgment* continued to be referenced long after the crisis in which it was first formulated, but its intellectual afterlife contributed to the increasingly fragmented nature of Scottish Protestant culture in the seventeenth century. More broadly, by placing this complex episode in the spotlight for the first time, the article seeks to explore approaches to political legitimacy undertaken by early modern governments in revolution, observe developing expectations of governmental accountability in Scottish political thinking, and provide much-needed recognition of the *Solemn Acknowledgment's* hitherto unrecognised importance to the emergence of nascent Scottish dissenting traditions at home and abroad.

## Covenants and subscription culture in early modern Scotland

The *Solemn Acknowledgment* represented the culmination of a battle for control of the covenanting movement that began with the swearing of the National Covenant in February 1638. Inspired by the Old Testament Israelites and their covenanting with God, opponents of Charles I sought to encourage, if not enforce, nationwide subscription to the Covenant as an expression of unity in the face of liturgical innovations comprehended in the Book of Canons (1636) and Book of Common Prayer (1637). These texts were widely understood to be idolatrous and unconstitutional and were ascribed to the malign influence of William Laud, archbishop of Canterbury, and the Scottish episcopate, over royal policy.<sup>11</sup> The Covenant consisted of the 1580 Negative Confession, a list of parliamentary acts asserting the legal foundation of the established Church, and a general band in which subscribers promised to “stand to the defence of our dread Sovereigne, the Kings Majestie, his Person, and Authoritie, in the defence and preservation of the foresaid true Religion, Liberties and Lawes of the Kingdome”.<sup>12</sup> While the cause promoted conditional monarchy and the maintenance of Presbyterian Church government in practice, the Covenant was studiously vague and profoundly ambiguous in theory. As a result, multiple and varied interpretations of its obligations were possible. Was there, then, a *true* meaning of the Covenant? How was ideological uniformity to be implemented? And how were the terms of the Covenant to be understood in light of the

violent oscillations in contemporary politics in the 1640s? These were just some of the questions wrestled with by the Commission of the Kirk after the capitulation of the Engagers in September 1648.

Before we turn to the Engagement, however, the drafting and subscription of the Covenants ought to be considered further. Here, we highlight how the heavily prescribed process for subscription in 1648 was based on effective techniques developed during the subscription campaign for the Solemn League and Covenant in 1643. We argue that the ambiguity of the National Covenant, reflected in its wording but also its dissemination, saw anti-Engagers prioritise the Solemn League and Covenant when implementing their (re)interpretation in December 1648.

The subscription campaign in 1648 mirrored the approach taken by the General Assembly for the imposition of the Solemn League in 1643. There are notable distinctions between the subscription process in 1638 and later campaigns. The National Covenant was, most notably, created by a coalition of opponents to Caroline policy, whereas the Solemn League and Covenant was drafted by commissioners from the General Assembly and the English Parliament. The *Solemn Acknowledgment* was, similarly, devised by church commissioners. By contrast, it was not until December 1638 – ten months after its initial drafting – that the General Assembly ratified the National Covenant and added an explicitly Presbyterian clause. It was signed by a substantial body at Edinburgh in February before dissemination by a network of local landholders for nationwide subscription. The Covenants of 1643 and 1648, meanwhile, were printed and distributed through the lower church courts.

Several points are worth elucidating to demonstrate why the *Solemn Acknowledgment* must be located within a rapidly evolving subscription culture in early modern Scotland. Firstly, the Covenants of 1643 and 1648 were issued by established authorities while the National Covenant was not. Until approved by the General Assembly in December 1638 and the Scottish Parliament in May 1639, the National Covenant stood on a precarious legal footing. Within the first year of the National Covenant being circulated, moreover, it was entirely plausible for parish communities to have sworn three different oaths: the February 1638 version; the King's Covenant; and the December 1638 version. The King's Covenant was Charles's attempt to hijack the covenanting movement. It consisted of the 1580 Negative Confession and a band drawn up by the Lords of Secret Council in 1590 as a response to suspected Jesuits arriving in the north-east.<sup>13</sup> It was ordered to be subscribed by the Scottish Privy Council in September 1638.<sup>14</sup> As a consequence of the paucity of evidence, the subscription process for the King's Covenant has been largely overlooked by historians. Although a detailed assessment is beyond the scope of this article, it is worth observing that a printed version from Angus survives with 1,133 subscriptions – possibly the largest number of subscriptions on any extant covenant.<sup>15</sup>

To complicate matters further, when the General Assembly met in November 1638, it ordered the resubscription of the National Covenant with an additional clause known as the Glasgow Declaration. The clause stated that episcopacy and the Five Articles of Perth were abjured by the Negative Confession.<sup>16</sup> As explained below, this declaration was often added underneath previously signed copies of the Covenant, but there was no significant resubscription campaign. Thus, on account of the *ad hoc* manner in which the National Covenant was drafted and distributed, it was possible and indeed likely that multiple interpretations of its obligations existed as early as 1639.

Analysis of the 1638 campaign reveals that a uniform set of ideas or instructions were not relayed to the laity. Subscription took place between March and September in Scottish parishes. The minister read the Covenant aloud, the congregation swore it, and subscriptions were appended in order of rank. Stewart's observation that subscription engendered a "potentially radical avowal of popular lay spirituality" is certainly valid and supported by remarkable evidence from the parish of Glassford, but the nationwide picture is more complex.<sup>17</sup> Of the surviving thirty kirk session and eleven presbytery records, subscription is recorded in eleven and eight records respectively. Three kirks (25% of surviving records) and three presbyteries (37% of surviving records) describe the Covenant as a confession or renewal.<sup>18</sup> This indicates that some understood the process to be little more than a renewal of the Negative Confession. Indeed, the Aberdeen Doctors – the chief opponents of the National Covenant in 1638 – focused much of their opposition on the way in which Charles's adversaries interpreted the Negative Confession.<sup>19</sup> Although the General Assembly attempted to clarify the meaning of the Covenant by devising the Glasgow declaration and requesting resubscription, there is no evidence of a fresh subscription campaign. None of the church minutes record resubscription and existing copies present an unclear picture. Inventories of surviving copies drawn up by James Hewison and David Stevenson show some containing the original text, the declaration and signatures; some with the declaration added underneath signatures or on the reverse of an original copy; and others that do not contain the declaration at all.<sup>20</sup> With the addition of the King's Covenant, it is evident that individuals were exposed to several versions within the first year of the Covenant's genesis. This ensured a variety of understandings of what their obligations constituted.

By August 1643, Charles's opponents had established themselves in government and embedded the National Covenant in the constitution. The subsequent Solemn League and Covenant centred on the establishment of a uniform standard of worship and church government across Scotland, England and Ireland.<sup>21</sup> Although not without ambiguity, the articles of the Solemn League were clearer and more concise than the National Covenant. It was also more effectively disseminated. A draft was approved on 10 August which went to London for final editing. It gave the Commission of the Kirk "full power and authoritie to command and enjoyn the samine to be subscribed and sworn by all the members of this Kirk".<sup>22</sup> The evidence in church court records makes clear that detailed instructions for subscription were issued.

All surviving kirk session and presbytery minutes for 1643 record subscription to the Solemn League. Subscription was undertaken on a set day across the country (29 October), with the notable exception of some northern and north-eastern parishes, such as Belhelvie, Cullen and Elgin, where subscriptions were taken in November.<sup>23</sup> A typical example of how this was conducted can be found in the records of the Midlothian parish of Dalkeith: "the Covenant was red at directioun of the generall assemblie" on 22 October and a fast held the following week, with the minister explaining the covenant in sermon and having it subscribed.<sup>24</sup> Its interpretation did rely largely on its explanation by the minister, but its observation was significantly more structured than the National Covenant.<sup>25</sup> Although it was possible for subscribers to hold alternative interpretations of the Solemn League, the manner of its drafting and dissemination led to greater uniformity on the ground. This approach was repeated in 1648 when the

Commission sought nationwide conformity to their interpretation of the Covenant after the Engagement crisis. Indeed, lessons learned in the previous decade contributed to the shape of the new subscription campaign, to which we now turn.

### The Engagement crisis of 1648

On 21 January, news of the Engagement treaty was brought to the Scottish Parliament's executive committee, the Committee of Estates, by Sir John Cheisly of Cresswell. As Stevenson has observed, the treaty rewarded Charles's intransigence by its concessions on religion.<sup>26</sup> The Newcastle Propositions of July 1646 were abandoned: although the Solemn League and Covenant would be confirmed by the English Parliament, the king and his English subjects were not obligated to take it. Presbyterian government in the Church of England, meanwhile, was to be trialled for no longer than three years. Most provocative, though, was the stipulation that covenanted Scots would impose an incorporating union on England by force, thereby "completing" the union in a manner first explored by Charles's father, James, upon his accession to the English throne in 1603.<sup>27</sup>

The first session of the second triennial Parliament opened on 2 March.<sup>28</sup> Factions crystallised around Hamilton and Archibald Campbell, first Marquess of Argyll, whose previously unrivalled political supremacy had seen him lead the covenanting cause from the winter of 1638. The machinations to secure national support for the Engagement need not detain us, but it is worth observing that Hamilton could command a majority of around thirty to thirty-five votes. As John Young has shown, the strength of this position is attributable to the attendance of fifty-six nobles – a figure higher than any of the previous six sessions of Parliament – of whom many were ambivalent about their obligations to the Covenants.<sup>29</sup> Hamilton could also count on majorities among the gentry and burgesses, with around half of the commissioners for each estate sitting for the first time.<sup>30</sup> After three months, the session closed on 10 June; the resubscription campaign would be launched before the Scottish Parliament reconvened on 4 January 1649.<sup>31</sup>

With the Argathelian opposition outmanoeuvred procedurally, protest against the Engagement was sustained by the Commission of the Kirk. As a result, and in spite of the relatively harmonious working relationship that had been established in the 1640s, the crisis was characterised by contemporaries as a battle between church and state to control government policy.<sup>32</sup> Their competing claims to represent the covenanting cause – and by extension, the national interest – generated a case of conscience for covenanted Scots, who were placed in the unenviable position of having to choose between the Assembly or Parliament. Resisting the Engagement risked treason, the terms of which were outlined in a letter of 11 May from Parliament to the presbyteries, but supporting the venture threatened excommunication.<sup>33</sup> Those who did side with the Church conducted a petitioning campaign on a scale not seen since the Prayer Book crisis of 1637.<sup>34</sup>

The Engager army, which, despite Hamilton's hopes of 40,000 men, managed considerably less than half that number,<sup>35</sup> crossed the border on 8 July. Efforts were also made to levy a contingency force to prevent a domestic uprising. This prospect was given teeth after an armed gathering had convened on Mauchline Moor, Ayrshire, on 12 June. In addition to seven ministers, the rebels were predominantly yeoman from Clydesdale who had liaised with soldiers hoping to avoid military service. They were reinforced by

men from the Ayrshire districts of Cunningham and Kyle. In all, the rebels numbered some 1,200 horse and 800 foot, of which one- or two-hundred were professional soldiers. To be sure, the shires of the south-west had been less than cooperative during the crisis: on 5 June, the war committee for Ayr had ordered a rendezvous of all fencible men despite their refusal to implement the levy. This stance had been communicated to the neighbouring committees of Renfrew, Wigton and Kirkcudbright, but no further action was taken.<sup>36</sup> As is well known, it was from these shires, the covenanting heartlands, that a revolt was launched two months later.<sup>37</sup> The revolt would receive statutory backing when Parliament reconvened without Engagers in 1649.<sup>38</sup>

Four days after the Engager army had left Scotland, the General Assembly sat at Edinburgh. Uppermost in the mind of minister and diarist Robert Baillie was “the ground of our difference with the State”. While hoping these differences would be removed, he remarked prophetically that “new grounds of division may possibly aryse, which may make our contentions greater”.<sup>39</sup> On 18 July, the Assembly proceeded to approve the actions of the Commission, and “especially their Declarations, Remonstrances, Petitions, Vindications and other Papers relating to the present Engagement”.<sup>40</sup> The official stance of the Church was then affirmed on 28 July by the issuing of an extensive declaration against the “unlawful engagement” and another to reassure their allies in England of Scotland’s continued commitment to confessional confederation as expressed in the Solemn League.<sup>41</sup>

It was on 10 August, however, that the Assembly made moves that presaged their reorientation of the Covenant after the defeat of the Engagers. On this day, an act was passed that required all students entering Scottish universities to take the Covenant.<sup>42</sup> This was not especially controversial, as a similar procedure had been mandatory for public officeholding since 1641.<sup>43</sup> But within the act was an additional proviso: “that hereafter all Persons whatsoever take the Covenant at their first receiving the Sacrament of the Lords Supper”.<sup>44</sup> James Graham, Marquess of Montrose, and other royalists had certainly been debarred from the sacrament following their defeat at Philiphaugh in 1645, but, for the first time, both Covenant and communion were being linked explicitly – a link later expressed in the resubscription campaign of December 1648. The membership of the Commission was then renewed on 11 August. It immediately set to work imposing its ownership and (re)interpretation of the Covenants.

The institutional unity of the Church of Scotland at this juncture, in contrast with the Scottish Estates – and indeed, the Church of England, which was presently in the midst of reform – gave it a procedural advantage. While Macinnes has rightly disputed the suggestion that the fledgling regime was a theocracy on account of highly influential lay members in the Assembly, such as Argyll and Wariston, he underplays the role of the Church in legitimising the reconstituted covenanted state.<sup>45</sup> A church committee was appointed on 6 September “to consider what is incumbent to the Commission to doe at this tyme for securitie of Religion and prosecution of the Covenant, and for opposing the enemies thereof”.<sup>46</sup> The Commission also maintained dialogue with the remaining Engager leaders, with each side suggesting their opponents were provoking yet another civil war.<sup>47</sup> At the same time, however, *A Short Declaration of the Commission of the General Assembly to the whole Kirk and Kingdome concerning present dangers and duties* publicly recast the Engagement as the design of a “disaffected and prevailing party in the Parliament” and therefore unrepresentative of the covenanted nation.<sup>48</sup> While



a resubscription campaign was not yet tabled, its ideological essence can be traced to a letter from George Gillespie to the Commission. Alongside his colleague Samuel Rutherford, Gillespie had become one of Scotland's most esteemed theologians during the 1640s.<sup>49</sup> He was also the current moderator of the Commission, but serious illness had prevented his attendance. His letter drew upon the respect he commanded to apply pressure to the commissioners. Above all, he stressed that their erstwhile opposition to the Engagement led logically to their separation from Engagers:

I know and am persuaded that all the faithfull witnesses that gave testimony to the Thesis, that the late Ingagement was contrary and destructive to the Covenant, will also give testimony to the Appendix, that compliance with any who have been active in the Ingagement is most sinfull and vnlawfull.<sup>50</sup>

Not only was the exclusionary impulse of the new government being ventilated, Gillespie's doctrine of sinful association – that covenants should not be kept with the ungodly and especially “a wicked faction and malignant party” – effectively demanded a renewal of the Covenant without Engagers.<sup>51</sup> As we will see, this controversial doctrine had a longevity that far outlasted the crisis in which it was formulated. Shortly after Gillespie's deathbed intervention, the Commission appointed a committee to decide the fate of Engagers. It also debated how public offices might be restricted to those “of knowne integrity”.<sup>52</sup>

Towards the end of September, another committee was appointed by the Commission, this time to consider “the publik sinnes of publik instruments” and how they ought to be acknowledged before God.<sup>53</sup> This was considered at the behest of the Estates and presented in writing by Wariston, whose draft was to form the basis of the committee's report. While Wariston was not then sitting on the Commission, he remained a leading member of the Assembly. Indeed, it was this crossover of personnel that had facilitated the management of the covenanting cause.<sup>54</sup> But although the guiding hand of Wariston, as one of the original architects of the National Covenant, and the Committee of Estates is clear, it remains compelling that post-Engagement policy was channelled through the church courts. The legitimacy of a state controlled by anti-Engagers was being founded on the authority of the Church. The Church may not have had comprehensive control, but it was confirming its position as interpreter of the Covenant after its protest against the Engagement had gone unheeded.

As we observed at the outset, a draft of *A Solemn Acknowledgment* and renewal of the Solemn League was approved by the Commission on 5 October and enacted the following day.<sup>55</sup> There was, tellingly, no contemporaneous campaign in England or Ireland, thereby anticipating the termination of the covenanted Anglo-Scottish alliance the following year, although some English divines continued to rally behind the Solemn League, while others viewed the Engagement as divine punishment for England's failure to keep the Covenant.<sup>56</sup> The Commission of the Kirk's explanation for the inclusion of *A Solemn Acknowledgment* is telling:

And that these things may be the better performed, we have thought it necessarie to condescend vpon a solemne Acknowledgment of publik sines and breaches of the Covenant, and a solemne Engagement to all the duties contained therein, namely, those which doe in a more speciall way relate vnto the dangers of these times.<sup>57</sup>

In other words, covenanting ideology was being adapted to meet the particular exigencies thrown up by a political crisis. Presented as timeless and unchanging by ideologues, covenanting was, in reality, a dynamic and unstable process. Thus began a tradition of ideological adaptation which saw it successively reshaped in light of political events. But before we turn to the implementation and reception of the resubscription campaign in the parishes and its subsequent legacy in Scottish Protestant culture, we shall first explore the subtle, but significant, reframing of the Covenant achieved by the *Solemn Acknowledgment*.

### Covenanting reframed

For covenanted Scots, initial military success in the neighbouring kingdoms and defeat of domestic royalist uprisings had reinforced their sense of advancing the so-called “cause of God”. The Engagement crisis was refracted through this lens: war, famine and disease were divine punishments for allowing lukewarm or deceitful Covenanters into office, while God’s contempt for Engagers was revealed in their routing at Preston. Engager claims to have supported the Solemn League and Covenant were challenged explicitly by the *Solemn Acknowledgment*: the Engager ascendancy was characterised as “a continued course of backsliding” that had “broken all the articles of that Solemn League and Covenant which we swore before God, Angels and men”.<sup>58</sup> Engagers could and did insist that their actions had aligned with their covenanted obligations, but the failure of the Engagement allowed the Church to frame the Covenants against them.

The first element of *A Solemn Acknowledgment* – the confession of sins and breaches of covenant – allowed the new regime to publicly recast the Engagement as contrary to the Covenants whilst also reclaiming control of covenanting discourse. Not only did opponents of the Engagement need to justify why they had opposed a venture that had proclaimed the Covenants, they also needed to re-legitimise the Covenants after the ideological damage of military defeat. In their reading, then, the failure of Engagers was not to be attributed to an overestimation or misjudgement of divine backing for the covenanting cause. It was, rather, an unjust war that had broken the sacred terms of the Solemn League: “many thousands of our Nation [...] did in a sinfull way make War upon the Kingdom of *England*”, thus threatening the “overturning of the work of God in all the three Kingdoms”.<sup>59</sup> In doing so, the Scots had discovered “how evil and bitter a thing it is to depart away from him, by breaking the Oath and Covenant which we have made with him”.<sup>60</sup> Consequently – and drawing vaguely on precedents set by the Convention of Estates in 1567 and the General Assembly in 1596 – the breaking of covenant instigated by Engagers demanded national atonement.<sup>61</sup> As we will observe in the next section, the resubscription campaign was, on one level, an expression of corporate discipline imitative of the processing of penitents before the lower church courts. The nation was put on trial for the Engagement.

The second element of the *Solemn Engagement* – the re-commitment to covenanting duties and particularly those that related to the “Dangers of these Times” – clarified some of the ambiguity that had arisen when interpreting the Covenants earlier in the decade. By providing a measure of clarification, however, covenanting discourse was being expanded in new directions. Furthermore, by seeking to understand covenanting obligations in a particular political context, covenanting ideology was being reshaped in ways

that were potentially subversive. Indeed, James Sharp, a commissioner to the General Assembly at this time who infamously became primate of Scotland after the restoration of episcopacy in 1661–2, later attributed the dangerous political ideas of the later civil wars and Restoration period to the intellectual heritage of the Church's opposition to the Engagement: "the truth is our ministers in the 48 were so deeply interested in such affairs that they framed to themselves new and strange principles which the Remonstrators afterwards hammered into a model of sedition".<sup>62</sup>

The reframing of covenanting by the *Solemn Acknowledgment* can be detected in three areas: in its more explicit statements regarding conditional allegiance to monarchy and in its criticism of arbitrary government; in its alignment of covenant with communion and in its pursuit of confessional purity; and in its assumptions regarding the dynamics of a covenanted community and the duties required of covenanted citizens.

The *Solemn Acknowledgment* emphasised that the "Privileges of the Parliaments and Liberties of the Subject" had not been sufficiently guaranteed by the Engagement.<sup>63</sup> This complaint was based on the third article of the Solemn League ("to preserve the Rights and Privileges of the Parliaments, and the Liberties of the Kingdomes, and to preserve and defend the Kings Majesties person and authority") and echoed in the National Covenant's audit of parliamentary statute in the reign of James VI, where subjects were "bound to maintain the K. Majesties Royall Person, and Authority, the Authoritie of Parlements [...] & the subjects liberties".<sup>64</sup> These liberties were, however, ill-defined in the Covenant and omitted from the Solemn League. This was, then, a subtle intervention by the *Solemn Acknowledgment*. The Engagement was alleged to be sinful because "the freedom and privileges of Parliaments have been encroached upon and the Subjects oppressed in their Consciences, persons and Estates".<sup>65</sup> Conversely, resubscribers promised to "vindicat and maintain the liberties of the Subjects" as one of four covenanted duties.<sup>66</sup>

At the same time as the *Solemn Acknowledgment* emphasised parliamentary government and individual liberties, the Engagers were condemned for having "labored to put into the hands of our King an arbitrary & unlimited power destructive to both".<sup>67</sup> Again, this complaint was based upon the third article of the Solemn League, but the article made no mention of the unlawful wielding of power by the king. Now, however, arbitrary government was being criticised openly in covenanting discourse. The rhetorical veil of wicked counsel was also decidedly transparent in the assessment of the king's recent behaviour: the Engagement was alleged to have "harden[ed] the King in his evil way" and had been "instrumentall to make him exercise his power in many things tending to the prejudice of Religion and of the Covenant".<sup>68</sup> Thus, in its pursuit of legitimacy, the new regime appealed to the nation on the grounds that any settlement with the king had to be conditional on his commitment to protect their liberties – a subtly different message to the one first projected by the National Covenant in response to the Prayer Book crisis.

Secondly, the *Solemn Acknowledgment* reframed the Covenants by integrating covenant and communion and enforcing restricted access to both. In its early stages the covenanting cause had been largely inclusive and united – its vagueness and ambiguity were patently designed with mass mobilisation in mind, as its detractors alleged – but the political rupture occasioned by the Engagement allowed anti-Engagers to overcome a fundamental tension in covenanting ideology. They could now attempt to reconcile a soteriology that supposed the majority of the nation degenerate with the idea that the

entire nation was in a covenant with God. They achieved this by developing a concept that had acquired political currency in the 1640s, and which went on to silently transform Scottish Protestant culture: “malignancy”.

The fourth article of the Solemn League required subscribers to “endeavoure the discovery of all such as have been, or shall bee Incendiaries, Malignants or evil instruments [so] that they may be brought to publick triall, and receive condigne punishment”.<sup>69</sup> The term “malignant” referred initially to royalist-Episcopalians, but it developed into a catch-all pejorative term used to slander opponents of the Covenants. The *Solemn Acknowledgment* lamented that the sixth article had been breached flagrantly since 1643, with malignants “entrusted with our Councells, admitted unto our Parliaments, and put in places of Power and Authority for managing the publick affairs of the Kingdome”.<sup>70</sup> This led to the “enacting and prosecuting an unlawfull Engagement”. The lesson to be learned, then, was “the grievousnesse of our sin of complying with Malignants”.<sup>71</sup> God had delivered covenanted Scotland from the Engagement; it was now unthinkable that anti-Engagers might sin again by readmitting their adversaries to the Covenant, whose questionable dedication or trustworthiness made the application of Reformed concepts of forgiveness and reintegration so vexed in the context of partisan politics. It is here that we can detect the influence of George Gillespie’s doctrine of sinful association. As a result, stricter, more exclusive church membership – and, by extension, public officeholding – was demanded. The sacrament had become highly politicised.<sup>72</sup>

Finally, in its critique of the covenanted nation, the *Solemn Acknowledgment* revealed the socially subversive potential of covenanting ideology. As the nation made its “free and particular confession”, for example, it was for “the sins of their Princes, their Rulers, their Captains, their Priests and their people”.<sup>73</sup> “Nobles and great ones” were, similarly, criticised for failing “to perform family duties themselves and in their own persons”.<sup>74</sup> Although they were supposed to be examples of “Godlinesse and sober walking”, “many of the Nobles, Gentry, and Burrows” had been “ring-leaders of excesse and rioting”.<sup>75</sup> This reading of recent events provided a basis for popular demands for political accountability and religious commitment from Scotland’s ruling classes. The *Solemn Acknowledgment*, in other words, reinforced a view that the Covenants were a mechanism by which governors and public officers could be judged and held accountable. As we will see later, the legislation that promulgated the resubscription campaign was a source of authority that could be wielded by dissenting Presbyterians in support of their protest, resistance and secession when governance did not measure up. And as we now turn to the implementation and reception of the campaign in November and December 1648, we shall see that the practice proved to be no less subversive than the theory.

## The resubscription of the Solemn League and Covenant

By late October, the Covenants had been reframed with the Commission as sole interpreter. Future generations would be required to accept this reinterpretation or else be debarred from celebrating communion. The kirk session and presbytery records during the resubscription period are rich with evidence of how this played out in practice. It is worth noting that the survival rate of these records is significantly higher than in 1638

and 1643. Fifty-seven kirk session and twenty-four presbytery minutes survive, of which over 80% record resubscription.<sup>76</sup> There are numerous examples of the Commission's directives being pursued with vigour. Two aspects of the campaign stand out. Firstly, the aim of cultivating and enforcing confessional purity by debarring unrepentant Engagers was widely followed in the localities. This was an important moment for the development of covenanting ideology and a clear watershed in the way in which covenanting was understood at the local level. By combining the idea of covenanting with communion, the Church was realising a vision of a godly commonwealth not dissimilar to – although not the same as – the puritan congregationalism of New England.<sup>77</sup> While the reintegration of Engagers into parish communities and political life was certainly preferred and the establishment principle ultimately upheld – most if not all Presbyterians continued to endorse the ideal of a national church in theory, as Scott Spurlock has shown – the exclusionary logic embedded in the resubscription campaign had clear implications for the future of the covenanting project as nationally comprehensive.<sup>78</sup> Secondly, the campaign can be viewed as an exercise in mass corporate discipline. Taking direct inspiration from the ways in which individual penitents were tried before the lower church courts, the nation was put on trial for its breach of the Solemn League and Covenant. As such, the *Solemn Acknowledgment* was included in the resubscription process to allow for a public confession of collective sins whilst Engagement supporters repented before their local congregations. This included ordinary people as well as members of the nobility and clergy. We reveal that, in several respects, the Commission was successful in achieving its aims.

Perhaps the most striking aspect of the resubscription campaign is that the authorities abandoned the previous policy of encompassing as many people as possible within the covenanting cause. Only those who adhered to the Commission's interpretation of the Solemn League and Covenant and repudiated the Engagement were now permitted to subscribe. Not only were unrepentant Engagers debarred from renewing the Solemn League, they were also denied entry to the communion table. This was the first occasion in which the phrase "covenant and communion" was used, and the two practices became interdependent going forward. In November, for example, the presbytery of Peebles ordered that Engagers be sought out and "debarred from covenant and communion".<sup>79</sup> The phrase is repeated in one-third of the surviving presbytery records.<sup>80</sup> One of two surviving sacraments in the reformed Church of Scotland, communion was a central feature of worship and reflected a congregation's relationship to one another and God. Stipulated to be held quarterly, but more commonly observed once a year, communion affirmed the status of a communicant as a member of the congregation of Christ and was thus a key component of Scottish Protestant identity. By making entry to the communion table dependent on accepting a particular – and highly politicised – interpretation of the Covenants, the Commission had embedded the act of covenanting into the fabric of public worship in Scotland. As we will see in the following section, this contributed to the emergence of dissenting Presbyterian traditions over the next two centuries.

As well as the invocation of communion, familiar preparative practices were deployed in 1648. The process involved representatives from the kirk sessions investigating every member of the congregation to discover whether the prospective communicant had sufficient knowledge of the catechisms and had behaved appropriately before being granted admittance to the communion table. Any on-going investigations or

misbehaviour had to be rectified before a token was granted.<sup>81</sup> Similarly, in preparation for renewing the Solemn League and Covenant, the kirk session was ordered to seek out former Engagers, ask them to repent, and if refused, bar them from subscription and communion. On 10 December, for example, the elders and deacons of the parish of Midcalder were instructed to “be Cairfull in Taiking tryall of any w[i]t[h]in this paroch, qo [who] . . . consents to the lait wnlawfull Ingadgment”. Six days later, those who were found to have participated in the “wnlawfull Ingadgment” were brought before the session and “callit one by one, and tryall takin”.<sup>82</sup> Just as penitents confessed their sins before congregations, Engagers were expected to express remorse in an emotional performance. This is particularly evident in the Fifeshire parish of Wemyss, where Engagers were ordered to make “publick declaration of ther sorrow”.<sup>83</sup>

In the eyes of the Church, those who had participated in the Engagement were equally sinful before God – irrespective of social status. When examining congregations for suspected Engagers, therefore, elders and deacons made no exceptions. Indeed, local elites were subject to a level of scrutiny unheard of in Scotland since the early days of the Reformation. The surviving presbytery records contain remarkable examples of nobles being held accountable for their purportedly sinful behaviour. The presbytery of Ayr barred one of the largest landowners in the west of Scotland, William, Lord Cochrane, from renewing the Covenant.<sup>84</sup> Cochrane did have strong covenanting credentials, having subscribed in 1638 and 1643 and opposed the royalist uprising of 1644–45.<sup>85</sup> His support for the Engagement, however, left him outside the congregation in December 1648. Other examples of nobles and gentry being debarred from resubscription include Lord Elibank and John Durham of Pitcairn in Haddington, and Alexander Gibson, Lord Durie, in Kirkcaldy.<sup>86</sup> Investigations could also comprehend kirk session officials themselves, as seen in the Aberdeenshire parish of Slains, where the laird of Leak was suspended from his eldership having supported the Engagement.<sup>87</sup> Further cases were opened against heritors (that is, landowners in a parish) in the presbyteries of Dumfries, Dunfermline, Garioch and Lanark.<sup>88</sup> On several occasions, those brought before the church courts were suitably repentant and thus permitted to renew the Covenant and take communion. In the East Lothian parish of Yester, for example, “heretours, Elders and masters of families” were “interrogated” before declaring that the Engagement was “vnlawfull & sinfull”.<sup>89</sup> Similarly, Sir James Balfour of Denmilne, the lord lyon king-of-arms, and other parishioners were allowed to resubscribe after convincing the presbytery of Cupar that they believed the Engagement to have been “unlaw-[fu]ll”.<sup>90</sup>

An examination of how ordinary people were treated during the campaign provides further evidence of the Commission’s instructions being followed in the localities. In some areas, those who were forced to join the Engager army were treated more leniently than those who volunteered. While investigating gentlemen who had recruited for the Engager army, the presbytery of Cupar found that some people had been forced to join “against their will being threatened with plowndering and quartering”.<sup>91</sup> Although impressment was by no means unique to Engagers, some presbyteries deemed it necessary to record and occasionally treat those pressed into service more leniently. The presbytery of Dumfries, for example, required only repentance from those who freely supported the Engagement, and, specifically, “all such heritours as not being fenced by sessment, and plunder, by forreine forces did contribute to the said ingagement”.<sup>92</sup> Other

church courts were not as understanding: the kirk session of South Leith demanded repentance from all soldiers, “whether yei were pressed or voluntared”, as did the sessions of Dunfermline and Dalkeith.<sup>93</sup> The pursuit of volunteers was actually expressed in the Commission’s subsequent explanation of instructions and is reflected in the extant parochial records, providing supplementary evidence for the effective control of the Commission at this critical juncture, and underscoring the success of the Church in its reimposition of the Solemn League and Covenant.<sup>94</sup>

The clergy no less than the laity were required to accept the Commission’s interpretation of the Covenant. Examples of clerical examinations highlight the vital role played by ministers in relaying covenanting ideas to the laity. Stevenson has calculated that as many as seventy-two ministers were deposed by the anti-Engager regime, and argued that many would have been “sincere supporters of the covenants who had believed the engagement to be the best means of implementing them”.<sup>95</sup> An example of a minister who was deposed during this period was Robert Balcanquall, minister of Tranent-on-Seton (and son of the royalist propagandist Walter Balcanquall), who faced twenty-one charges from the presbytery of Haddington in December. He was accused of preaching in support of the Engagement, using fast days to “pray for the meanes of restoring the king”, and disregarding declarations issued by the General Assembly.<sup>96</sup> He was also reported to have declared to his congregation that “The first Covt was a religious and godly worke, bot as for the league and Covt, I never understood it, I never knew what it meant”.<sup>97</sup> Balcanquall was eventually deposed. Not only does his case highlight the importance of clerical conformity in the transmission of government policy from centre to locality, it also highlights the lengths the Commission was prepared to go to secure ideological uniformity in the wake of the Engagement crisis.

In 1648, then, the Commission of the Kirk instigated a resubscription of the Solemn League and Covenant to re-legitimise the Covenants, legitimise the fledgling anti-Engager regime and diffuse their reinterpretation of covenanting ideology. Central to the commissioners’ approach was the belief that the Engagement had threatened the pursuit of a Presbyterian settlement in the three kingdoms, the godly union with England, and the constitutional limitation of magisterial power, which were assumed to be the ends of the Covenants. Laypeople and clergy alike were pursued for their participation in the controversy. The aim of the campaign was to ensure that the covenanted nation included only those who subscribed to an exclusive vision of covenanted confessional purity. Evidence from kirk session and presbytery records reveals that in many areas this aim was achieved: communion practices were adapted, people of all backgrounds were investigated and the Covenant was resubscribed using the interpretive framework provided by the *Solemn Acknowledgment*.

### **The legacy of *A Solemn Acknowledgment* in Scotland and beyond**

Having emerged as a key text in the burgeoning covenanting canon, the *Solemn Acknowledgment* became the focal point for further disputes among the remaining Covenanters. Indeed, as this final section seeks to highlight, it featured in many of the subsequent political and ecclesiological controversies of the seventeenth and eighteenth centuries in Scotland. Having re-legitimised the Covenants and the concept of covenanted government, the exclusive and exclusionary animus of the *Solemn*

*Acknowledgment* proved fatal to the covenanting movement and the unity of Scottish Protestantism. We conclude, therefore, by looking at the ideological legacy of the *Solemn Acknowledgment*.

With the unilateral execution of Charles I at the hands of the Rump Parliament on 30 January 1649 and the unilateral declaration of Charles II as king of Great Britain and Ireland by the Scottish Parliament on 5 February, the ruling factions of each nation were set on a collision course that culminated in the defeat of a Scottish army at Dunbar on 3 September 1650 that had been purged of “malignants” during the summer. Thus, just as the routing of Engagers at Preston had required an ideological re-adjustment, another military setback demanded explanation. Debates centred on whether the purges of civil and military office driven by the *Solemn Acknowledgement* and Act of Classes had hampered the defence of the kingdom. While a majority of the remaining Covenanters were prepared to seek a political accommodation with royalists and Engagers, protest emanating from the covenanting heartlands of the south-west argued that the present government had forsaken the very principles that had been used to legitimate it. The protest was also an expression of the way in which the *Solemn Acknowledgment* had reinforced the idea that the Covenants were a mechanism for political accountability, revealing, in turn, the latent subversive potential of covenanting. The westerner’s remonstrance of October 1650 was a remarkable and hitherto unheard-of public critique of the king, peers and parliamentarians for failing in their duty to maintain the covenanting cause as it had been framed in 1648.

Disclaiming “the sinne and guilt of the King and of his house, both of old and late” and refusing to “owne him nor his interest” until he had shown a sincere commitment to the Covenants, the Remonstrants entreated the regime to ensure that royal power was exercised “with the like restriction and condition [...] according to the counsell of this Kingdome and Kirk”. The Estates, meanwhile, were condemned as “walking more by the rule of policie than pietie”. Despite their solemn engagement to fill public offices “with men of knowen good affection to the Cause of God, and of a blamelesse and Christian conversation”, it was observed that purging had been obstructed by leading statesmen. “Malignants”, in other words, remained “spotts in your judicatories which diminishes their credit and authority”.<sup>98</sup> Most significantly, the remonstrance called out those statesmen who had obstructed the purges by their “sparing those of eminent place and trust in the judicatories and armies, and taking no tryell of their qualifications” while at the same time “doing some duetie vpon them of lower degree”. Such criticism was indicative of its socially subversive dynamic. Some statesmen, rather than seeking “the honour of God and the wealth of the people”, were criticised for making their “power, places an employments rather an matter of gaine and interest”. As a remedy, the Remonstrants urged those who had “made advantage of the publict and of the poore of the land, and by the leavies, Kings revenues, fynes, and borrowed moneyis, and other-ways of fingering soumes” to clean their hands of “dishonest gaine”. Officeholders ought instead to view it as a “duetie impartiallie to bring all men to ane accompt for the vast sowmes that have been misapplyed, and knowne oppressours brought to condigne punishment”. This attack on corruption extended equally to the war with the English republic, which, having yet been debated in or cleared by a constitutional assembly, was led by “eminent persones” seemingly motivated to impose Charles II on England for the sole purpose of “enriching them selves with their spoyles”.<sup>99</sup> The anti-aristocratic thrust



of these accusations was affirmed by the diarist Baillie, who noted so many “grosse faults” being pressed against the nobility that it would require “our State modelled of new; soe that no active nobleman should have any hand therein”.<sup>100</sup> But despite insisting that there was no intention “to follow the footsteps of a Sectarian partie, and change the fundamental Government of this Kingdom by King and Parliament, or any levelling waie”, parliamentarians decried the “subuersione of gouerniment, bothe ecclesasticke and ciuill”.<sup>101</sup>

In the face of the majority who now sought national unity in spite of the *Solemn Acknowledgment* – known to us as Resolutioners on account of their “public resolutions” to restore former enemies to positions of power – the Remonstrants’ protest was picked up and promoted in the Church by a faction known as the Protesters. In contrast to the Engagement crisis, where party conflict had riven the state, it was in the church courts that partisan rivalries came to the fore. In the aftermath of the General Assembly of July 1651, where the Protesters had walked out, the *Solemn Acknowledgment* was foundational to the development of their ideological platform. It was, for example, appended to their treatise *The Nullity of the Pretended Assembly* (1652) and cited in a series of other published tracts, including the infamous *The Causes of the Lord’s Wrath against Scotland* (1653).<sup>102</sup> In the “Humble Acknowledgment of the Sins of the Ministry” included in *The Causes*, moreover, it was observed that ministers were guilty of “[s]uperficial admitting of all to the Covenants, and solemn Acknowledgment, without taking sufficient pains to instruct and inform them in the knowledge of the things contained therein”.<sup>103</sup> Disagreement on the thrust of the *Solemn Acknowledgment* saw the schism continue through the 1650s and unresolved on the eve of Charles II’s restoration in 1660.<sup>104</sup> Protesters continued to uphold its strictures, with a supplication drafted at a meeting of 23 August insistent that Charles’s providential return required “all places of trust, under your Majest. may be filled with such as have taken the Covenant, & are of approven integrity, & known affection to the cause of God”.<sup>105</sup> It was a pyrrhic ideological victory, then, when former Engagers emerged as the king’s principal advisors in Scotland and ended the covenanting experiment in government: just as they had warned, “the popish prelatieall and malignant party” were “the great danger, that threateneth religion, and the work of reformation, in the churches of God, in these kingdomes”.<sup>106</sup>

As is well known, the Restoration constitutional settlement was resisted to varying degrees by dissenting Presbyterians. After the Pentland rising of 1666, when around 1,000 dissenters rose in arms and marched on Edinburgh, only to be routed by government forces in the Pentland hills, polemic in defence of the rising reveals that the stature of the *Solemn Acknowledgment* remained high almost twenty years after it had been first issued. Most significantly, in James Stirling and James Stewart’s *Naphtali* (1667), it was appended in full alongside the National Covenant and Solemn League and Covenant, thus securing its status among some as a religious bond and constitutional document of no less import than the Covenants themselves. Unlike the Covenants, however, the *Solemn Acknowledgment* was deemed to require an additional explanation of its “occasion”.<sup>107</sup> Attention was paid to its constitutional grounding: its order by the Commission of the Kirk and approval by the Committee of Estates, its taking by the Scottish Parliament, and its ratification by the General Assembly of the Church of Scotland. Stewart’s “True and short Deduction”, meanwhile, attested to the significance

of the *Solemn Acknowledgment*: not only had it reinforced and clarified the Covenants – “our Engagements were not only doubled, but strongly confirmed” – but, by retrieving God’s favour, it had also paved the way for “many necessary and righteous Lawes” and “the Ratification of all these preceeding Treaties, Transactions, Engagements and Actions” with Charles II, “whereby the same did pass into a perpetual Law: And this Covenant [. . .] became at length the Fundamental Law of the Kingdom”.<sup>108</sup> The *Solemn Acknowledgment* had enshrined covenanting as the foundation of governance in Scotland, in other words, and it was for this reason that later Presbyterian purists viewed the period as the high watermark of the revolution and a golden age of godly government. Its legacy of fomenting party rivalries and schism ensured, however, that its continued application was not endorsed by all.

Indeed, when the dissenters rose in arms again in 1679, it was the *Solemn Acknowledgment* that divided them. The dissident community had already fractured when debating whether nonconforming clergymen could accept licences to preach from the Restoration state and whether the dissenting laity could receive the sacraments from such “indulged” ministers. At their camp to the south-east of Glasgow, the rebels debated the composition of their army, the contents of a declaration, and the rationale for a day of humiliation in a manner that recalled – and replicated – the disputes that had divided the covenanting regime thirty years previously. A militant core demanded that the declaration include the *Solemn Acknowledgment* and apply its logic: for them, the “sins of the land” or “defections of the age” had continued to multiply since 1648 through the Restoration period and required explicit recognition in a declaration and display of penitence before God. Critically, they considered dissenter compliance with the regime to be a sin, and thus, in accordance with the doctrine of sinful association, attempted to enforce the repentance or removal of “malignants” from the rebel army. While the militant-controlled council of war produced a paper to regulate the army, effectively its own Act of Classes, it was not implemented, while the declaration was fudged to secure wider participation and avoid offending the king and his ministers.<sup>109</sup> After their rout at Bothwell Bridge by government forces led by the king’s illegitimate son, James, Duke of Monmouth, the militants broke permanently from the dissenting mainstream and began styling themselves “the True Presbyterians of the Church of Scotland”.<sup>110</sup>

The militants developed a clandestine confederation of laic prayer societies after the deaths of their initial clerics Richard Cameron (*d.* 1680) and Donald Cargill (*d.* 1681). The United Societies were a highly-organised manifestation of the Presbyterian separatism and political radicalism stoked by the *Solemn Acknowledgment*. Rooted in the western shires of Lanark and Dumfries, but with allies in northern England, Ulster, the Netherlands and Pennsylvania, the Societies demanded a church and state founded on the principles of the anti-Engager regime, as asserted in their declaration of January 1682: “For we are only endeavouring to extricate ourselves from under a Tyrannous Yoke, and to reduce our Church and State, to what they were, in the Years 1648 and 1649”.<sup>111</sup> Unsurprisingly, then, the *Solemn Acknowledgment* continued to inform their platform and response to political events: it was included with additions and revision in their renewal of the Covenants in 1689 and 1712, for example, and essential to their several declarations, testimonies and tracts.<sup>112</sup> It was also republished in the wake of the Hanoverian succession and attempted Jacobite restoration, both of which the Societies disowned, and one of several elements that prevented their alignment with the Seceders

who emerged in the 1730s.<sup>113</sup> Thus, nearly a century after the resubscription of the Solemn League and Covenant, Scotland had not one but three distinctive Presbyterian denominations in addition to several other dissenting churches. With continued splits among and between Scottish and diaspora Presbyterians up to the Disruption of 1843 and beyond, the *Solemn Acknowledgment* made a marked, if unintended, contribution to this culture of political and religious protest, secessionism and pluralism.

## Conclusion

Our study of the drafting, reception and transmission of *A Solemn Acknowledgment* has positioned it in an evolving covenanting subscription culture, assessed its re-legitimizing of revolutionary covenanted government in 1648, and identified its role in reframing the Covenants. It has highlighted the process of covenanting to have been both dynamic and unstable, and revealed how covenanting ideas were reshaped in light of political events despite contemporary and current perceptions of their inflexibility. This gave rise, thereby, to a tradition of ideological adaptation by successive generations of Scottish Presbyterians at home and abroad. It has also emphasised two key cultural legacies, above all: its contribution to the development of Presbyterian dissent and separatism in Scotland, and its contribution to the development of ideas regarding political accountability and qualification for office.

The pursuit of legitimacy by anti-Engagers in 1648–49 served, in the end, to divide Scottish Protestants and drive partisan religious politics during and after the covenanting revolution. At the same time, however, it contributed to the widening of a conceptual space in which people of all social classes could lay claim to having a stake in the political direction of the nation. As *A Solemn Acknowledgment* had made clear, Scotland's ruled no less than its rulers were active participants in the covenanting project, and Scotland's rulers no less than the ruled bound to serve the "cause of God". As a consequence, it represented a novel ideological challenge to Scotland's established socio-political hierarchy – a hierarchy that few, if any, of the early disaffected had intended to overturn. The National Covenant had insisted that the king's right to rule was conditional; within a decade of its promulgation, a vision of representative government had emerged in which politicians were responsible to a far wider political community, and their performance in public service definable, measurable and to be judged.<sup>114</sup>

## Notes

1. They were duly excluded by the Act of Classes on 23 January. See Brown et al, eds. *Records of the Parliaments of Scotland*, 1649/1/43.
2. Mitchell and Christie, eds. *Records of the Commissions*, vol. 2, 61–2.
3. *Ibid.*, 69–70.
4. *Ibid.*, 77.
5. *Ibid.*, 78–89.
6. The historiography is voluminous. For an overview, see Braddick, ed. *Oxford Handbook of the English Revolution*. For recent debate, see Kelsey, "The Now King of England", and Fitzgibbons, "Rethinking the English Revolution of 1649". See also the essays in Peacey, ed. *The Regicides and Execution of Charles I*.
7. Stewart, *Rethinking the Scottish Revolution*, 256–302.

8. Macinnes, *The British Revolution*, 188; Macinnes, *The British Confederate*, 240–45.
9. Stevenson, *Revolution and Counter Revolution*, 95–109.
10. The Rutherglen Testimony of 1679, for example, was a declaration against defections from the Covenants “especially from the year 1648”. See Wodrow, *History of the Sufferings*, vol. 1, 44.
11. For recent work, see James, ‘*This Great Firebrand*’, 80–145.
12. *Confession of Faith*, 14.
13. Dawson, “Bonding, Religious Allegiance and Covenanting”.
14. Brown, ed. *Register of the Privy Council of Scotland*, vol. 7, 64–6.
15. NLS, “The King’s Covenant, 1638.” MS 34.5.15. Although largely overlooked, see, however, MacKenzie, “Restoring the Nation?”
16. *Acts of the General Assembly*, 13–21.
17. Stewart, “Authority, Agency and the Reception of the Scottish National Covenant”.
18. NRS, Lasswade Kirk Session, CH2/471/2, fo. 3r; Menmuir Kirk Session, CH2/264/1, fo. 38v; Monimail Kirk Session, CH2/548/1, fo. 67r; Kirkcaldy Presbytery, CH2/224/1, fo. 230v; Lanark Presbytery, CH2/234/1, fo. 117r; Perth Presbytery, CH2/299/2, fo. 368r.
19. *Generall Demands concerning the late Covenant*. See also Ford, “The Lawful Bonds of Scottish Society”.
20. Hewison, “Covenants in Scotland”; Stevenson, “The National Covenant”.
21. Brown et al, eds. *Records of the Parliaments of Scotland*, 1643/6/75.
22. *Acts of the General Assembly*, 95.
23. NRS, Elgin Kirk Session, CH2/145/6, fo. 78r; Humbie Kirk Session, CH2/389/1, fos. 25r–27v; Belhelvie Kirk Session, CH2/32/2, fo. 25; Duffus Kirk Session, CH2/96/1/1, fo. 48v; Kinnaird Kirk Session, CH2/418/1, fo. 69v.
24. NRS, Dalkeith Kirk Session, CH2/84/1, fo. 14v.
25. McDougall, “Covenants and Covenanters”, 35–70.
26. Stevenson, *Revolution and Counter Revolution*, 80–1.
27. MacDonald, “James VI and I”.
28. Brown et al, eds. *Records of the Parliaments of Scotland*, 1648/3/1.
29. Young, *The Scottish Parliament*, 195.
30. *Ibid.*, 195–6, 336–7.
31. Brown et al, eds. *Records of the Parliaments of Scotland*, 1648/3/251, 1649/1/1.
32. Baillie, *Letters and Journals*, vol. 3, 51–2.
33. Brown et al, eds. *Records of the Parliaments of Scotland*, 1648/3/166.
34. Stewart, *Rethinking the Scottish Revolution*, 279–91.
35. See Furgol, *Covenanting Armies*, 268–91.
36. Baillie, *Letters and Journals*, vol. 3, 48; HMC, *Supplementary Report*, 74–5.
37. Stevenson, *Revolution and Counter Revolution*, 95–6.
38. Brown et al, eds. *Records of the Parliaments of Scotland*, 1649/1/30.
39. Baillie, *Letters and Journals*, vol. 3, 65.
40. Peterkin, ed. *Records of the Kirk*, 496.
41. *Ibid.*, 498–505, 506–8.
42. For recent work on Scottish universities at this time, see Cipriano, “The Scottish Universities”.
43. Brown et al, eds. *Records of the Parliaments of Scotland*, A1641/8/1a.
44. Peterkin, ed. *Records of the Kirk*, 511.
45. Macinnes, *The British Confederate*, 39, 225.
46. Mitchell and Christie, eds. *Records of the Commissions*, vol. 2, 35.
47. *Ibid.*, 36–7, 38–41, 47–8, 50–51, 52, 57–8.
48. *Ibid.*, 44–7.
49. Gillespie played an important role in the debates which surrounded the Westminster Assembly. See Powell, *Crisis of British Protestantism*, 37–49.
50. Mitchell and Christie, eds. *Records of the Commissions*, vol. 2, 53–5.
51. Gillespie, *An Usefull Case of Conscience*, 14.

52. Mitchell and Christie, eds. *Records of the Commissions*, vol. 2, 59.
53. *Ibid.*, 61–2, 69–70.
54. Stevenson, “The General Assembly and the Commission of the Kirk”.
55. Mitchell and Christie, eds. *Records of the Commissions*, vol. 2, 77.
56. Vallance, “An Holy and Sacramentall Paction”.
57. Mitchell and Christie, eds. *Records of the Commissions*, vol. 2, 78.
58. *Solemn Acknowledgment*, 3.
59. *Ibid.*, 2.
60. *Ibid.*, 3.
61. *Ibid.*, 2–3.
62. Airy, ed. *Lauderdale Papers*, vol. 2, app. B, lxxii.
63. *Solemn Acknowledgment*, 4.
64. *Solemn League and Covenant*, 5; *Confession of Faith*, 10–11.
65. *Solemn Acknowledgment*, 5.
66. *Ibid.*, 11–12.
67. *Ibid.*, 4.
68. *Solemn Acknowledgment*, 5.
69. *Solemn League and Covenant*, 5.
70. *Solemn Acknowledgment*, 5–6.
71. *Ibid.*, 6.
72. On this, see also Langley, *Worship, Civil War and Community*, 87–107.
73. *Solemn Acknowledgment*, 2.
74. *Ibid.*, 9.
75. *Ibid.*, 9–10.
76. For a detailed breakdown, see McDougall, “Covenants and Covenanters”, 88.
77. Powell has highlighted points of ideological contact between congregationalists and the Scottish commissioners Gillespie and Rutherford, although it is implied that both were unrepresentative of contemporary Presbyterian ecclesiology. See Powell, *Crisis of British Protestantism*, 37–9, 74, 80, 123, 148–9, 159, 213.
78. See Spurlock, “Polity, Discipline and Theology.” See also Spurlock, *Cromwell and Scotland*.
79. NRS, Peebles Presbytery Records, CH2/295/3, fo. 100v.
80. NRS, Linlithgow Presbytery, CH2/242/3, fo. 319r; Kirkcaldy Presbytery, CH2/224/2, fo. 556r; Ayr Presbytery, CH2/532/1, fo. 343; Dumfries Presbytery, CH2/1284/1, fos. 26–7; Garioch Presbytery, CH2/166/1, fo. 33v; Cupar Presbytery, CH2/82/1, fo. 101v; Biggar Presbytery, CH2/35/1, fo. 233r.
81. For communion in early modern Scotland, see Schmidt, *Holy Fairs*, 32–3; Todd, *Culture of Protestantism*, 84–119.
82. NRS, Midcalder Kirk Session, CH2/266/1, fo. 222.
83. NRS, Wemyss Kirk Session, CH2/365/1, fo. 147v.
84. NRS, Ayr Presbytery, CH2/532/1, fo. 343r.
85. Kelsey, “Cochrane, William”.
86. NRS, Haddington Presbytery, CH2/185/6, fo. 7; Kirkcaldy Presbytery, CH2/224/1, fo. 556r.
87. NRS, Slains Kirk Session, CH2/480/1, fo. 130v.
88. NRS, Dunfermline Presbytery, CH2/105/1/1, fo. 59v; Garioch Presbytery, CH2/166/1, fo. 35r; Lanark Presbytery, CH2/234/1, fo. 373; Dumfries Presbytery, CH2/1284/1, fos. 26–7.
89. NRS, Yester Kirk Session, CH2/377/2, fo. 81v.
90. NRS, Cupar Presbytery, CH2/82/1, fo. 101r.
91. NRS, Cupar Presbytery, CH2/82/1, fo. 101r.
92. NRS, Dumfries Presbytery, CH2/1284/1, fos. 26–7.
93. NRS, South Leith Kirk Session, CH2/716/5, fo. 425r; Dunfermline Kirk Session, CH2/592/1/1, fo. 86; Dalkeith Kirk Session, CH2/84/1, fo. 42r.
94. Mitchell and Christie, eds. *Records of the Commissions*, vol. 2, 136–9; *Explanation of a former Act*.
95. Stevenson, “Deposition of Ministers”.

96. NRS, Haddington Presbytery, CH2/185/6, fos. 3v–5v.
97. *Ibid.*, fo. 3v.
98. Mitchell and Christie, eds. *Records of the Commissions*, vol. 3, 95–106.
99. *Ibid.*, 99–100, 101, 103–4.
100. Baillie, *Letters and Journals*, vol. 3, 119.
101. Balfour, *Historical Works*, vol. 4, 169.
102. *Nullity of the Pretended Assembly*, 305–12; *Answer to the Declaration*, 37, 78–9; [Guthrie and Johnston], *The Causes of the Lords Wrath against Scotland*, 33, 51–2.
103. [Guthrie and Johnston], *The Causes of the Lords Wrath against Scotland*, 87.
104. [Guthrie], *Protesters no Subverters*, 91.
105. [Brown], *An Apologeticall Relation*, 70–76, quote at 74.
106. *Ibid.*, 72.
107. [Stirling and Stewart], *Naphtali*, sig. B[8] r.
108. *Ibid.*, 64–72.
109. McIntyre, “Saints and Subverters”, 209–19.
110. *An Informatory Vindication*, 173, 176, 185, 191.
111. *Ibid.*, 184.
112. *The Covenants . . . As they were Renewed at Lesmahego*, 50–72; *True Coppie of the Declaration Published at Sanqhair*, 5; *The Covenants . . . As they were Renewed at Douglas*, 16, 27, 29–30, 60–64; [Mitchell], *Humble Pleadings*, 4, 10, 29, 44–5, 56–60; *True Copy of the Declaration, published at Auchensaugh*, 3; Clarkson, *Plain Reasons; True Copy of the Declaration . . . published at Mount-Herrick*, 15–16.
113. *Solemn Acknowledgement . . . as it was Solemnly done by both Church and State in the pure Times of Reformation, Anno, 1648; Act, Declaration and Testimony*, 161–2.
114. The development of the idea of accountability in seventeenth-century Scottish political thought will be the focus of a future article by McIntyre.

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## ORCID

Neil McIntyre  <http://orcid.org/0000-0001-8150-0012>

Jamie McDougall  <http://orcid.org/0000-0002-6880-8263>

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