

CHARLES LESLIE AND THEOLOGICAL POLITICS

CHARLES LESLIE AND THEOLOGICAL POLITICS
IN
POST-REVOLUTIONARY ENGLAND

by
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ABSTRACT

This dissertation presents the first thorough study of Charles Leslie's political and theological writings. During his career as a pamphleteer and journalist, Leslie wrote against whigs, dissenters, freethinkers and latitudinarians. These groups, he believed, had conspired to bring about England's rebellion against legitimate authority in both church and state. Leslie attempted to demonstrate the veracity of the scriptural record and to argue that legitimate government must be deduced from the divine model set down there. In the process, he became his generation's most vigorous opponent of whig political thought and offered the first detailed criticism of John Locke's theory of government.

Throughout the thesis the theological aspect of post-revolutionary politics and political thought has been emphasised. Leslie derived his theory of monarchical government from his theory of episcopal government. Freeing the church of England from secular control was his fundamental goal, and a restoration of the Stuarts--who had promised to give up certain prerogatives in the area of ecclesiastical affairs--was a first step towards such a reform of the church. None of the scholars who have noticed Leslie's writings in

the past few years have been concerned with his emphasis upon theological questions and the proper relationship of church and state. Historians of jacobitism have not considered what a Stuart restoration would have meant for the church of England. A close examination of Charles Leslie's career and writings helps to clarify both the motives and the goals of that small group of English churchmen of which he was a leading member.

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Mr. Seymour Leslie, the present historian and archivist of the Leslie family, was kind enough to write me several letters concerning "that cantankerous, polemical pamphleteer ancestor of mine". It was certainly helpful, though disappointing, to learn at an early stage of my research that there are no family papers relevant to Charles Leslie's life.

I owe a special debt of gratitude to two students of the period. In the nineteen-thirties, Mr. T. F. M. Newton, now of Ottawa, did extensive research in the area of journalism during the reign of queen Anne. Mr. Newton expressed an interest in this study of Leslie when it was first suggested as a thesis topic. Later, he received me at his home and showed me the notes he had made on Leslie's journalism almost fifty years ago. Dr. Mark Goldie, now director of studies in history at Churchill College, Cambridge, also encouraged me to believe that Leslie was in need of

detailed study. He very kindly sent me copies of the two chapters on Leslie's political theory from his doctoral dissertation and later supplied me with a typescript copy of his essay on the nonjurors and the convocation controversy, which has recently been published.

Most of the research for this thesis was done at the Bodleian Library, Oxford. It was a pleasure to work there and to discover that the staff is as helpful and as patient as the prefaces to so many books have testified.

Many wives prefer not to be acknowledged in their husbands' theses. I trust that Eleanor understands that I owe more to her than to any other, and that this thesis would never have been completed without her support and assistance. Paul Frank has helped to put the entire thesis into perspective. He helped his father to understand that good ideas can be brought to life, though often with astonishing results.

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CHAPTER 1

INTRODUCTION

PATRIARCHAL MONARCHY AND JURE DIVINO EPISCOPACY:

THE FOUNDATIONS OF LESLIE'S THOUGHT

Charles Leslie was already a middle-aged man at the time of the revolution of 1688-1689. He was the sixth son of an Irish bishop and had lived quietly as an assistant curate to his brother and as chancellor of Connor. Although he was an avid student of divinity and ecclesiastical history, he had published nothing and had shown no signs of any ambition to improve his lot. By the end of his life Leslie's fame or notoriety extended throughout the British Isles. He had written dozens of tracts on contemporary politics; he had published a semi-weekly newsheet for five years; and he left to posterity two massive folio volumes of theological works. This dissertation is the first detailed study of Leslie's career and writings in the context of the political and theological controversies of post-revolutionary England.

Leslie's writings were shaped by the schools of thought which will be explored in this introductory chapter. He did not offer a simple reiteration of those defences of monarchical and episcopal government; to understand the use to which he put them, therefore, considerable attention must be given to the context in which he was writing. In chapter

two Leslie's early life and the revolution will be discussed. England after 1689, like England after 1649, was ruled by a usurper and seemed to be a hothouse where heretical ideas were being forced. Unlike the sixteen-fifties, however, the church of England retained its status as the established church. Chapter two concludes with a discussion of how Leslie and other nonjurors came to concentrate their attention upon unrest within the church as one means of promoting opposition to the government of William III.

The dissatisfaction within the church was not only the result of its acquiescence in a revolution which could not easily be reconciled with its favourite doctrines of monarchy by divine right and non-resistance to higher powers. Confidence in orthodox religion was being undermined by modern science and freethought. Leslie's response to these deeper sources of the challenge to ecclesiastical authority provides the subject matter for chapters three and four. Scholars who have noticed Leslie in the past few years have been concerned exclusively with his political theory; his reputation today is derived from his having been the most serious student of Sir Robert Filmer and the first important critic of John Locke's political thought. Anyone choosing to study Leslie himself must consider that his political tracts are far outnumbered by his theological works, and that he chose to preserve only the latter. That, of course, says nothing about the quality or originality of Leslie's religious writings, but it is

surely sound evidence that theology was his basic concern; and it suggests that his political writings need to be understood from within that larger context.

Chapter five deals at length with Leslie's understanding of the government of the church and its proper relationship with the state. This was a subject of fundamental importance to Leslie. He saw the restoration of the Stuarts as a first step towards his primary goal of freeing the church of England from secular control. Pursuit of that goal was an aspect of Leslie's career which his contemporaries appreciated more than have historians. For that reason, the chapter will begin by noting his reservations about Francis Atterbury's campaign on behalf of the rights of convocation. The nonjurors' objections to the erastianism of both tory and whig churchmen need to be understood before the presentation of their own views and their reinterpretation of the history of the post-reformation church of England.

Leslie is remembered today chiefly for those of his writings which appeared between the accession of queen Anne in 1702 and the trial of Dr. Sacheverell in 1710. These will be discussed in chapters six and seven. As well, a fair amount of attention will be paid to the politics of these years in order to identify the group at which those writings were directed and in order to understand the way in which Leslie believed a restoration might be achieved.

Leslie went into hiding in 1710 after libelling bishop Burnet. He had quarrelled publicly with the bishop throughout his years as a pamphleteer and journalist; an account of their quarrel opens chapter eight. Leslie spent most of the next decade in exile, first as the protestant chaplain at the Stuart court at Bar-le-Duc and Avignon, and later among the jacobites in Paris and at Saint Germain. In this final chapter Leslie's relations with the small nonjuring remnant in England will also be examined in a discussion of two controversies which divided the group during these years. That examination will make possible a final assessment of Leslie's theology.

Leslie's writings in defence of the Stuart family were indebted to a century of political debate which had questioned the nature of government and the subject's obligation to it. Seventeenth-century political theory was concerned with the origins of political society, for the original relationship of its parts defined its proper constitution. Maintaining or restoring the original constitution was the stated aim of the participants in the political controversies under the Stuarts, and both supporters and opponents of the Stuart monarchy presented a two-fold defense of their respective positions. There was first a general and theoretical discussion of the origins of political power, and secondly there was a specific and historical argument about the nature of

English society and the foundation upon which the legitimate exercise of that power rested.

Most of the opponents of Charles II and James II argued that political society had come into existence as a result of the consent of its members. Men had agreed to subject themselves to rulers in order to escape the anarchy and insecurity of the pre-political state of nature. Because men had agreed to their subjection, and because the purpose of that subjection was to obtain benefits and securities which were impossible in a state of lawlessness, their obedience to their chosen ruler was conditional upon his ability or willingness to provide them with those advantages. Men who had consented to be ruled had an obligation to obey their governor for so long as he fulfilled his duty to rule for the benefit of the community. But that obligation ceased if a ruler violated the trust placed in him; his subjects then would be free to choose and to subject themselves to another.¹ This contractual view of the origin and nature of political obligation was put forward in support of those who wanted both to oppose the strengthening of the crown and to ensure that parliament's role in government was recognised as fundamental to the English constitution.

1. J. W. Gough, The Social Contract, A Critical Study of Its Development, 2nd edition (Oxford 1969).

Their interpretation of English history supported their political theory. Whig historians in the seventeenth century asserted that the representatives of the people had a right to participate in the government of England; indeed the government of the kingdom was not properly constituted unless they were present. Modern parliaments, they held, had descended from the early Saxons. Those ancient assemblies had enjoyed all the rights and privileges to which seventeenth-century parliamentary apologists laid claim. The substance of their case, in fact, was that modern parliaments could not be denied those immemorial rights: they were a part of the ancient constitution, or fundamental law, of England.²

This view of English history had been fostered in the early seventeenth century by the legal arguments of common lawyers, especially Sir Edward Coke, who feared that common law was threatened by the centralisation of government under the Tudors and the subsequent growth of prerogative courts.³ Parliament justified its claim to participate in government by citing precedents from before the Norman conquest; and Pocock and Butterfield point out that to

2. See J.G.A. Pocock, The Ancient Constitution and the Feudal Law, A Study of English Historical Thought in the Seventeenth Century (Cambridge, 1957), passim, esp. 47-50; and J.W. Gough, Fundamental Law in English Constitutional History (Oxford, 1955).

3. Pocock, Ancient Constitution, 31-2, refers to "a great hardening and consolidation of common-law thought" between 1550 and 1600. See also H. Butterfield, The Englishman and his History (Cambridge, 1944), chap. 3.

assume that such precedents were applicable was also to assume that the system of law which produced them was the same as that which was in operation in the seventeenth century.⁴ The English constitution, which was unwritten, had existed time out of mind; when parliament in the seventeenth century made revolutionary claims on its own behalf, it was with the conviction that it was protecting the fundamental law of the kingdom from the unprecedented innovations of the monarch and the central government.

The mainstream of royalist writers would not have denied that the fundamental law of England was immemorial, and that the ancient constitution guaranteed the rights and privileges of the estates of the realm. Indeed, until the crisis of the sixteen-forties, the king and his opponents were in essential agreement on the nature of the ancient constitution.⁵ The case for the crown had been grounded solidly upon arguments from common law; and it was partly because both royalists and parliamentarians shared a similar view of the constitution and the traditional laws of England that historical scholarship came to play a central role in the

4. Pocock, Ancient Constitution, 47-8; Butterfield, Englishman, 33-6

5. See J. W. Daly, "The Origins and Shaping of English Royalist Thought", The Canadian Historical Association, . . . Historical Papers . . . (1974), 15-35; and Margaret A. Judson, The Crisis of the Constitution, An essay in constitutional and political thought in England, 1603-1645 (New Brunswick, N.J., 1949).

constitutional crisis of the seventeenth century.

Neither royalists nor parliamentarians laid great stress upon the way in which the Norman conquest had transformed the legal and social structures of Anglo-Saxon England. Indeed, parliamentary writers insisted that William I had merely confirmed those structures, and they had been inherited by successive generations. The research of seventeenth-century antiquarians, however, undermined that interpretation. With "the discovery of feudalism"⁶, there began a revolution in the understanding of the basis of mediaeval society which repudiated accepted truisms surrounding the history of parliament. The work of Sir Henry Spelman and others showed that, as a result of the Norman acquisition of England, all the lands of the kingdom were held of the king; and parliament, rather than having been an ancient institution composed of the three estates of the realm which assembled for the purpose of advising the king, had been a curia where the king met with his vassals. Those who had a right to attend the king in parliament, then, had been his direct vassals. The crucial point was that the representatives of the commons, because they were not immediate tenants of the king, had not been originally included in parliament. The basic task facing historians became one of demonstrating how the commons had come to be included,

6. The phrase is Pocock's: See Ancient Constitution, chaps. 4 and 5.

and how an institution which had been concerned originally with the problems of feudal tenure had been transformed into a modern parliament.

For our purposes here it is not necessary to follow in detail the development of seventeenth-century historical research. What is important to note is that sound evidence was assembled which undermined the interpretation of English history which held that parliament was part of the immemorial custom of the realm and that the commons had an original right to participate in it. The historian who made the most of the study of parliamentary history, and whose interpretation of the evidence capped a generation of intensive antiquarian research, was Dr. Robert Brady.⁷

Brady, writing during the exclusion crisis and its aftermath, was determined to explode the false notions of the nature of English liberties and history. Men who pleaded the liberty of the people and a change in the government were of two sorts, according to Brady. There were those "Pretenders to Platonic and Eutopian Governments" who believed in a social

7. For Brady, see David C. Douglas, English Scholars, 1660-1730, 2nd, revised edition (London, 1951), chap. 6; Pocock, Ancient Constitution, chap. 8; J.G.A. Pocock, "Robert Brady, 1627-1700. A Cambridge Historian of the Restoration", The Cambridge Historical Journal, 10, no.2 (1951), 186-204; Corrine Comstock Weston, "Legal Sovereignty in the Brady Controversy", The Historical Journal, 15, no. 3 (1972), 409-431.

contract and that government originated in the people; and there were those who preached the ancient rights and liberties of Englishmen, claiming that such privileges were found in old monuments and charters.⁸ Brady replied that such specious arguments could be made only by misrepresenting and abusing the historical records and by giving partial citations without regard to the context or to the contemporary meaning of terms.

Brady offered sound evidence which showed that the commons had not been represented in parliament "before the 49th of Henry III." During the British, Saxon and Norman eras freemen (as understood by Brady's contemporaries) had had no say in the lawmaking process of the kingdom. Under the early Britons, only the great men had a share; similarly, Saxon kings summoned only "Arch-Bishops, Bishops, Abbats, Aldermen, Wites, Great Men, and Chiefest Men, Noble-Men" to their councils.⁹

Brady rejected out of hand the notion that the people of England enjoyed immemorial liberties. Both before and after 1066 the "Ordinary People, and Bulk of the Nation, were in most Things of the same Condition, . . . and their Quality was not different, though under the Normans, they were Obnoxious

8. Robert Brady, An Introduction to The Old English History, Comprehended in Three Several Tracts (London, 1684), "Epistle to the Candid Reader" (unpaginated).

9. Ibid., 2-9. Brady was replying to William Petyt, whose Antient Right of the Commons of England Asserted had been published in 1680; although it had been in circulation since October 1679: Pocock, Ancient Constitution, 188 and n.3.

to greater Rigor, and more Severities in the same Way of Living, or as now we would call it, Servitude."¹⁰ William had conquered England, and he brought with him "the Bulk and Maine of our Laws". All landholding and tenures in England were based upon Norman, not Germanic, law; and the feudal law of Normandy was rigidly enforced upon the Normans; "For the English had neither Estates nor Fortunes left, and therefore it could be no great matter to them, by what Law, Right, or Propriety, other men held their Estates."¹¹ Brady demonstrated historically that all the rights and privileges enjoyed by Englishmen were derived from the crown by way of concession. Furthermore, those rights had been conceded, not to the ordinary English people, but to the Normans and their descendants, who held land directly of the king for purposes of military service. The Normans sought a relaxation of the rigorous feudal law, and in Magna Carta and other grants from the crown the obligations of these military men were eased.¹²

10. Robert Brady, A Complete History of England, from the First Entrance of the Romans under the Conduct of Julius Caesar, Unto the End of the Reign of Henry III (London, 1685), "The Preface to the Reader" (unpaginated).

11. Brady, Introduction to The Old English History, 11-20.

12. Brady, Complete History of England, "The Preface to the Reader"; xxxiv: "...the Witnesses to these Charters or Grants were all of Norman descent: No English Saxons amongst them." Magna Carta "...was contrived, and Granted chiefly for the ease of Military Men; such were all Barons, Knights, and considerable Free-holders at that time."

Brady dismissed as a fictive illusion fostered by men of superficial knowledge and dangerous designs the view of English history based upon the customary and immemorial rights of the people:

. . . in spite of Truth and Matter of Fact, we find nothing in our Common Histories of these Times, but the Brave Feats performed by the English for their Fundamental Rights and Liberties: Nothing in Sir Edward Coke Mr. Selden, Mr. Pryn, and all late Writers when they chop upon these Times, and mention any thing relating to them, but the Magnanimity of the English in Appearing for their Birth-rights, and the great Privileges they had formerly injoyed, no body knows, nor can tell when or where, when in very Deed they were not English, but incorrigible Norman Rebels against their own Norman Princes, from whom they or their Ancestors had received so many, and so great Benefits and Favours.¹³

Brady's histories provided empirical proof for the claim that sovereignty in England rested solely in the crown, that law was the expression of the will of the sovereign and that custom and tradition had the force of law only at the discretion of the sovereign. This conception of legal sovereignty, originally elaborated by Bodin, held that all states are characterised by sovereign power--residing in one, in a few, or in many--which is absolute. The sovereign power is restricted by no human laws; indeed all human laws are an expression of the will of the sovereign.¹⁴

13. Ibid., "The Preface to the Reader".

14. See Julian H. Franklin, Jean Bodin and the Rise of Absolutist Theory (Cambridge, 1973), and Sir William Holdsworth, A History of English Law, 3rd edition (London, 1966), 4:190-97.

The publication of Brady's historical works was a milestone in the development in England of a school of thought which rejected the concept of common law and custom as a basis for the legitimate exercise of sovereign power. Sovereign power validated custom, not vice versa; and sovereign power in England was the possession of one man who was the source of human law. In the generation before Brady produced his works, Sir Robert Filmer had insisted upon that point:

Now concerning customs, this must be considered, that for every custom there was a time when it was no custom, and the first precedent we now have had no precedent when it began. When every custom began, there was something else than custom that made it lawful, or else the beginning of all customs were unlawful. Customs at first became lawful only by some superior power which did either command or consent unto their beginning. And the first power which we find (as is confessed by all men) is Kingly power, which was both in this and in all other nations of the world long before any laws or any other kind of government was thought of. From whence we must necessarily infer that the Common Law itself, or common customs of this land, were originally the laws and commands of Kings at first unwritten.¹⁵

Filmer's works, written during the civil wars and interregnum, found a new audience when they were re-published and cited against the whigs during the exclusion crisis.¹⁶

15. Sir Robert Filmer, Patriarcha, A Defence of the Natural Power of Kings against the Unnatural Liberty of the People (1680), Patriarcha and Other Political Works of Sir Robert Filmer, ed. Peter Laslett (Oxford, 1949), 106-7.

16. For publication data of Filmer's works, see Laslett, Filmer's Works, 47-8. Patriarcha was published for the first time in 1680. On Filmer, see James Daly, Sir Robert Filmer and English Political Thought (Toronto, Buffalo, London, 1979).

Filmer had pleaded for the absolute sovereignty of monarchy in opposition to the absolute sovereignty of parliament, which had been claimed by writers such as Henry Parker and Charles Herle. The royalist case during the civil war had been grounded firmly on the law of England; and the assertion that the king was supreme and that resistance against him was unjustifiable was tempered by the recognition that that supremacy was exercised properly through legal and established channels.¹⁷ Filmer's assertion, however, was not tempered. He separated himself radically from the most essential feature of the royalist cause: that the English government, vested in the three estates of king, lords and commons, was mixed.¹⁸ Filmer, strongly influenced by Bodin,¹⁹ insisted:

17. See Judson, Crisis of the Constitution, 385-96.

18. This basic tenet of royalism had been put forward in His Majesty's Answer to the Nineteen Propositions of Both Houses of Parliament (21 June 1642), which is reprinted in J.P. Kenyon, The Stuart Constitution, 1603-88, Documents and Commentary (Cambridge, 1966), 21-3. For an analysis of the Answer, see Corrine Comstock Weston, English Constitutional Theory and the House of Lords, 1556-1832 (London, 1965), 44-86; and her "The Theory of Mixed Monarchy under Charles I and After", English Historical Review, 75 (July 1960), 426-43. Cf. J.G.A. Pocock, The Machiavellian Moment, Florentine Political Thought and the Atlantic Republican Tradition (Princeton and London, 1975), 361-66.

19. In 1648 he published The Necessity of The Absolute Power of all KINGS: And in particular of the King of England by Jean Bodin A Protestant according to the Church of Geneva (Laslett, Filmer's Works, 315-26), consisting of extracts from Bodin's République.

We do but flatter ourselves, if we hope ever to be governed without any arbitrary power . . . the question is not, whether there shall be an arbitrary power; but the only point is, who shall have that arbitrary power, whether one man or many?²⁰

In accepting the essentially arbitrary nature of sovereignty, Filmer was in agreement with Parker and Herle, who claimed that sovereignty for the lords and commons.²¹

Filmer justified his assertions about the nature of the English government by demonstrating them historically. By examining various statutes and records he undermined the parliamentary claim that the lords and commons shared in the legislative power. The lords were to "treat" with the king and give counsel, as was specified by the writs which summoned them; but ". . . the King himself only ordains and makes laws, and is supreme judge in parliament."²²

20. Sir Robert Filmer, The Anarchy of a Limited or Mixed Monarchy or A succinct Examination of the Fundamentals of Monarchy. . . (1648), Laslett, Filmer's Works, 277.

21. Parker wrote: "To have then an arbitrary power placed in the Peers and Commons is naturall and expedient at all times, but the very use of this arbitrary power, according to reason of State, and warlick [sic] policy in times of generall dangers and distress is absolutely necessary and inevitable." Henry Parker, The Contra Replicant, 30: quoted in Judson, Crisis of the Constitution, 430.

22. Sir Robert Filmer, The Freeholders' Grand Inquest Touching Our Sovereaigne Lord the King and His Parliament (1647), Laslett, Filmer's Works, 129.

The writ which summons the commons says nothing about the king treating and conferring with them. Their role is simply to consent to and perform those things submitted to them by the common council; and Filmer added that ". . . there is not so much mentioned in the writ as a power in the Commons to dissent."²³ Indeed,

. . . the House of Commons . . . cannot properly be said to be a court at all; much less to be a part of the Supreme Court, or highest judicature of the kingdom.²⁴

Before the reign of Henry III the commons had been summoned only irregularly. The king has always summoned the lords, and in addition to their consultative power they have also a judicial power, not mentioned in their writs, to represent the king in his absence. But judicial decisions of the lords in no way bind the actions of the king, and precedents show that ". . . the decisive or judicial power exercised in the Chamber of Peers, is merely derivative, and subservient to the supreme power, which resides in the King, and is grounded solely upon his grace and favour"²⁵

The distinction between the two chambers, then, is rooted merely in the will of the king. "The difference between a Peer and a Commoner, is not by nature, but by the

23. Ibid., 135.

24. Ibid., and 136-40 for various precedents supporting this interpretation of the role of the commons.

25. Ibid., 156.

grace of the Prince . . .", who is the source of all honours and privileges, including those of both houses of parliament.²⁶ It is the king's presence which determines the existence of a parliament as the supreme court of the land; though the lords may represent him in his absence, if he so wills it. Because it is the supreme court, by definition it must have supreme power; and supreme power, again by definition, must be arbitrary. This arbitrary power is legislative power for legislative power is controlled by no earthly superior. And it is demonstrably true that ". . . the power of making laws rests solely in the King."²⁷

Filmer was concerned not simply with the peculiar nature of the English monarchy, but with the nature of monarchy in general and the foundation of human society. While Brady's historical interpretation confirmed Filmer's conception of kingship, Filmer had not attempted to explain the institution of monarchy in terms of feudal society. For Filmer the monarchy was a supra-historical agent which moulded society.²⁸ The English monarch possessed absolute

26. Ibid., 156-57.

27. Ibid., 157: "Some affirm, that a part of the legislative power is in either of the houses; but besides invincible reason from the nature of monarchy itself, which must have the supreme power alone; the constant ancient declaration of this kingdom is against it."

28. Pocock, "Robert Brady", 198, writes: Filmer "...made the Crown what the Whigs had made the law, something

sovereignty, not because William I had conquered the kingdom in 1066--a question with which Filmer did not concern himself--but because England was a monarchy: "And it shall be a real as well as nominal definition of monarchy. A monarchy is the government of one alone." A limited or mixed monarchy, then, is no monarchy, for a government is defined by the location of sovereignty.²⁹

Filmer placed the origins of monarchy in God's grant of government to Adam, the father of mankind. Power had been given personally to Adam and was not shared with Eve and their children.³⁰ "And this subordination of children is the fountain of all regal authority, by the ordination of God himself."³¹ Paternal power is indistinguishable from civil or political power, and so all the children are born into a state of political subjection; it is historically impossible that there ever could have been a time when men existed in that state of freedom which is necessarily prior to a social contract.

aboriginal and outside history, unchanging while all else changed, and making or sanctioning all changes that took place."

29. Filmer, Anarchy of a Limited or Mixed Monarchy, 281-83. See also Patriarcha, 93.

30. Filmer, Anarchy of a Limited or Mixed Monarchy, 283.

31. Filmer, Patriarcha, 57.

The equating of paternal and civil power was fundamental to the patriarchal case. To support it Filmer pointed to examples of capital punishment and the making of war and peace ("the chiefest works of sovereignty that are exercised in any monarch") executed by the patriarchs.³² Judah had condemned his daughter-in-law Tamar to be burnt (Genesis, 38:24); Abraham had commanded an army of 318 armed servants from his family (Genesis, 14:14); the brothers Jacob and Esau had met with four hundred men at arms (Genesis, 33:1); and Abraham and Abimelech had entered into a league and had ratified its articles by swearing an oath (Genesis, 21:23-4).

Adam's supreme lordship had been inherited by the patriarchs up until the time of the flood, after which Noah divided the world among his three sons. With the confusion of tongues at Babel, the sons and grandsons of Noah led their various families to establish seventy-two kingdoms, each of which was united by its own language.³³ Filmer was careful to emphasise that fatherly authority had not been disrupted at the confusion of tongues, which would allow for a time when the people had been without rulers and had been free to choose for themselves. The kingdoms ". . . were distinct families, which had Fathers for rulers over them,

32. Ibid., 58.

33. Ibid., 58-9; Anarchy of a Limited or Mixed Monarchy, 283, 290.

whereby it appears that even in the confusion God was careful to preserve the fatherly authority by distributing the diversity of languages according to the diversity of families."³⁴

In elaborating the patriarchal scheme Filmer was not attempting to show an unbroken hereditary succession from the creation of the world until his own day. Rather, he was concerned to show that at no time had the people's consent to government been necessary or, indeed, even possible. There have been many conquests and usurpations since the days of Nimrod, and that was one way in which great kingdoms came to be established. Patriarchal kingship, in its most literal sense, had ceased very early; but the rights and power associated with it continued:

It may seem absurd to maintain that Kings now are the fathers of the people, since experience shows the contrary. It is true, all Kings be not the natural parents of their subjects, yet they all either are, or are to be reputed, as the next heirs of those progenitors who were at first the natural parents of the whole people, and in their right succeed to the exercise of supreme jurisdiction. And such heirs are not only lords of their own children, but also of their brethren, and all others that were subject to their Fathers.³⁵

Primogeniture, the divinely-sanctioned means by which patriarchal power is passed on, may be interrupted when God, in order to punish either the king or his subjects

34. Filmer, Patriarcha, 58.

35. Ibid., 60-1.

allows an unlawful claimant to usurp the throne of the legitimate ruler.³⁶ But the nature of the authority exercised by any ruler cannot change:

In all kingdoms or commonwealths in the world, whether the Prince be the supreme Father of the people or but the true heir of such a Father, or whether he come to the Crown by usurpation, or by election of the nobles or of the people, or by any other way whatsoever, or whether some few or a multitude govern the commonwealth, yet still the authority that is in any one, or in many, or in all of these, is the only right and natural authority of a supreme Father. There is, and always shall be continued to the end of the world, a natural right of a supreme Father over every multitude, although, by the secret will of God, many at first do most unjustly obtain the exercise of it.³⁷

Kingdoms are composed of a number of families. If the heir to a kingdom is not known, ". . . the Kingly power escheats . . . to the prime and independent heads of families, for every kingdom is resolved into those principles whereof at first it was made."³⁸ These heads of families may choose from among themselves one who will have sovereign authority. But this process must not be confused with any form of social contract or popular consent to government:

And he that is so elected claims not his power as a donative from the people, but as being substituted properly by God, from whom he receives his royal charter of an universal Father, though testified by the ministry of the heads of the people.³⁹

36. Filmer was careful to point out that God does not stir up and sanction rebellion and usurpation; rather, "God doth but use and turn men's unrighteous acts to the performance of His righteous decrees." Ibid., 62.

37. Ibid. 38. Ibid., 61. 39. Ibid., 62.

By insisting that civil and paternal power are identical, and in constructing his entire political theory around that identity, Filmer separated himself not only from his professed opponents but also from the mainstream of Charles I's defenders. Those royalists saw that because men are born subject to fathers, any discussion of their original freedom must consider that such freedom could never have been absolute. Dudley Digges, as Gordon Schochet points out,⁴⁰ clearly distinguished political from familial relationships: the political state had come into being because security for private possessions had been precarious before men agreed to "reduce themselves into a civill unitie, by placing over them one head, and by making his will the will of them all, to the end there might bee no gap left open by schisme to return to their former confusion", when "every family was a kingdom" governed by a father.⁴¹ Filmer, conversely, emphasised the unity of the entire world under a patriarchal monarch from the time of Adam until the flood.

In refusing to recognise a difference between political and paternal power, Filmer was an innovator and was repudiating

40. Gordon J. Schochet, Patriarchalism in Political Thought, The Authoritarian Family and Political Speculation and Attitudes Especially in Seventeenth-Century England (Oxford, 1975), 103-4.

41. [Dudley Digges], The Unlawfulnesse of Subjects Taking Up Armes against Their Sovereigne in What Case Soever (1643, n.p., 1647), 4-5 and 15: quoted in Schochet, Patriarchalism, 103-4.

a distinction which had been readily accepted on the strength of Aristotle's discussion in the Politics. Filmer noted Aristotle's distinction between political and economical societies on the grounds that they serve different ends, the former for the preservation and the latter for the generation of mankind. But to Filmer that meant only that a family or a commonwealth serve different purposes, not that a family and a commonwealth are different things. He criticised Aristotle for assuming that nature makes "one thing for one use": "He knows the tongue serves both to speak and to taste."⁴²

Charles Leslie was impressed by both Brady's histories and Filmer's patriarchalism. They offered clear and forceful defences of the English monarch as an arbitrary sovereign whose will gave order and unity to the English state. Leslie was more interested in the theological implications of the sovereign will than were Filmer and Brady, and that interest would influence his revision of Filmer's theory. But essentially Leslie saw in the theory a means of deriving political government immediately from God and of defending the idea that all legitimate authority descends from a superior to an inferior.

42. Filmer, Patriarcha, 76-7

Spiritual government is derived immediately from Christ and it has descended by means of the apostolic succession. Filmer had shown no interest in the government of Christ's church, but for Leslie it was a matter of fundamental importance. As a nonjuror he denounced the intrusion into the spiritual jurisdiction by temporal authorities. Defending the church of England's independence from secular power was not a task at which most apologists for that church were very skilled. But it was a question which had been addressed by an earlier generation of churchmen. As Filmer had been out of step with most of his contemporaries as to the nature of the English government, so these divines had reacted against the predominant prejudices of most defenders of the English church.

The church of England owed its independence from Rome to the English crown. In the century and a half which followed the beginning of the reformation, the union of the two had been strengthened and encouraged. Leaders in both church and state agreed that they shared the common purpose of protecting the English nation from dangerous ideas and men who threatened the established order. The mutual dependency of crown and mitre was expressed succinctly shortly after the restoration:

The Church of England glories in nothing more than that she is the truest friend of kings and kingly government, of any other church in the world; that

they were the same hands that took the crown from the king's head and the mitre from the bishops.⁴³

The English church and the English crown had been allies in defeat as well as in victory. There seemed to be little reason to emphasise their separate jurisdictions and potential areas of conflict, and many reasons to stress the links between them and the necessity of defending both in the same breath.

Given the precarious position of the church of England and of the English state in the late sixteenth century, the defense of the one with the other was perhaps to be expected. The identification of church and state inevitably grew out of the establishment of the royal supremacy in place of the papal leadership of Christian England; and the English response to the re-invigorated Roman catholicism of the counter-reformation had been increasingly to emphasise the monarch as a Constantine-like prince leading his subjects against antichrist, who was the pope. Bishop Jewel's The Defence of the Apology of the Church of England and John Foxe's Acts and Monuments were the key works in fostering the cult of the Christian emperor and in uniting millenarian aspirations with the defense of the

43. R. South, A Sermon preached at Lambeth Chapel upon the Consecration of the Lord Bishop of Rochester, Nov. 25 1661: quoted in G.V. Bennett, The Tory Crisis in Church and State, 1688-1730, The career of Francis Atterbury, Bishop of Rochester (Oxford, 1975), 5.

established order.⁴⁴

Most Anglican apologists under Elizabeth and James I agreed without question that to be a member of the English state was to be a member of the English church, and to undermine one was to destroy both. In The Laws of Ecclesiastical Polity Richard Hooker provided the church of England with its broadest possible defense; and for Hooker it was an obvious truth that church and state are composed of the same body of men and that therefore it is impossible to attack only one of them.⁴⁵

The mainstream of Anglican apologetics emphasised a godly prince ruling a Christian people united in both church and state. But that defense of the church of England was unpopular in some circles because of its exaltation of the royal supremacy, which implied that the church was subservient to secular rulers and was not an independent, self-governing society. Stimulated by complaints from the puritan faction within the church, which was not satisfied with the present form of its government, and by the prospects of a Calvinist king wielding the royal supremacy, a number of Anglican divines in Elizabeth's last years emphasised that the

44. See William M. Lamont, Godly Rule, Politics and Religion, 1603-60 (London, 1969), chaps. 1 and 2.

45. Richard Hooker, Of the Laws of Ecclesiastical Polity, Bk. 8, i.2.

episcopal government of the church was divine in origin. God had instituted episcopacy for the governance of His church; His church has jurisdiction over spiritual and moral affairs; and when operating within its divinely-appointed sphere, the church is completely independent of the state. The Christian priesthood, constituting a separate order of men, is hierarchical in nature; the lower orders of deacons and priests derive their spiritual authority from the bishop, who in turn receives his power, not from secular authorities, but from Christ, by means of the apostolic succession.⁴⁶

The beginnings of this movement stressing jure divino episcopacy is usually dated from 9 February 1588/9, when Richard Bancroft, who was to succeed Whitgift as archbishop of Canterbury in 1604, preached a sermon at Paul's Cross in which he repudiated presbyterianism by claiming that episcopacy dated from apostolic times, and that only that form of government can preserve unity in the church and prevent heresy. His argument was extended in 1592 by Hadrian Saravia, a Dutch theologian who settled in England because of his attraction to the church of England. Saravia emphasised the gradation of authority within the church, and the commission given to the bishops by the apostles as

46. See E.T. Davies, Episcopacy and the Royal Supremacy in the Church of England in the XVI Century (Oxford, 1950), chap. 1, esp. 27-41 for Bancroft, Saravia and Bilson.

essential for the continuation of the church and for the preaching of the gospel.⁴⁷ The most advanced participant in the Elizabethan campaign against presbyterianism was Thomas Bilson, who became bishop of Worcester in 1596 and was promoted to Winchester the following year.⁴⁸ In The Perpetual Government of Christes Church (1593) Bilson argued against puritan notions of the equality of all governors of the church. The spiritual hierarchy had been instituted by God at the time of creation:

. . . the church of God from Adam to Moses, from Moses to Christ, and so downward under patriarchs, prophets and apostles, hath been always governed by an inequality and superiority of pastors and teachers amongst themselves; and so much the very name and nature of government do enforce.⁴⁹

The theory of jure divino episcopacy acquired its full proportions as a result of the struggles of the church of England throughout the seventeenth century.⁵⁰

47. Ibid., 31-2.

48. For Bilson, see ibid., 33-41; William M. Lamont, "The Rise and Fall of Bishop Bilson", The Journal of British Studies, 5, no. 2 (May 1966), 22-32; and Dictionary of National Biography (art. "Bilson, Thomas").

49. Thomas Bilson, The Perpetual Government of Christes Church (1593), Introduction: quoted in Davies, Episcopacy and the Royal Supremacy, 33.

50. Davies points out that the writings of Bancroft, Saravia and Bilson imply the divine origins of episcopacy, but nevertheless the jure divino claim "was not made in so many words". See ibid., 41. Cf. Lamont, Godly Rule, 35-6. See also Claire Cross, The Royal Supremacy in the Elizabethan Church (London, New York, 1969), chaps. 1 and 2; and W.D.J.

When, after the revolution of 1688, Charles Leslie and other nonjurors made the highest claims on behalf of the spiritual hierarchy and the visible church, they were contributing to and building upon that school of thought which had been a particular response to the threat posed by a growing number of critics of the church of England and the possibility of an unsympathetic secular magistrate. The assertion that episcopal government was divine was a repudiation of the generally accepted position that episcopacy was simply the form of government most suited to the governance of the church, that, in fact, it existed at the discretion of the Christian prince. In short, jure divino episcopacy was the church of England's chief weapon against its own fundamental erastianism.

In accepting the possibility of a king who was incapable of possessing the supremacy in the church the assertors of jure divino episcopacy were forced to consider the separate jurisdictions of spiritual and temporal governors. Beginning with George Carleton's Jurisdiction, Regall, Episcopall, Papall (1610), Jacobean and Caroline divines undertook a careful examination of those areas which were within the proper sphere of the church. Carleton

Cargill Thompson, "A Reconsideration of Richard Bancroft's Paul's Cross Sermon of 9 February 1588/9", Journal of Ecclesiastical History, 20, no.2 (October 1969), 253-66.

insisted that the church has the sole right to determine all questions which concern the faith and the ordination of priests and deacons; the prince's role in all spiritual matters is simply to execute the decisions of the spiritual governors.⁵¹ Carleton did not hesitate to point out that in certain instances a prince could not be obeyed:

For the preservation of true doctrine in the Church, the Bishops are the great watch-men. Herein they are authorised by God. If Princes withstand them in these things, they have warrant not to obey Princes, because with these things Christ hath put them in trust.⁵²

Similarly Thomas Barlow and George Downname issued warnings against intruding secular rulers. For these advocates of jure divino episcopacy, the reformation of the sixteenth century had merely transferred the supremacy, abuses and all, from the pope to the king.⁵³ What was needed was a church aware of its proper function and jurisdiction, and which was vigilant in its own defence.

While the implication of this position was a denial of the royal supremacy in the church of England--an implication which the nonjurors would draw--divines in the early seventeenth century insisted that such a denial

51. See the discussion in Lamont, Godly Rule, 36ff.

52. George Carleton, Jurisdiction, Regall, Episcopall, Papall (1610): quoted in ibid., 37.

53. "Stephen Gardiner...had found this massie crowne of jurisdiction upon the Pope's head, so he took it with gold, silver, copper, drosse and all: and set it upon the King's head." Carleton, Jurisdiction: quoted in ibid., 36.

was neither a necessary nor an intended conclusion to their arguments. If kings respect the church and perform their duties, they can have no greater friend than the church of England. But the crucial point was the recognition that the church did not need a Christian prince: indeed, it had been most glorious before Constantine, when it had been persecuted by hostile secular authorities.

If the church does not need a secular ruler, its flock most certainly does. Temporal government was instituted by God for man's security and preservation in this life, and to it he owes absolute obedience. Ideally temporal governors are Christian and work in cooperation with the spiritual hierarchy. A Christian prince has an obligation to promote true religion in his kingdom, as each man in his proper station has such an obligation; and he may be rebuked by the spiritual hierarchy if he fails in his duty. But dominion is not founded in grace, and Christian subjects are no less bound to a heathen or heretical than to a Christian king. A subject's duty to an ungodly prince is the same as his duty to a Christian ruler: to each he owes unquestioning obedience to all commands which a temporal ruler can lawfully make. That does not mean that subjects are bound to obey temporal commands which would be destructive of the faith or of the spiritual jurisdiction, for secular authorities have no right to command in that sphere without the sanction

of the spiritual governors. Should a king make such commands, his subjects are neither to obey them nor to resort to open resistance. Rather, they are to obey the spiritual hierarchy, even though such obedience in opposition to the will of the king may result in suffering unjustly for God and His church.

The church of England's obsession with divine hereditary right was confined to the period between 1649 and 1688; which is only to imply that it was during those years that that doctrine received particular emphasis, and certainly not that it had no life before and after that time. Before the execution of Charles I, little attention had been given to the problem of an unlawful ruler possessing the throne in opposition to the legitimate prince. The church of England had emphasised that obedience was due to a government which, regardless of its origins, was thoroughly settled. Such had been the resolution of the convocation of 1606, and it remained an adequate statement until the murder of the Lord's annointed and the exclusion of his heirs.

During the interregnum members of the proscribed church of England were forced to deal with the question of their compliance with an illegal government. At the same time, the loss of their privileged position as members the established church of the realm encouraged them to develop

their affinity with the primitive church, which had existed under persecution. Neither of these problems, as has already been shown, were new for the church of England; but during the interregnum they became the central issues around which that church virtually defined itself. And the answers which the most vigorous churchmen offered at that time were to influence profoundly the reaction of the nonjurors after 1688.

Shortly after the execution of Charles I, Henry Hammond wrote: ". . . wheresoever the supremacy of power is placed by the laws of any kingdom, there Christ requires subjection and non-resistance in all subjects" ⁵⁴

The laws of England placed the supremacy in the king, who was being kept forcibly from his kingdom. An unlawful usurper was preventing his subjects from performing their rightful duty to him. But despite the physical restraint under which Englishmen laboured, their consciences were free; and under no circumstances must they cooperate with the usurper if such cooperation would in any way weaken the claim of their lawful sovereign.

54. Henry Hammond, Of the Reasonableness of Christian Religion, ch. 4, para. 4, in The Miscellaneous Theological Works of Henry Hammond, D.D., Archdeacon of Chichester, and Canon of Christ Church, ed. Nicolas Pocock, 3rd edition (Oxford, 1849), 2:40.

The rightful claim of Charles II most certainly would be undermined if his subjects agreed to take the Engagement to the commonwealth, which was imposed in January 1650. Men were required to swear: "I do promise to be true and faithful to the Commonwealth of England, as it is now established without King and Lords."⁵⁵ Hammond, not for the last time during these years, was uneasy with his friend Robert Sanderson's desire to obtain peace, even if that meant a degree of compliance with England's illegitimate rulers.⁵⁶ Sanderson believed that any government is preferable to the chaos which must necessarily be the result of parties contending for supremacy; and if a de facto government is providing the benefits of peace, men, if they wish to enjoy those benefits, have a duty to it.⁵⁷ He was careful to qualify the duty owed

55. Quoted in Robert S. Bosher, The Making of the Restoration Settlement, The Influence of the Laudians, 1649-1662 (London, 1951), 14.

56. Sanderson became bishop of Lincoln after the restoration. It must be emphasised that, after 1689, Sanderson's careful writings on the subject's obligations of conscience to lawful rulers were highly respected by the nonjurors. During the interregnum, however, he was not one of the rigorous loyalists of the Laudian camp, who looked to Hammond and Sheldon for leadership. Bosher (Making of the Restoration Settlement, 30) writes: "Friendship linked Robert Sanderson to the circle, but his deviations from party orthodoxy were a constant source of anxiety."

57. "And surely it argueth a most perverse mind, to be willing to live under the protection of his Government, whom you are unwilling to obey." Robert Sanderson, Several Cases of Conscience Discussed . . . (London, 1660), 170: quoted in William M. Lamont, Marginal Prynnne, 1660-1669 (London, Toronto, 1963), 196.

to such a government, and his advice, in fact, was not markedly different from Hammond's.⁵⁸ Both men specified that the kingdom could submit to a usurper only in inferior things which did not hinder the rights of the lawful prince and only insofar as such a submission contained no recognition of the legality of the new government. But there was certainly a difference in tone between Sanderson's and Hammond's discussions. Whereas Sanderson's primary concern was with the duty, albeit restricted, which subjects had to the government under which they lived, Hammond's emphasis was upon the allegiance those same subjects owed to their lawful prince.

More disturbing than Sanderson's reasoning on the question of political duty were his moderate tendencies in matters of ecclesiastical authority.⁵⁹ The church, Hammond

58. Cf. Sanderson's undated letter to Hammond, reprinted in full in George D'Oyly, The Life of William Sancroft, Archbishop of Canterbury, 2 vols. (London, 1821), 2:443-46, and Henry Hammond A Brief Resolution of y^e Grand Case of Conscience concerning y^e Allegiance due to a Prince ejected by force out of his Kingdom, in Bodleian Library, Oxford, MS. Eng. th. e.20, fols. 215-20. Hammond's short work is included in a collection of papers assembled by Leslie, apparently for his own reference. Portions of Sanderson's letter and Hammond's Brief Resolution are cited in John W. Packer, The Transformation of Anglicanism, 1643-1660, with special reference to Henry Hammond (Manchester, 1969), 180-81.

59. See Bosher, Making of the Restoration Settlement, 16-24; Packer, Transformation of Anglicanism, chaps. 5 and 6; Anne Whiteman, "The Restoration of the Church of England", in From Uniformity to Unity, 1662-1962, eds. Geoffrey F. Nuttall and Owen Chadwick (London, 1962), 37-40.

maintained, whether or not it is legally established, must have the right to determine for itself all questions pertaining to the faith and to public worship, regardless of the wishes of secular authorities. Hammond insisted that no priest of the church of England could make changes in its liturgy unless the competent authority sanctioned them. Sanderson, however, believed that for the sake of peace and so that the church might continue to perform its essential functions, there could be modifications to those parts of the liturgy which the secular ruler found offensive; while pointing out that "we do not lay aside Common Prayer of our own accord . . . neither in contempt of our lawful Governors; but . . . by such a necessity as we cannot otherwise avoid."⁶⁰

Hammond could not admit such a necessity. He urged Gilbert Sheldon to "endeavour to infuse some courage into [Sanderson], the want of which may betray his reason."⁶¹ The primitive church had flourished under persecution; refusing to temper its constitution in order to satisfy secular authorities, it had enjoyed the benefits of a rigorous spiritual

60. Quoted in Bosher, Making of the Restoration Settlement, 17. Sanderson himself "did vary somewhat from the strict Rules of the Rubrick" when his services were observed by soldiers: see Izaak Walton, The Life of Dr. Sanderson, Late Bishop of Lincoln (London, 1678), in The Lives of John Donne, Sir Henry Wotton, Richard Hooker, George Herbert and Robert Sanderson (London, New York, Toronto, 1973), 382-83.

61. Hammond to Sheldon, 14 Oct. 1649: quoted in Packer, Transformation of Anglicanism, 139.

discipline because each bishop had performed his divinely-appointed duty in presiding over his diocese. Those bishops had exacted a strict obedience in spiritual matters from the priests under them, who in turn were scrupulous in their concern for the spiritual well-being of the faithful.

Episcopal government was the key to the survival of the church. The defenders of jure divino episcopacy during the civil wars and interregnum added considerably to that theory which found its origins in the time of the apostles, and therefore had Christ's sanction as the form of government intended for His church.⁶² Implicit in the growing obsession with the primitive church was the recognition that English history itself did not offer any acceptable model of pure ecclesiastical government. Hammond and his colleagues did not want the restoration of the system which had collapsed in the sixteen-forties; it would forever remain

62. Hammond's most important contribution in this area was his examination of the epistles of St. Ignatius, which had been rejected by opponents of episcopacy in order to support their contention that episcopal government had been sanctioned neither by the apostles nor by the primitive fathers. Hammond concurred with Ussher and Voss that the epistles were authentic, and concluded that Christ had vested the government of the church in the apostles, who were succeeded by bishops. His arguments were presented in Of the Power of the Keyes: or of Binding and Loosing (1647), which is discussed in Packer, Transformation of Anglicanism, 108-11.

open to attack because of its participation in secular politics. To be acceptable to all, and to conform to the model of the primitive church, England's restored episcopacy must be "a moderate Episcopacy, with a standing assistant Presbytery . . . craving nothing more, and in many things less than the standing Laws of the Land allow them" ⁶³ Moderate episcopacy did not mean less emphasis on the role of the spiritual hierarchy. On the contrary, it meant a full recognition of the jurisdiction over which that hierarchy presided and the proper execution of its authority within that realm. But it meant equally a recognition of the distinction between and respect for the spiritual and temporal jurisdictions.

The political and religious theories which have been examined in the preceding pages provided the foundation of Charles Leslie's thought. They had been developed in the seventeenth century in order to meet a rising tide of opposition to the government in both church and state. Leslie was a student of those ideas, and he re-worked them in order to explain the nature of spiritual and temporal authority. The Stuarts and the deprived bishops were the legitimate executors of that authority. In deposing kings and bishops Englishmen had rebelled against God's revealed law. Leslie's

63. Henry Hammond, Of the Power of the Keyes, Preface: quoted in ibid., 108-9. Hammond emphasised that presbyters can do nothing without the consent of the bishops.

fundamental task was to combine the theories of patriarchal monarchy and jure divino episcopacy and to transform them into a defence of God's revelation to all men.

CHAPTER 2

LESLIE AND THE BEGINNINGS OF JACOBITISM

The revolution of 1688-89 was the most important event in Charles Leslie's life. The disturbances surrounding the destruction of the Stuart monarchy brought him to England and his participation in the conflicts of the early months of William III's reign provided him with his first education in English politics. The essential lesson which Leslie learned during the revolution and the years immediately following was how a jacobite outlaw could work within the newly-defined limits of English public debate. He gradually became convinced that he could promote his cause more effectively by taking an indirect approach to his desired end; that is, a restoration could be encouraged more successfully by exploiting the dissatisfactions of those who had complied with the revolution rather than by boldly asserting the rights of those who had been deprived by it.

Leslie was well-suited to appreciate this fact of post-revolutionary politics. He owed his advancement within the Irish church to the patronage of Henry Hyde, second earl of Clarendon, and his first years in England were spent as Clarendon's chaplain and agent. In earlier

years, the Hyde family and archbishop Sancroft had built a powerful party within the church of England. That party divided after the revolution, with the smaller group forming the core of the nonjuring clergy and the larger group becoming, in time, the centre of the angry high-church movement of Anne's reign. It would not be too simple to say that, reduced to its essentials, Leslie's career was spent trying to re-unite that party on the basis of its original principles of loyalty to the concept of hereditary monarchy by divine right and dedication to the cause of church reform.

Leslie was not a nationally-known figure during the period covered in this chapter; nor, in truth, was he a very important one. He was the trusted servant of an important politician. His master's response to the revolution, therefore, must receive a fair amount of attention, for that response was Leslie's response.

On 2 February 1690 William Sancroft, archbishop of Canterbury, refused to swear allegiance to king William and queen Mary. He was joined by bishops Lloyd of Norwich, Turner of Ely, White of Peterborough, Frampton of Gloucester, Ken of Bath and Wells, and approximately four hundred members of the lower clergy.¹ He would have been joined by Thomas of Worcester

1. J. H. Overton, The Nonjurors, Their Lives, Principles, and Writings (London, 1902), 471-96, offers "An alphabetical list of nonjurors, clerical and lay", which is supplemented by

and Lake of Chichester had they not died before the oaths were tendered, and by Cartwright of Chester had he not fled England to join James in Ireland. The oaths originally had been imposed on 1 August 1689. Those who refused them had been suspended from office and had been threatened with deprivation if they did not comply within six months.

Sancroft had dedicated his career to the cause of strengthening the church of England. Since its restoration in 1660 the church's main task had been to protect the kingdom from religious and political unorthodoxy. In carrying out that function, the dependence of the episcopal church of England upon temporal authorities had been essential. The process by which episcopacy had been restored had not allowed for any thorough-going reform of recognised abuses. Without the court of high commission and the ex officio oaths, the ultimate authority governing the church and religious concerns was secular.² Reform of the church was Sancroft's fundamental

Frederick William Cook, "A List of Nonjurors", Notes and Queries, 156 (19 Jan. 1929), 39-43. Neither list is restricted to the original nonjurors.

2. See Anne Whiteman, "Restoration of the Church of England", and her "The Re-establishment of the Church of England 1660-1663", Transactions of the Royal Historical Society, 5th series (1955), 5:111-31. See also Claire Cross, Church and People, 1450-1660, The Triumph of the Laity in the English Church (Glasgow, 1976), 222-42.

aim. He attempted to carry out his policies with the active assistance of a loyal episcopate and a dedicated clergy, and for the service of the crown.³

In building his church party Sancroft, with the assistance of the Hyde family, used the commission for ecclesiastical promotions to advance worthy men.⁴ That commission, Beddard notes, "represented the avant-garde of the Tory Reaction" against the exclusionist whigs. Support of the duke of York's right to succeed his brother was essential to any cleric who hoped for advancement after 1681. The men who were promoted to bishoprics and deaneries in England during the life of the commission had in common some "kinship to loyalist families, dependence upon ministers of state, sturdy churchmanship and a passion for reform."⁵

Sancroft favoured those clerics who had demonstrated their devotion to divine-right monarchy and who, in return for

3. See D'Oyly, Sancroft, 1:chap. 4, and Robert Beddard, "The Commission for Ecclesiastical Promotions, 1681-84: An Instrument of Tory Reaction", The Historical Journal, 10, no. 1 (1967), 11-40.

4. The original committee which advised Charles II on ecclesiastical promotions had been established on 27 February 1681, and had consisted of Sancroft and bishop Compton of London. Other members, including Laurence Hyde, earl of Rochester, were added in July and August of that year. In practice, it was controlled by Sancroft and Rochester. For details of its workings, see ibid., passim. See also G. V. Bennett, "King William III and the Episcopate", Essays in Modern Church History in memory of Norman Sykes, eds. G. V. Bennett and J. D. Walsh (London, 1966), 105-07.

5. Beddard, "Commission for Ecclesiastical Promotions", 32.

preferment, would show their enthusiasm for church reform by giving up offices already held. Improving the quality of candidates for the priesthood and of livings within the church, as well as eradicating pluralism, were necessary reforms if ecclesiastics were effectively to minister to the spiritual welfare of their charges. Submission to divinely-sanctioned temporal rulers was an essential aspect of the nation's spiritual welfare, especially in light of recent events during the interregnum and, more immediately, during the popish plot and the exclusion crisis. It was an undeniable truth to all right-thinking churchmen of the period that the monarchy and the church of England depended upon and reinforced each other, and that the reform of the latter required the strengthening of the former. It was also undeniably true to Sancroft and the Hyde family that a reformed and vigorous church of England must secure itself firmly as the spiritual protector of the kingdom, especially in light of the royal family's obvious lack of sympathy for that church.

The Hyde family's concern for strengthening the protestant establishment was not restricted to England. Henry Hyde, second earl of Clarendon, became lord lieutenant of Ireland in 1685.⁶ Acting in consultation with his brother,

6. The following discussion is concerned only with the church during Clarendon's lord lieutenancy. For his attention to secular offices, and for the broader context of Irish history at that time, see Richard Bagwell, Ireland under the Stuarts

the earl of Rochester, and archbishop Sancroft, he took a special interest in filling ecclesiastical vacancies and supervising promotions during his brief and unsuccessful tenure of office. Clarendon found the Irish church in a state of disrepair and confusion. He described the fabric in most churches as "ruinous", while clerical absenteeism and pluralism were allowed to go unchecked, ". . . which necessitates the people to look after a Romish priest, or Nonconformist preacher; and there are plenty of both."⁷ Clarendon blamed the bishops and the clergy for this state of affairs; but with Sancroft's advice and assistance, ". . . I do not despair of doing some good: for many things may be redressed without any other difficulty than men's doing their duties."⁸

Clarendon urged absent churchmen to return to their places and he refused to renew licences of absence for those clergymen who were in England.⁹ In addition to disciplining

and during the Interregnum, 3 vols. (London, 1909-16, reprint 1963), 3:passim, esp. 148-66; and J. G. Simms, Jacobite Ireland, 1685-91 (London, Toronto, 1969), chaps. 1 & 2. See also [William King], The State of the Protestants of Ireland Under the late King James's Government . . . (London, 1691).

7. Clarendon to Sancroft, 25 May 1686, The Correspondence of Henry Hyde, Earl of Clarendon, and of his brother, Laurence Hyde, Earl of Rochester . . ., ed. Samuel Weller Singer. 2 vols. (London, 1828), 1:408. This also contains the diary Clarendon kept from 1687 to 1690. See Simms, Jacobite Ireland, 28-29.

8. Clar. Corr., 1:408.

9. See Clarendon to [Thomas Hackett], Bishop of Down and

clerical laxity, he tried to take advantage of vacancies to reward deserving men, and he urged that worthy Englishmen might be induced to come over if no suitable Irish candidate could be found.¹⁰

But from the beginning of Clarendon's incumbency he felt his position threatened by the promotion of Roman catholicism and the advancement of the earl of Tyrconnel. Though protesting his dedication to the king's service, he received little indication of James's satisfaction with the Hyde family's supervision of ecclesiastical affairs. Rather than approving Clarendon's candidates for vacant Irish sees, James preferred to keep the archbishopric of Cashell and the bishopric of Elphin in his own hands, and their revenues were to be paid into the exchequer.¹¹ James was quick to inform Clarendon of his displeasure with the actions of certain "indiscreet" clergymen who "have meddled with controversy more than was necessary or expedient"¹² Clarendon replied that he

Conner, 25 May 1686: Clar. Corr., 1:404-05.

10. See, for example, Clarendon to Sancroft, 14 Feb. 1685/6: ibid., 1:253; Clarendon to Sunderland, 16 Feb. 1685/6: ibid., 1:257; Clarendon to Rochester, 23 Feb. 1685/6: ibid., 1:264-65.

11. Sunderland to Clarendon, 11 March 1685/6, ibid., 1:294. James later ordered Clarendon to pay Roman catholic bishops out of the revenues collected from the vacant sees: Clarendon to Rochester, 6 Sept. 1686, ibid., 1:576; Bagwell, Ireland under the Stuarts, 3:153-54.

12. The king to Clarendon, 18 Feb. 1685/6, Clar. Corr., 1:258.

was especially concerned to keep the inferior clergy of Ireland "within the bounds of duty and good manners."

I am very sorry when any of those who pretend to be of the Church of England, do any thing to displease your Majesty, because our principle is loyalty and obedience; and, generally, all our church have practised both. For my own part, as I study nothing so much myself as my duty to your Majesty, so it shall be my business to make all others, whom you are pleased to put under me, do theirs.¹³

But Clarendon was never in control of Irish affairs. Tyrconnel had command of the army and he worked to purge it of protestants. Through the Catholic Association he hoped to undermine the acts of settlement, the basis of the English supremacy. Clarendon could do little more than lament to his brother his increasingly untenable position:

. . . I cannot help saying and thinking that it is a new method of doing business, that all that the King thinks fit to have done should be performed by those in subordinate authority, and he, who is vested in all the power the King can give him, must sit like an ass and know nothing.¹⁴

In allowing Tyrconnel, who relied upon Roman catholics and the native Irish, to improve his position, James was undermining the English supremacy, which was his only foundation in Ireland. Clarendon understood his task to be to uphold the English interest; and while James might improve conditions for his co-religionists, it was essential that the Irish realise that he viewed them as a conquered people, and that the acts

13. Clarendon to the King, 2 March 1685/6, ibid., 1:283.

14. Clarendon to Rochester, 2 Oct. 1686, ibid., 2:10.

of settlement were inviolable.¹⁵

Clarendon's last months in Ireland were spent with the full knowledge that his days were numbered.¹⁶ But at the same time he was confident that he and his brother had served the king in the only way possible, that is, by remaining true to the principles of the church of England.¹⁷ He told John Evelyn that his actions as lord lieutenant had showed that he could serve the king, ". . . but it must be upon the English principle of the excellent Church of England; and if I cannot serve him upon that principle, I can pray for him in spite of all swaggerers, and that I will never cease doing while I live."¹⁸

While Clarendon was upbraiding bishop Hackett of Down and Connor for his six years' absence from his diocese, he took the occasion to note that one Robert Maxwell, another absentee holder of various ecclesiastical preferments, including the chancellorship of Connor, had died. Because Hackett was "almost a stranger . . . to those who deserve well in those parts", Clarendon suggested a candidate:

I shall take it for a very great favour if you will

15. Clarendon to Rochester, 12 Oct. 1686, ibid., 2:25-6.

16. Clarendon to Rochester, 23 Oct. 1686, ibid., 2:42-3.

17. Clarendon to Rochester, 21 Dec. 1686, ibid., 2:120-21.

18. Clarendon to Evelyn, 26 Dec. 1686, ibid., 2:128-29.

bestow the chancellorship of Connor upon Mr. Charles Leslie, a man of good parts, admirable learning, an excellent preacher, and of an incomparable life: I am sure he will do his duty in whatever he undertakes.¹⁹

The Leslie family was known to Clarendon through his brother-in-law, Thomas Keightly. Keightly had served as gentleman-usher to James before his accession. In 1685 he went to Ireland with Clarendon, where he was appointed vice-treasurer in 1686.²⁰ When Clarendon's and Rochester's sister, lady Frances Keightly, had to be kept temporarily under supervision, Charles Leslie and his brother Robert offered their home in Glaslough, county Monahagn, as a retreat. She accepted their offer in late August 1686. Clarendon informed Rochester that the Leslie brothers were "very worthy men, and of good esteem in their calling" "There she may stay, as long as I will, and we will be thinking of another retreat: in the mean time she is out of view."²¹

19. Clarendon to Hackett, 25 May 1686, ibid., 1:405.

20. Keightly's service under Clarendon in Ireland was considered training for future service in the Hyde interest. See Clarendon to Rochester, 5 Feb. 1686, ibid., 1:229. For Keightly's full career, see D.N.B. (art. "Keightly, Thomas").

21. Clarendon to Rochester, 6 Sept. 1686, Clar. Corr., 1:576-77. Clarendon erred when he informed Rochester that the Leslie brothers "have very good women for their wives": Charles had married Jane Griffith, daughter of the dean of Ross, shortly after his ordination in 1681, but Robert did not marry until 1698. R. J. Leslie, Life and Writings of Charles Leslie, M.A. Nonjuring Divine (London, 1885), 18-9.

The exact nature of lady Frances's problem remains obscure, but it appears that she was suffering from depression occasioned, at least partly, by doubts about her religion.²² Leslie's task was to help her to resolve those doubts. To that end he drew up a brief paper which, in 1698, was to be expanded into his Short and Easy Method with the Deists. The severity of her depression is suggested in Leslie's vindication of that work. He claimed that it had been written ". . . for the satisfaction of a Gentlewoman . . . who had been stagger'd with the Arguments of Deism even to Distraction" ²³ Her inability to answer the deists' argument that the story of Christ was a mere fable, such as the story of Mohammed or the heathen gods, obsessed her even during prayer:

This at last wrought so powerfully with her, that she came to abstain from all prayers, even in private; and was in a most deplorable condition, owning that she was often tempted to destroy herself, which she was afraid wou'd be the Issue. I found discoursing with her had but little effect, for in that violent discomposure, she cou'd not give attention, but wou'd fall out into terrible exclamations, and wishing her self dead, or that she had never been born.²⁴

22. Singer speculated that her problems might have been connected with alcoholism, although he offered no evidence: see Clar. Corr., 1:576 (editor's note). Not surprisingly, R. J. Leslie (Charles Leslie, 22-3) was scandalised by that suggestion.

23. Charles Leslie, The Truth of Christianity Demonstrated . . . (1710), The Theological Works of the Rev. Mr. Charles Leslie, 2 vols. (London, 1721), 1:119.

24. Ibid., 1:120.

Charles Leslie's connection with the Hyde family was to provide him with an entrance into English life. At the time of the revolution he was with the Keightlys on the Isle of Wight, apparently for reasons of health. He went with them to London rather than returning to Ireland during the crisis.²⁵ He is next found serving as a chaplain in Clarendon's household at Cornbury, Oxfordshire. He preached in the local parish of Charlbury in the autumn of 1689 and several times at Ely house, the main centre of nonjuring activity in London. At Clarendon's request he delivered the 30 January sermon at Ely house in 1690, on the eve of the deprivation of the nonjurors; it was "a most excellent sermon", and was attended by approximately sixty people.²⁶ Leslie also undertook numerous errands for Clarendon. These missions were carried out with Keightly, baron Worth (an Irish protestant described by Tyrconnel as "a damned rogue", but who was viewed by the protestants as a tool of the papists)²⁷

25. Leslie, Charles Leslie, 67. Leslie suffered from gout throughout his adult life.

26. See Clar. Corr., 2:288, 289, 303. See also Narcissus Luttrell, A Brief Historical Relation of State Affairs from September 1678 to April 1714, 6 vols. (Oxford, 1857, reprint 1969), 2:11.

27. See Bagwell, Ireland under the Stuarts, 3:176n. Worth had come over in January 1689 to convince William of the necessity of dealing with Tyrconnel before James had an opportunity to intervene in Ireland. Clarendon tried for five successive days (10-14 January) to present Worth at court, but was put off by William: "Certainly the Prince has very little curiosity, or sets very small value on Ireland!" Clar. Corr., 2:243-44.

and Thomas Apprice (a reliable agent in the service of the Hydes).²⁸

Loyalty to the Stuarts had been a central feature of the Leslie family. Charles, the sixth son of bishop John Leslie (1571-1671), had been born on 17 July 1650²⁹ and had been named for the recently-martyred Charles I. Bishop John Leslie was Scottish and had served as bishop of the Isles before his translation to the diocese of Raphoe in Ireland.³⁰ Charles later wrote that his father had been the last man in the country to surrender to Cromwell, and that throughout the interregnum he had used the liturgy of the church of England in his family. He had been forced from his living and had spent those years, until 1658, in Dublin, where he continued to hold frequent confirmations and ordinations, ". . . and

28. Ibid., 2:285, 288, 290.

29. British Library Additional MS. 38019, fol. 217v. This document is bishop Leslie's record of the births of his children.

30. R. J. Leslie, The Life and Times of the Right Reverend John Leslie, D. D. . . (London, 1885). Further information on the Leslie family may be found in Colonel Charles Leslie, Historical Records of the Family of Leslie from 1067 to 1868-9. . ., 3 vols. (Edinburgh, 1869); although this must be used with caution as it contains factual errors. There is a significant account of bishop Leslie and Charles in Evelyn Philip Shirley, The History of the County of Monaghan (London, 1879), esp. pp. 140-51; while a privately-published work, Seymour Leslie, Of Glaslough in the Kingdom of Oriel, and the noted men that have dwelt there (Glaslough, 1913), has chapters on both of them. Mr. Seymour Leslie has informed me that family papers relating to Charles Leslie's life have not survived.

was persecuted for it, but still he persisted."³¹ At the restoration in 1660, the bishop, then aged eighty-nine, rode from Chester to London in one day to pay homage to Charles II. Bishop Leslie's loyalty to the Stuarts was handsomely rewarded. In June 1661 he was promoted from Raphoe to the diocese of Clogher. The following month the house of commons agreed to grant him £2,000, which he used to purchase the estate at Glaslough.³²

In 1660 Charles began school at the royal foundation at Enniskillen. He matriculated as a fellow-commoner at Trinity College, Dublin, on 4 August 1664, and was admitted to the degree of master of arts in 1673.³³ He then went to England and enrolled as a student at the Temple. An eighteenth-century account of his life, dismissed by his nineteenth-century biographer,³⁴ gave the following suggestive reason for Leslie's failed legal career:

31. Bodl. MS. Ballard 46, fols. 83-4. Charles wrote this account of his father's life in March 1691. He sent it to William Strachan of Balliol College, who forwarded it to Anthony Wood.

32. See Shirley, History of County Monaghan, 142-43. It appears that the bishop also had received a small pension from the government during the interregnum. It is not surprising that his son neglected to mention that in the account referred to in n. 31.

33. There is no surviving record of when he became bachelor of arts: Leslie, Charles Leslie, 11.

34. Ibid., 12-4.

. . . for some Years he pursued a Course of Study in the Common Laws; for which, whatever Respect he retained, he always declared himself so much disgusted with a professional Casuistry, always on that Side of the Question, which bears the golden Fruit, that he determined not to follow it. But he imagined that there were certain Principles in the Science, and that in the Laws the Plan of the Constitution was to be found; in which if he was mistaken for want of a thorough Insight into the Mystery, he was at least so in the Innocence of his Heart.³⁵

It is impossible to say if that statement was based upon information which has not survived, or if it was inferred from Leslie's writings. But it is an acute summation of the approach Leslie was to take when he defended divine-right monarchy and revealed religion.

In 1680 Leslie entered into holy orders. He was ordained deacon in that year by the bishop of Cloyne and priest the following year by the bishop of Kilmore. He became assistant curate to his brother Robert in the parish of Donagh, which included the Leslie family home at Glaslough. It was a poor living, and very few of the residents of the area were members of the church of England. But Leslie had a small competence, and his comparative freedom from parochial duties allowed him more time to study divinity and ecclesiastical history.³⁶

35. Walter Harris, ed., The Whole Works of Sir James Ware concerning Ireland, Revised and Improved, 2 vols. (Dublin, 1764), 2:282. This account of Leslie's life was the chief source for the "Life of the Author" prefixed to The Theological Works of the Rev. Charles Leslie, 7 vols. (Oxford, 1832), 1:i-xii.

36. Leslie, Charles Leslie, 14-15. At the end of a handwritten

Probably because of his legal training Leslie was appointed justice of the peace for county Monaghan at the time of his ordination. Taking advantage of his offices in both church and state, he attempted to curb the advance of Roman catholicism during Tyrconnel's ascendancy. The bishopric of Clogher had fallen vacant, and in 1687 the temporalities of the see were ordered to be vested in Patrick Tyrrell, a Franciscan who later became Tyrconnel's secretary and who had assisted Tyrconnel in his campaign at the English court to have Clarendon recalled. Tyrrell established a community of friars in Monaghan, and during his visitation he challenged the protestant clergy to a public disputation.³⁷ The disputation was continued later in the parish church at Tynan, near Glaslough. On both occasions Leslie spoke for the church of England, and on both occasions each party claimed the victory for itself.

More serious was the attempt under Tyrconnel to place local governments and the judiciary in the hands of Irish Roman catholics.³⁸ Clarendon had been forced to comply with

copy of Leslie's letter from Bar-le-Duc (see below, chap. 8) there is a marginal note which states that Leslie "had a good Estate of his own", which he was forced to give up when he refused to swear allegiance to William and Mary. See B. L. Egerton MS. 921, fol. 97.

37. For this incident, see Leslie, Charles Leslie, 40-4; and Harris, Works of Sir James Ware, 2:282.

38. See Simms, Jacobite Ireland, chap. 2: Bagwell, Ireland under the Stuarts, 3:chap. 49.

the demand that the Irish corporations be opened to Roman catholics without their having to take the oath of supremacy.³⁹ His response to this Irish policy was to beg James to establish a commission of grace which would confirm the estates and settle the minds of the English settlers. Tyrconnel, on the other hand, was in favour of a parliament which would modify the acts of settlement by offering compensation to Englishmen who had acquired Irish estates during the interregnum and restoring at least some of those holdings to their former owners.⁴⁰

The Leslie family felt particularly threatened by these rumoured changes. Old bishop Leslie had purchased confiscated land and had raised the rents on his holdings in the parish of Donagh in order to pay for the construction of a chapel of ease in Glaslough. Tyrconnel received a petition from the Roman catholics of Donagh asking that they be relieved

39. Sunderland to Clarendon, 11 March 1685/6, Clar. Corr., 1:193-94. See also "Circular to the Corporate Towns of Ireland in Favour of Catholics, by the Lord Lieutenant" in ibid., 1:461-62.

40. Clarendon to the king, 17 April 1686, ibid., 1:350-52; Sunderland to Clarendon, 14 June 1686, ibid., 1:447-48. After discussing the matter with lord chief justice Keating, Clarendon abandoned the idea of a commission: he realised it could accomplish nothing against the united opposition of Tyrconnel and other Roman catholics on the council: Keating to Clarendon, 14 Aug. 1686, ibid., 1:539-40; Clarendon to Sunderland, 26 Aug. 1686, ibid., 1: 562-63. See Simms, Jacobite Ireland, 29-30; Bagwell, Ireland under the Stuarts, 3:168-78; [King], State of the Protestants, 142-65.

of these "oppressive levies". The Leslie family, complaining of "malicious aspersions" against their father, urged Tyrconnel not to decide against them until they had an opportunity to present their case.⁴¹ The Leslies were one of the most prominent protestant families in the north of Ireland and, like the rest of the protestants who feared any modification of the acts of settlement, they believed James II's Irish policy was a threat to the security of their estates.

In 1687 William Barton, a Roman catholic, was appointed high sheriff of county Monaghan, and the oath of supremacy was waived. The local gentlemen met to consider what course of action to follow. They were advised by Leslie that it would be illegal for them to allow Barton to assume office without the proper legal qualification. Leslie presided at the quarter session when the new sheriff presented himself. Barton denied that he was ineligible for office because he was of the king's religion and had been appointed sheriff at the king's pleasure. Leslie replied:

. . . that they were not inquiring into his majesty's religion, but whether he [Barton] had qualified himself according to law for acting as a proper officer. That the law was the king's will, and nothing else to be deemed

41. See Calendar of Clarendon State Papers preserved in the Bodleian Library, ed. F. J. Routledge, 5 vols. (Oxford, 1970) 5:672.

such; that his subjects had no other way of knowing his will, but as it is revealed to them in his laws; and it must always be thought to continue so, until the contrary is notified to them in the same authentic manner.⁴²

Barton was committed for contempt, as were several officers from Tyrconnel's army. In later years Leslie's opponents accused him of having incited violence against the supporters of James II. Bishop Burnet insisted that there were several deaths in county Monaghan as a result of this "animation" of the people. Leslie, Burnet claimed,

. . . was the first man that began the war in Ireland; saying in a speech solemnly made, that king James, by declaring himself a papist, could no longer be our King, since he could not be the defender of our faith, nor the head of our church, dignities so inherent in the crown, that he who was incapable of these could not hold it⁴³

The source of the charges against Leslie was William King, who became archbishop of Dublin in 1702 but whom Clarendon had considered to be unsuitable for the office of a bishop. King was also appealed to by bishop Lloyd of St. Asaph during Dr. Sacheverell's triumphant progress through the Midlands after his trial in 1710. At that time Leslie's propaganda

42. Harris, Works of Sir James Ware, 2:282-83; Leslie, Charles Leslie, 44-6. Cf. Clarendon's complaint to Rochester (12 Oct. 1686) that the king's declared will was to protect the acts of settlement and the English interest in Ireland: "That the King's mind is altered, I have no reason to believe from anything he has said to me; . . . and yet certainly all proceedings look as if his Majesty's mind were altered, and as if he intended a total alteration" Clar. Corr., 2:25.

43. Bishop Burnet's History of his own Time . . ., 2nd edition, 6 vols. (Oxford, 1833), 5:436.

in favour of the doctrines of passive obedience and non-resistance had reached a hysterical pitch, and Lloyd wanted information from King to discredit him.⁴⁴ King's testimony, however eagerly it was sought by whig bishops, must be viewed with caution. The editors of Burnet's history doubt that he had a copy of the speech.⁴⁵ It is surely significant that King made no reference to the Monaghan quarter session in his State of the Protestants of Ireland Under the late King James' Government.⁴⁶ More importantly, he did not refer to the speech when Leslie attacked him in print for justifying resistance to lawful authority.⁴⁷

Nevertheless, King always insisted in his private correspondence that he possessed a copy of Leslie's speech and that Leslie had taken a leading role in organising the protestants of northern Ireland against Tyrconnel; he had even been told that Leslie had "assisted at y^e proclaiming

44. Historical Manuscripts Commission, Second Report, Appendix:245-46.

45. Burnet's History, 5:436-37 (Hardwicke's note).

46. London, 1691.

47. [Charles Leslie], An Answer to a Book, Intituled, The State of the Protestants . . . (London, 1692). King made notes of some of Leslie's errors, and these are re-printed in H.M.C., Second Report, Appendix:236-37. He replied to Leslie in the third edition of his book, but did not refer to the speech. See Sir Charles Simeon King, A Great Archbishop of Dublin, William King, D.D., 1650-1729. His Autobiography, Family, and a Selection from his Correspondence (London, New York, Bombay, 1906), 91-2.

King William and Queen Mary, but w^{ther} he swore allegiance to y^m at y^t time I can't say, he himself can tell".⁴⁸

The evidence which King claimed to possess has been lost and he admitted that this account of Leslie's actions at the time of the revolution had passed to him from another, unnamed, source. But to raise doubts about his testimony is not to absolve Leslie. In later years he dealt with the charge that he had been "Actually and Heartily Engag'd in Resistance at the Beginning of the Revolution in Ireland" with the evasive reply that,

. . . he is verily perswaded that he never was in Arms in his Life, either for or against any King or Queen,⁴⁹ or any body else, unless sometimes a Hunting the Tories.

Throughout his writing career Leslie was never backward in reminding the whigs that one did not have to bear arms to resist a king. It is perhaps not mere coincidence that his departure for England with the Keightlys in the spring of 1688 followed shortly the disturbances he was supposed to have encouraged.⁵⁰ But it is not impossible that the speech

48. William King to Henry Dodwell, 30 Aug. 1710: reprinted in Shirley, History of County Monaghan, 150.

49. [Charles Leslie], Beaucoup de Bruit pour une Aumelette, or, Much a Do about Nothing, . . . (London, 1710), 16. "Tories" here refers to Irish bandits; although the double entendre was intended to signify his break with the party.

50. R. J. Leslie (Charles Leslie, 66-7) considered his presence in England to be final proof that the accusations against him were false. But his departure at that particular time allows for another interpretation.

which his enemies held to be final proof against him was a garbled version of his nicely-legal admonition to Barton at the Monaghan quarter session.

Certainly the group which formed the core of James II's supporters throughout the revolution would have given little consideration to the charge that their opposition to illegal policies carried out in the king's name constituted resistance of the king's will. After William landed in England, Clarendon urged James that the security of his throne had to be ensured because the people were being "provoked" by papists and were liable to "side with the prevailing party" if they found themselves defenseless in the face of William's advance. A parliament was necessary to bring to account the ministers who had advised illegal policies. Clarendon was given "infinite satisfaction" when a parliament was promised for early 1689 and when James appointed commissioners to treat with William.⁵¹ With these assurances from the king, Clarendon set out to meet the prince. His course of action throughout November and December 1688 was guided by the declaration offered by William to justify his intervention in England: ". . . our expedition is intended for no other design but to have a free and lawful parliament assembled as

51. Clar. Corr., 2:209-12.

soon as possible . . ." so that the grievances against the king's evil counsellors might be redressed.⁵² Clarendon's initial encounter with the prince in Salisbury encouraged him to believe that ". . . we might quickly hope to see a happy settlement."

Clarendon, however, was too astute not to see that more momentous changes were hoped for by William's followers. He was warned by the earl of Abingdon that Wildman and Ferguson, Cromwellian veterans, were in the Orange train. Gilbert Burnet insisted that there must be no parliament; "the sword is drawn", and any accomodation with James was beyond consideration.⁵³

James II's flight on 11 December confirmed the dangerous turn which events were taking. But if his "true friends" were filled with "black despair"⁵⁴ their intention of preserving his throne did not falter. In the provisional government of peers which gathered to preserve public order during the interregnum, Clarendon, Rochester and their episcopal supporters.

52. William's declaration is re-printed in [William Cobbett], Cobbett's Parliamentary History of England, From the Norman Conquest, in 1066, to the Year 1803, 36 vols. (London, 1809, re-print New York, 1966), 5:cols. 1-11.

53. Clar. Corr., 2:213-17.

54. Keith Feiling, A History of the Tory Party, 1640-1714 (Oxford, 1924), 239.

recognised William's "generous intentions", but they insisted that their purpose was to make possible the return of their "Rightful King"⁵⁵. Clarendon sent messages to James, who had been detained in his attempted escape, urging him not to abandon his kingdom.⁵⁶ He met with William to plead that the declaration of November 1688 was still the only foundation for a settlement.

James was determined to quit the kingdom and in late December he succeeded. "It is like an earthquake", Clarendon confided to his diary.⁵⁷ The "earthquake", however, forced him and other like-minded men only to change their tactics in order to pursue their fundamental aim, which was to preserve the monarchy. William had come to England to restore its laws and constitution, and by

55. A Compleat Collection of the Works of the Reverend and Learned John Kettlewell, B. D. . . ., eds. George Hickes and Robert Nelson, 2 vols. (London, 1719), 1:80. See also the rare and important "Apology for y^e Suffering Bishops. . .", an account which Beddard says "bears every mark of being an official statement by the surviving non-juring hierarchy, regarding its conduct in the Revolution". See Robert Beddard, "The Guildhall Declaration of 11 December 1688 and the Counter-Revolution of the Loyalists", Historical Journal, 11, no. 3 (1968), esp. 412 and n.46, where he discusses the few known copies of this work. Beddard was not aware of another copy, which is found among Leslie's papers in Bodl. MS. Eng. th. e.20, fols. 155-99.

56. Clar. Corr., 2:233.

57. Ibid., 2:233-34.

the laws and constitution of England James II was the rightful king. Archbishop Sancroft admitted that if William "had declared an absolute conquest of the kingdom" the question would have been finally settled; but William had declared for a legal settlement and had asked the convention to consider the best way "to restore the ancient government". Sancroft was certain that the only possible legal solution to the predicament of 1688-89 was the establishment of a regency in James II's name. A regency was the one method of preserving the oaths and obligations of the people to their lawful king while at the same time recognising that king's incapacity to govern in a way which was compatible "with the laws, religion, peace and true policy of the kingdom".⁵⁸

That view of the constitutional problem was given expression by tory members of the convention which met in late January 1689. William's declaration ought to guide their proceedings, they insisted, and discussions of a vacancy were inappropriate.⁵⁹ Clarendon, Rochester and

58. See D'Oyly, Sancroft, 1:414-22, which reprints from Bodl. MS. Tanner 459 Sancroft's "The present state of the English government considered,--January 1688[9]".

59. "'A Journall of the Convention at Westminster begun the 22 of January 1688/9'", ed. Lois G. Schwoerer, Bulletin of the Institute of Historical Research, 49, no. 120 (Nov. 1976), 256-61.

Nottingham led the way in arguing for a regency. But William had let it be known that he would not be satisfied with such a settlement. Princess Anne's waiving of her rights during William's life (even though she denied to Clarendon what she had done)⁶⁰ ensured that "contrary to all law and right reason" the "malicious party" triumphed on the question of a vacancy. After it was decided that William and Mary would be declared king and queen, Nottingham suggested that new oaths be drawn up to replace the old oaths of allegiance and supremacy. Clarendon was despondent and resolved to cease going to the house of lords under "the new frame of government".⁶¹

A regency might have prevented the creation of a large nonjuring party in 1690. That party was composed primarily of those churchmen who had been promoted through the Hyde interest during the latter years of Charles II's

60. "The Spencer House 'Journals'", in H. C. Foxcroft, The Life and Letters of Sir George Savile, Bart. First Marquis of Halifax &c., 2 vols. (London, New York, Bombay, 1898), 2:203-04. Clarendon was deeply offended at Anne's behaviour, for she had told him several times that the rumour that she was willing to step aside during William's life was "an abominable lie". When Danby informed him that she had agreed to such a settlement, he noted in his diary: "This is an admirable part of the Princess, and shows great favour to me; enough I think to make me look to myself." Clar. Corr., 2:247-49, 254-55, 260, 270.

61. Ibid., 2:256, 260-62.

reign. The group had steadily lost influence in the conduct of affairs since Clarendon and Rochester had been dismissed from office at the end of 1686, and since Sancroft had been forbidden the court after his refusal to serve on James II's ecclesiastical commission. The revolution did not restore their position because the only settlement they could have accepted was one which preserved the concept of monarchy by divine hereditary right, that is a regency. Consequently, Mary refused to see her Hyde uncles when she arrived in England in February 1689, while William regarded them both as "Knaves".⁶² Clarendon admitted to John Evelyn that he had sacrificed all hope for preferment because of his vehemence, and that Rochester too had "overshot himselfe by the same carriage & stiffnesse."⁶³ No less stubborn was Sancroft, who refused to

62. Ibid., 2:263-65, "Spencer House 'Journals'", Foxcroft, Halifax, 2:202. Before Mary had arrived in England Clarendon wrote to urge her to have nothing to do with the new schemes of government and to agree that the prince's declaration was the only basis for a settlement of the late "miscarriages": [Clarendon to the Princess of Orange], 20 Jan. 1688/9: Cal. Clar. S. P. Bodl., 5:686-87.

63. The Diary of John Evelyn, ed. E. S. de Beer, 6 vols. (Oxford, 1955) 4:625-26. William refused to hear Clarendon's representations of behalf of Irishmen who had come to England seeking his assistance: Clar. Corr., 2:238-29, 241-45, 254. Halifax recorded William's opposition to Rochester's return to office: "Spencer House 'Journals'", Foxcroft, Halifax, 2:208, 212, 219, 240, 249.

attend meetings of the convention and to make his court to William.

This high-church faction found itself shut out of public life after the revolution just as it had been gradually excluded from public life under James II. But that group had a large following, especially among the clergy. Throughout William's reign it tried to re-establish its influence by encouraging and supporting its clerical allies' opposition to the ecclesiastical policies of the new government.

Leslie received his education in English religious and secular politics as an agent of the leaders of this faction. His task during the first months of William and Mary's reign was to travel throughout the country in order to assess the temper of the clergy. For that purpose, his patron, the earl of Clarendon, provided him with a certificate which noted that Leslie was his "chaplain and servant" and was, therefore, "exempt from arrest and attachment during this present time of parliament".⁶⁴ The seeds of the high-church revival, usually associated with William's last years and with Anne's reign, were sown during the spring and summer of 1689. Leslie's career in England paralleled the growth of that revival, beginning as one of

64. H. M. C., Eighth Report, Pt.1, Appendix:392.

service to an angry politician and gradually emerging as a national force in its own right.

Leslie helped Clarendon organise the clerical opposition to the ecclesiastical policies of the new regime. In March 1689 William III appointed the earl of Nottingham secretary of state and approved his plan to introduce bills of comprehension and indulgence. The Finch family, of which Nottingham was the head, had a large following among the metropolitan clergy of London,⁶⁵ and throughout the restoration period had advocated measures which would make it possible for many protestant dissenters to be comprehended within the established church. Nottingham now hoped to realise that plan, especially since promises had been made to the dissenters in order to gain their cooperation in opposing James II's declaration of indulgence.⁶⁶ The Hyde family, on the other hand, had a more exclusive view of the church of England and its claim upon the state. While they and archbishop Sancroft had assented to the terms offered to dissenters on the eve of the revolution,

65. See Henry Horwitz, Revolution Politics, The Career of Daniel Finch, Second Earl of Nottingham, 1647-1730 (Cambridge, 1968), chap. 4; Bennett, "William III and the Episcopate", 109-11.

66. See ibid., 115-22; George Every, The High Church Party 1688-1718 (London, 1956), chap. 2; Roger Thomas "Comprehension and Indulgence", From Uniformity to Unity 1662-1962 eds. Geoffrey F. Nuttall and Owen Chadwick (London, 1962), esp. 237-53.

they had qualms about them after the threat of the Roman catholic king was removed. Clarendon and Sancroft expressed their dislike for the idea of comprehension,⁶⁷ and their suspicions were confirmed when Nottingham presented his scheme before parliament and William took it upon himself to urge that the sacramental test for officeholders be removed. William's "monumental gaffe"⁶⁸ convinced many churchmen that "it was high time to show themselves".⁶⁹ The strength of the opposition was revealed when only the toleration bill was enacted, while the comprehension scheme was set aside until it could be considered in convocation.⁷⁰ That representative body of the clergy of the province of Canterbury was scheduled to meet in the late autumn of 1689. As soon as the comprehension scheme was defeated in the spring session of parliament, Clarendon exerted all his influence to ensure its defeat in convocation. He made numerous visits

67. Clar. Corr., 2:240-269,275.

68. The expression is Bennett's: "William III and the Espiscopate", 115.

69. The Memoirs of Sir John Reresby, ed. James J. Cartwright (London, 1875), 450-53.

70. Ibid., 455, For a full account of the parliamentary proceedings in the spring of 1689, see Horwitz, Revolution Politicks, 86-95; Thomas, "Comprehension and Indulgence", 247-53.

to Oxford, the centre of high-church opinion, and he despatched Leslie and other agents to encourage the lower clergy to choose sympathetic representatives for convocation.⁷¹ His attempt to frustrate William's ecclesiastical policy proved highly successful. Bishop Burnet blamed him for encouraging high churchmen to withdraw themselves from the committee which had been set up to study amendments to the liturgy and canons of the church of England.⁷² Later, the high church candidate, William Jane, dean of Gloucester and regius professor of divinity at Oxford, defeated John Tillotson "by great odds" in the election for the prolocutorship of the lower house of convocation.⁷³

The defeat of William's ecclesiastical policy carried an important lesson both for him and for his opponents.

71. Clar. Corr., 2:285, 288, 290. See Burnet's History, 4:57-58, for Burnet's suspicions about the "Great canvassing. . . everywhere, in the elections of convocation men"; and see A Supplement to Burnet's History of My Own Times, ed. H. C. Foxcroft (Oxford, 1902), 333, where Burnet charged that the elections were "heated by these instruments who hoped to have weakened (if not pulled down) the government by their means".

72. Clar. Corr., 2:295.

73. Ibid. Every (High Church Party, 57 and n.2) notes that although Clarendon denied to Rochester that he had any "dealings" with Jane, he did spend an evening with him after the convocation adjourned for Christmas (Clar. Corr., 2:298). But that meeting is surely not as significant as the one--missed by Every--on 20 Nov. 1689, when they (and others) dined at Lambeth: that was the day Jane defeated Tillotson (ibid., 2:295).

He now appeared convinced that he had relied too much upon dissenters; several observers noted that he was trying to come to terms with the church party.⁷⁴ Leslie and other high churchmen, on the other hand, could not help but be impressed by the intensity of the lower clergy's anger with the new government's policies. William's calvinism, the official promotion of the cause of protestant dissent and the success of presbyterianism in Scotland all worked to create a sense of unease among the clergy of the church of England; they could be easily persuaded that the revolution had ushered in an age in which their church was in danger. With proper attention and cultivation, it now appeared, the church could become the centre of an effective opposition to the new regime.

Leslie learned this essential lesson about English politics in the summer and autumn of 1689, that is, before those who refused to swear allegiance to William and Mary were deprived of office. They had been suspended from their places on 1 August, however, and it was significant that many churchmen who had complied were willing to respond to the influence of those who were known to be hostile to the new

74. See *ibid.*, 2:296; and "Spencer House 'Journals'", Foxcroft, *Halifax*, 2:227, 229, 232, 233. Clarendon, however, believed that rumours of William's new-found sympathy for the church party were circulated simply "to amuse and wheedle people".

monarchy. Jacobites and nonjurors could appeal to a large segment of English opinion because their basic premise was widely accepted: James II was the rightful king. Although few men could agree that the kingdom must expel the illegal possessors, many were able in conscience to take the new oaths because they were not required to assert that William and Mary had a rightful claim. One Kentish clergyman was arrested for saying that he prayed for William only "as he did for Turks, Jews and infidells".⁷⁵ Lord Chesterfield told Clarendon that he would probably take the oaths to William because they meant simply that he would "pay him all lawful obedience; which was nothing if ever King James came back again."⁷⁶ Danby, who had signed the invitation to William, condemned Sancroft and his friends who scrupled at the legality of the new oaths; yet he admitted that William was an illegal monarch who could be offered no more than the de facto allegiance of Englishmen, who now depended upon him for protection.⁷⁷ Nottingham, who had originally suggested drawing up the new oaths, had been the leading proponent of de facto theory in the convocation, and he insisted upon it in the generation

75. Luttrell, Historical Relation, 2:88.

76. Clar. Corr., 2:264.

77. Rersby's Memoirs, 442.

which followed.⁷⁸ Jacobites such as Leslie and Clarendon might have dismissed it as so much jesuitry, but they recognised that the theory which had helped to secure the revolution might in time assist in restoration. Bishop Trelawney had gone over to William and it was rumoured that he was to be promoted to the lucrative see of Salisbury. He was embittered when Burnet received that prize and he told Clarendon that he regretted having taken the oaths. Clarendon advised him to live quietly and have nothing to do with the government; but, "since he had taken the oaths", Clarendon also urged him to accept the offer of the lieutenancy of Oxford, "whereby he would be able to pursue the true interest whenever he thought it convenient. . .".⁷⁹

Clarendon himself might have attempted to pursue the true interest by taking the oaths to the new regime had he not met with complete failure when he tried to exert his influence in the one area outside the church where his name carried some weight. Ireland was still being held for James by the earl of Tyrconnel. Early in 1689 protestant landowners urged Clarendon to intercede with William on their behalf, but all his attempts at court were rejected.⁸⁰ William, in fact, was hoping that Tyrconnel

78. Burnet's History, 3:378; Horwitz, Revolution Politicks, passim.

79. Clar. Corr., 2:268.

80. See ibid., 2:238-39, 241-45, 254. Many concluded that

could be induced to abandon James and an agent was sent to negotiate with him. The mission ended disastrously, for the agent, Richard Hamilton, joined with Tyrconnel in raising Ireland against William.⁸¹ But for so long as there had been hope of detaching Tyrconnel from James William had one more reason to keep Clarendon, Tyrconnel's rival, at a distance. At the beginning of the revolution William's intervention had seemed to offer Clarendon a chance to resume the office from which he had been dismissed. William's complete hostility turned him into "a most violent opposer of the new settlement" and "one of the hottest promoters of [King James's] interest of any in the nation."⁸²

Leslie, it is apparent from Clarendon's diary, became involved in his patron's jacobite plotting of the early sixteen-nineties. With James in Ireland loyalists in England and Scotland planned to take advantage of William's journey to the continent and then to Ireland in the spring and summer of 1690.⁸³ The conspirators were betrayed by one of their

William, following Halifax's advice, was allowing Ireland to remain unsettled so that unrest there would encourage the members of the convention to arrive at a quick settlement and so that he could keep a large army. See Burnet's History, 3:369-70 and Swift's and Dartmouth's notes; cf. Lord Macaulay, History of England to the Death of William III, 4 vols. (London 1967), 2:513-14 and n.

81. See ibid., 2:513-18.

82. Burnet's History, 3:369.

83. See George Hilton Jones, The Mainstream of Jacobitism

fellows and in the early summer dozens of suspects, including Clarendon, were sent to the Tower.⁸⁴ Rochester had informed his brother that William had proof of his caballing against the government. Clarendon denied those charges, but throughout the spring he, accompanied by Leslie, had been meeting with jacobites and had sent letters to the other conspirators and to James at Saint Germain and, later, in Dublin.⁸⁵

Clarendon remained in the Tower until 15 August, that is, until the French fleet had departed from the English coast. But he was arrested again the following January after conspiring with a group of protestant jacobites who wanted a restoration with conditions.⁸⁶ He was confined in the Tower until his health began to fail. Queen Mary intervened at Rochester's request and allowed her uncle to retire to Cornbury.⁸⁷

(Cambridge, Mass., 1954), chap. 1: Macaulay, History of England, 3:260-81.

84. Clar. Corr., 2:319-28; Diary of John Evelyn, 5:29; Luttrell, Historical Relation, 2:63-5.

85. Clar. Corr., 2:300-19. See Macaulay, History of England, 3:270.

86. His diary ends on 17 August 1690. Memoranda made during his confinement in 1691 cover only the period from 3 January until 11 February, and are found in Clar. Corr., 2:330-32. See also Luttrell, Historical Relation, 2:155; and Jones, Mainstream of Jacobitism, 20-1.

87. Clar. Corr., 2:330-32; Diary of John Evelyn, 5:41ff, 49, 51ff, 57, 60; Luttrell, Historical Relation, 2:153-55, 259; Burnet's History, 4:122-27; Macaulay, History of England, 3:380-93.

Leslie was not involved in this latter plot. He is not mentioned by Clarendon after 8 June 1690, when he administered at the death bed of Rowland Tempest, an Irish jacobite who had been arrested after arriving in England from France.⁸⁸ Since coming to England Leslie had relied upon Clarendon's protection in order to live without fear of arrest. He appears to have gone into hiding when his patron and many of his associates were confined in the summer of 1690. All that can be said with certainty is that he remained in England until the early autumn. On 27 September baron Worth informed Clarendon that Leslie had sailed for northern Ireland.⁸⁹

While in Ireland Leslie wrote his first work. It was a reply to William King's The State of the Protestants of Ireland Under the late King James's Government. Leslie's Answer is remarkable in that it contains most of the elements of his later political theory, with the notable exception of the patriarchal framework, of which there is not even a hint

88. Clar. Corr., 2:317; Luttrell, Historical Relation, 2:49, 56. See also Tempest's enthusiastic letter (29 March 1689) from Dublin to his brother in England: Bodl. MS. Carte 181, fols. 184-89.

89. See Worth to Clarendon, 27 Sept. 1690: Cal. Clar. S. P. Bodl., 5:691. The editor of the Clarendon State Papers tentatively identifies the "Mr. Lessley" referred to in this letter as "mr. [? James] Leslie". Worth, however, was undoubtedly referring to Charles Leslie, whose whereabouts would have been of interest to Clarendon. No person by the name of James Leslie was associated with Clarendon.

in this work. King's essential point was that Irish protestants were justified in freeing themselves from James's government because their lives and properties could not be secured under it.

Our Constitution lodges the Legislative Power in the King, Lords and Commons, and each of these is a Check on the other, that if any one of them attempt a thing prejudicial to the Kingdom, the other may oppose and stop it; but our Enemies had made all these for their purpose, and therefore no Law could signifie any thing to oppose them, it being in their power to remove any Law when they pleased by repealing it.⁹⁰

The king had been sympathetic to the protestants' enemies; he had created many new temporal peers and had allowed spiritual peerages to remain vacant; and by opening up corporations to papists he had ensured that any house of commons would agree in temper with him and his new lords.⁹¹ In denying them the protection of the constitution, James forced his protestant subjects to look elsewhere for their security.

Leslie replied that the worst blots upon the reign were caused by men who designed the king's ruin. It was a maxim of English law that the king can do no wrong; yet James had received the entire blame for the fatal measures advised by his ministers, most of whom had been protestants and most of whom were still in office.⁹²

90. [King], State of the Protestants, 149.

91. Ibid., 149-51.

92. [Leslie], Answer to a Book, "To the Reader" (unpaginated).

Since James's arrival, ". . . there was no act which could properly be called his which was not all mercy and goodness to Protestants." It was a slander on King's part to accuse James of either proposing or favouring the infamous act of attainder. The king did have objections to the acts of settlement but, Leslie conceded, all Irish protestants admitted that there were inevitable injustices caused by those acts.

Leslie had many objections to specific events related by King, but his primary concern was to expose his opponent's principles, which

. . . are all the old Rotten, Rebel, Commonwealth Principles, which we formerly exploded in De Jure Regni, Rex Lex, and other Fanatical Authors, condemn'd in the Decretum Oxonionse, and the Universal Currant of the Divines of the Church of England. . . .

The people, Leslie said, are still stained with "the Blood of Charles the Martyr", and there can be no national repentance while men defend those principles which brought him to the scaffold.⁹³ Leslie pointed to the reign of Charles II, when the constitution had been re-affirmed with the parliamentary declarations against the coordinate power of parliament and the right to coerce the king, and in favour of the king's sole possession of the sword. These fundamentals of the constitution gave the lie to the notion that the government was entrusted to the king, and that laws are compacts between

93. Ibid., 2, 40-1.

the king and his people which define how the king must govern and which show the limits of his subjects' obedience.⁹⁴

Jacobites were certain that it was simply perverse to use the concept of an original compact as a justification for rebellion. Jeremy Collier confessed:

. . . tho' I don't pretend to understand the Doctrine of Original Contracts, yet upon Supposition any Kingdom was fixed upon this Foundation, I can't perceive it would be so sandy as is pretended.⁹⁵

The people certainly could have irrevocably transferred their right of resistance: "all Society and Intercourse must grow impracticable" if we assume that one generation cannot bind another: "For if our Ancestors could not possibly have any Right to choose us Kings, they could have none to choose us Laws." Francis Turner had used a similar notion of the original contract to argue in favour of a regency. After noting Grotius's distinction between a right and the exercise of that right, he defined the compact as

. . .that what was made at the first time, when the government was just instituted, and the conditions that each part of the government should observe on their [sic] part; of which this was the most fundamental, That king, lords, and commons, in parliament assembled, should have the power of making new laws, and altering of old ones. And that being one law which settles the Succession, it is as much a part of the Original Contract as any

94. Ibid., 4-6.

95. [Jeremy Collier], Dr. Sherlock's Case of Allegiance considered with some Remarks upon his Vindication (London, 1691), 91-2.

England, Turner continued, is a successive kingdom, and its laws do not recognise an interregnum. The compact was made with the king and his heirs, and it has been confirmed by numerous parliamentary declarations in favour of hereditary right. In case of an abdication, then, ". . . the disposition of the crown can not fall to us, till all the heirs do abdicate too."⁹⁶ The earl of Clarendon was in tune with Turner's thinking when he objected before the convention:

. . . this breaking the Original Contract is a language that hath not been long used in this place; nor known in any of our law-books, or public records. It is sprung up, but as taken from some late authors, and those none of the best received⁹⁷

Such an understanding of the contract received respect from many jacobites in the years following the revolution. Rather than asserting divine hereditary right, they argued that hereditary right was part of the immemorial custom of the realm; and that, as had been declared in the case of Richard II, hereditary right was in the next of blood, even when the throne was in the possession of a usurper. A manifesto on behalf of James III put it clearly:

Thus is the inherent Right of succession which was ever establish'd by the Common Law put out of all dispute by a formal contract of the whole Nation with a rightful King and his Posterity for ever.

96. Parl. Hist., 5:cols. 73-5.

97. Ibid., 5:col. 76.

This is indeed an Original Contract, with his Majesty's family; so that if the Law had been otherwise before, as it was not; it puts the Right of the Heirs of the Royal family out of all dispute, for the future.⁹⁸

Leslie, of course, accepted hereditary right as fundamental to the common law, but he never referred to it as a part of an original contract. Even in this first work he dismissed the concept without discussion. The language of contractualism, he believed, was inappropriate to a discussion of political organisation. From the beginning of his polemical career Leslie's first interest was in the nature and location of sovereign power, and an acceptance of some form of contract evaded a profound understanding of that problem. In the hands of lawyers a contract implied equity and mutual responsibilities, which suggested that ultimate authority resided in neither party, while in the hands of whig theorists the contract became an argument for sovereign power in the people, which contradicted the maxim that England was a monarchy. Because sovereign, or legislative, power "is equally arbitrary in all Species of Government" it is a delusion to justify the dissolution of government as a means

98. Windsor Castle, Stuart Papers, 3/7c v. The jacobite view of the original contract is not adequately detailed in Howard Nenner, By Colour of Law, Legal Culture and Constitutional Politics in England, 1660-1689 (Chicago and London, 1977), esp. 44-5, 191-94. Still useful is George L. Cherry, "The Legal and Philosophical Position of the Jacobites, 1688-1689", Journal of Modern History, 22 (Dec. 1950), 309-21.

to escape the oppressions of arbitrary rule. Liberty from government would be the greatest slavery in the world, for such a liberty would prove to be "only a Liberty to destroy one another."⁹⁹ It is evident from this first work that Leslie saw no distinction between a merely social and a political state of mankind. Without an ultimate authority, which was the source of order, there could be no liberty, freedom, or any other amenity of social existence. Indeed, contracts could be possible only within the political state, that is, under an arbitrary power.

The "most Ridiculous" pretence for rebellion, however, was not the preservation of life and liberty from arbitrary power. Rather, it was religion. Rebellion is destructive of all religion because it brings in immorality and undermines discipline.

True Religion is not Propagated by the Sword: It is a small still Voice that cannot be heard in War. It is built like Solomon's Temple, without the noise of a Hammer; War confounds it and debauches it.¹⁰⁰

Lewdness, blasphemy and contempt of all that is sacred is fostered in the camps of soldiers. Leslie believed that the

99. [Leslie], Answer to a Book, 11, 16, 32-3: "The great Mistake is in the foolish Notion we have of Liberty, which generally is thought to consist in being free from the Lash of Government, as School-boys from their Master; and proves, in the Consequence only a Liberty to destroy one another."

100. Ibid., 36.

protestant armies in Ireland have ". . . taught those People Wickedness they never knew before; in comparison, they never knew what Wickedness was before." Atheism and socinianism have been let loose, while scriptures and revealed religion are openly ridiculed. This profanity and debauchery, Leslie feared, would take root throughout the British Isles because war takes men ". . . off all Foundations of Sobriety, and instills a Dissoluteness of life, and an Insensibility and Disregard of Religion, and of all Rules of Justice 'twixt Man and Man" ¹⁰¹

Christ's church is an independent society governed by rules and governors which are different from all other societies. It is, however, subject to all lawful commands of divinely-sanctioned authority. Christians have an obligation of conscience even to a secular ruler who is hostile to them, if he is a lawful ruler. ¹⁰² It was basic to Leslie's thinking, as it was to all nonjurors, that the weakening of the faith could not be attributed to persecutors. Jeremy Collier wrote: "A Man might as well undertake to stab a Spirit, as to destroy religion by Force." Violence cannot destroy the freedom of our wills, Collier insisted, and persecution can only strengthen true religion, "as is manifest from the history of the Primitive

101. Ibid., 37-40.

102. Ibid., 54-5.

Christians."¹⁰³

During the present revolution, Leslie asserted, ". . . the Metropolitan of all England, with a Quorum of Bishops, and several hundreds of the Inferiour Clergy, have adhered to the Doctrine of their Church, and suffered themselves to be Deprived, rather than act or teach contrary to it."¹⁰⁴ The reputation of the church must not suffer because of the actions of certain individuals who have apostasised. This was one of Leslie's favourite themes, which he was to pursue many times in his later writings, especially in his denunciations of Tillotson and Burnet.¹⁰⁵

Leslie's first published work contained themes which he would develop and re-structure during the next twenty-five years. His equating of the whig principles of 1688 with the commonwealth principles of 1642, his Bodinian view of sovereignty and his conception of the church as an independent society all received notice. His political theory would become more clearly defined and, in the process, more unique

103. [Collier], Dr. Sherlock's Case of Allegiance considered, 96. See also an anonymous tract, The Ballance-Adjusted: Or, the Interest of Church and State Weighed and Considered upon this Revolution (n.d.), 2: "A man cannot change or alter his own belief at pleasure, much less can another do it for him, without conviction."

104. [Leslie], Answer to a Book, 129.

105. See below, chaps. 3-4, 8.

in the years that followed. But even in his first contribution to the political debate of his generation Leslie showed himself to be concerned with questions which were not the essential features of other jacobite pamphleteers. His reiteration of the question "Who shall judge?" to every whig plea for guaranteed rights to life and property gave fair warning from the beginning that he was not just another apologist for James II.

Burnet had recommended to Nottingham that King's book be licensed for publication.¹⁰⁶ Leslie's reply was published in 1692, and he attached it to an account of the Glencoe massacre in Scotland and of massacres in Ireland which he claimed William had ordered. Several years later Leslie published a more detailed account of William's complicity in those atrocities. Under the title Gallienus Redivivus he explained how the Scottish presbyterians had taken advantage of the revolution in order to abolish episcopacy and how William had ordered the massacre at Glencoe. The work was subtitled Murther Will Out. During the civil war a pamphlet entitled Murder Will Out had discussed the rumours that Charles I had ordered the Irish rebellion so that he might raise a large army which could also be used to subdue his English subjects. Leslie, in other words, tried to make exactly the same case against William III which earlier parliamentary writers had made against Charles I. Charles

106. H. M. C. Second Report, Appendix:235-36.

I's supposed complicity in the popish uprising had convinced many moderates in England that the war against him was justified. Leslie's revelations of William's brutality and his role in the destruction of episcopacy in Scotland were intended to rally the church of England against her "deliverer".¹⁰⁷

Leslie's accusations caused great offence and a warrant was issued for his arrest on 1 April 1693.¹⁰⁸ Officers were sent to Glaslough, but, as bishop Foy of Waterford informed King: "The book against your lord'sp was in the MSS. copy found in Charles Lesleys study, who upon the discovery

107. [Charles Leslie], Gallienus Redivivus or, Murther Will Out &c. Being a true Account of the De-Witting of Glencoe, Gaffney, &c. (Edinburgh, 1695). (As the title suggests, Leslie also accused William of responsibility for the murder of the de Witt brothers of Holland in 1672.) For a discussion of Charles I's rumoured complicity in the Irish uprising and its effect upon moderate men in England, see William M. Lamont, Richard Baxter and the Millenium, Protestant Imperialism and the English Revolution (London and Totowa, N. J., 1979), chap. 2. Lamont refers only to Leslie's Case of Present Concern (1703), which denounced Calamy's 1702 abridgement of Matthew Sylvester's Reliquiae Baxterianae (1696). Baxter believed the charges against Charles I, and Leslie was outraged that his opinions should have been so widely circulated. The subtitle of Gallienus Redivivus indicates that Leslie was aware of the controversy surrounding Charles I's role in the Irish rebellion long before the Reliquiae Baxterianae caused the subject to be debated again under William and Anne.

A recent popular and well-received history of the Scottish massacre relies extensively upon Leslie's evidence and, not surprisingly, reaches similar conclusions: John Prebble, Glencoe, The Story of the Massacre (Harmondsworth, 1968). Prebble accepts without question Leslie's statement that he spoke directly with soldiers who had returned from Scotland after carrying out their orders.

108. Public Record Office, State Papers, Domestic 44/343, fol. 259.

fled and now absconds."¹⁰⁹ Apparently he had left Ireland some time before; indeed, it would appear that he had spent only a few months at his family home after arriving there in the autumn of 1690. He was certainly back in London by February 1692.¹¹⁰ His whereabouts after the warrant was issued cannot be determined with complete certainty, but there is evidence to suggest that he went to Saint Germain, the French royal palace near Paris which Louis XIV had made available to the exiled Stuarts.

The purpose of Leslie's journey to the continent was not simply to escape English justice but also to help secure the apostolic succession. Even though the formal date for the deprivation of the nonjurors had been 2 February 1690 the "vacant" sees had not been filled until after the discovery of the jacobite plot of the following December. Among the documents seized by English authorities was a letter by bishop Turner of Ely which implicated all the nonjuring bishops and which guaranteed the loyalty of the clergy outside London.¹¹¹ Only then were compliers appointed and

109. Foy to King, 18 May 1693: H. M. C. Second Report, Appendix:232n.

110. On 6 February 1692 Henry Dodwell wrote to him "at y^e Kgshead in Kingstreet St^t. James's": Bodl. MS. Add. c.180, fols. 208-09.

111. Luttrell, Historical Relation, 2:155,162. Turner, of

Sancroft and his followers forced from their livings.¹¹²

The schism in the church of England began with erection of altar against altar, and the nonjuring bishops felt themselves obliged to make provisions for the preservation of the true apostolic succession. George Hickes had taken a list of nonjuring clergymen to Saint Germain sometime in 1691 or 1692. James was now asked to appoint Hickes, who was nominated by Sancroft, and Thomas Wagstaffe, the nominee of Lloyd of Norwich (to whom Sancroft had delegated his metropolitan authority), to the respective titles of suffragan of Thetford and suffragan of Ipswich.¹¹³ Leslie conveyed this request to James II on behalf of the nonjuring bishops and returned to England with the king's approval of the nominations.¹¹⁴ The new consecrations took place in February 1694.

course, did not have the consent of his brethren to speak in their name. Ken and Frampton were particularly disturbed at the liberties he had taken.

112. Diary of John Evelyn, 5:51-2, 59; Luttrell, Historical Relation, 2:215, 227ff., 234-35, 238.

113. On the new consecrations, see Kettlewell, 1:134ff.

114. Leslie's role in the new consecrations is revealed in a letter from the earl of Middleton of 1713. At that time the nonjurors once again requested permission to consecrate bishops and Middleton noted that their request was unnecessary because ". . . the power he [the king] sent some years ago, by Mr. Lamb, to constitute new overseers [bishops], where they were thought necessary, subsists still" See Middleton to Abram, 13 Feb. 1713: Original Papers; containing the secret history of Great Britain . . ., ed. James Macpherson, 2 vols. (London, 1775), 2:382. "Lamb" was one of Leslie's aliases. (I have inserted "the king" in the above quotation; "bishops" was added by Macpherson.)

Leslie tried to make another journey to the continent in late September 1694, but this time he was arrested on board a ship as it was preparing to sail for Holland or Flanders.¹¹⁵ After coming ashore, however, he escaped from the arresting officer when they stopped at a public house.¹¹⁶ The death of queen Mary in December 1694 was the occasion for another trip to Saint Germain, this time to report that the "fermentation" now brewing in parliament needed to be supported if "the desired effect" was to be obtained.¹¹⁷

The earl of Middleton naively expected England to descend into civil war when parliament was not dissolved after Mary's death.¹¹⁸ It was Mary who disguised the fact that the English government was secured by armed force and not by law. How else could a usurper, who owed his position to men who preached rebellion, secure himself? "Qui Glencoat, Glencoabitur" was Leslie's warning in his account of William's atrocities in Scotland.¹¹⁹

. . . if all the Sacred Bonds of Natural Allegiance,
Fortified with the Religious Sanction of Oaths, and
Taught and Inculcated upon Us, from our Infancy, as a

115. P.R.O., S.P., Dom. 44/100, fol. 81.

116. Leslie, Charles Leslie, 101-02; Leslie, Of Glaslough in the Kingdom of Oriel, 47-8.

117. Royal Archives, Stuart MSS., 1/92.

118. Middleton to l'abbé de Renaudot, 24 Jan. 1695: Bodl. MS. Carte 256, fol. 89.

119. [Leslie], Gallienus Redivivus, 11.

Condition indispensable to our Salvation; if all this, and all the Honour and Reputation which the World has justly affixed to Loyalty, with the Horror and Eternal Stain, upon the Name and Memory of Traytors and Rebells, and all the Terror of the Laws against Treason. If none (I say) Nor all, of these Considerations, have weight enough to keep us in our Obedience, to those whom God, and the Constitution of our Country, have plac'd over Us, by a Divine as well as a Legal Right: How should an Usurper secure our Duty; who has none of these Tyes, on his side; But All, and Every One of them against Him; How should, How can He do it, but by Corrupting our Representatives in Parliament, so as to pass all his Arbitrary Designs upon Us, in their Names; and when that fayles him, by open Force?¹²⁰

The jacobites recognised that a restoration with parliament's assistance offered the best chance for success, and from the mid-sixteen-nineties they devoted more attention to parliamentary dissatisfaction with William's government. They detected encouraging signs after William came into sole possession of the throne. The earl of Nottingham, who had played so crucial a role in securing the de facto allegiance of many tories, had left office in 1693. After Mary's death he became an outspoken opponent of the ministry. More significant was the group of politicians who had given up all hope of office under William and who were waiting for princess Anne to succeed. Chief among these was Rochester, who had reconciled himself to Mary but who always reciprocated William's loathing of him.¹²¹ Associated with Rochester were

120. Ibid., 17.

121. See Bennett, Tory Crisis, chap. 3; Feiling, Tory Party, chap. 11; Horwitz, Revolution Politicks, chap. 8.

churchmen who had not fared well since the revolution, including a very angry Henry Compton, bishop of London. He had done as much as any ecclesiastic in the kingdom to aid William's descent upon England, and he had been publicly humiliated when he was passed over in favour of John Tillotson for the archbishopric of Canterbury.¹²² After the general election of 1695 William placed his ministry entirely in the hands of the small group of whig magnates and power-brokers known as the junto. Churchmen were only encouraged in their opposition once favour was shown entirely to those who were committed not only to the success of the revolution but also to the exclusion from office of their political enemies.

The centre of the growing high church opposition was Oxford.¹²³ After James II's interference with the college charters it was not surprising that the university had not been a jacobite stronghold at the time of the revolution. But with the flood of heterodox theology which appeared in the last years of the century Oxford placed itself at the head of a high church revival. The attack on modern heresy and the

122. William's inclinations towards Tillotson were known before the deprivation of Sancroft and had driven Compton into opposition before the convocation of 1689. See Edward Carpenter, The Protestant Bishop, Being the Life of Henry Compton, 1632-1713, Bishop of London (London, New York, Toronto, 1956), 140-75; Macaulay, History of England, 3:185-86.

123. See Bennett, "William III and the Episcopate", 124-26.

defence of the church of England became the central issues in the tory opposition to the whig ministry.¹²⁴ It was an issue which appealed to the lower clergy throughout England. They despised the toleration act and were suspicious of William's every glance at the church. Until that hatred was organised, however, it could be of little political significance.

Cornbury was not far from Oxford. Rochester paid regular visits to Christ Church in the sixteen-nineties, where he consulted with dean Aldrich about the publication of his father's History of the Great Rebellion. Burnet later complained that Clarendon also made frequent trips to the university, of which he was a steward; his nonjuring status was no embarrassment at Christ Church where Thomas Turner, brother of the deprived bishop of Ely, was president.¹²⁵ It was from Christ Church that agitation in favour of a sitting and active convocation was begun.

Whether from Oxford or Saint Germain William's enemies offered a similar assessment of the dangers facing the church now that it did not have Mary to offer some little protection.

124. W. R. Ward, Georgian Oxford, University of Politics in the Eighteenth Century (Oxford, 1958), chap. 1.

125. W. G. Hiscock, Henry Aldrich of Christ Church, 1648-1710 (Oxford, 1960, chap. 5; Thomas Fowler, The History of Corpus Christi College with lists of its members (Oxford, 1893), 265-67; "Debates in the House of Lords on 'The Church in Danger', 1705, and on Dr. Sacheverell's Impeachment, 1710", ed. Clyve Jones, The Historical Journal, 19, no. 3 (1976), 766.

The anglicans were not simply in danger of losing the superiority guaranteed to them by law;

Mais quil [sic] sont en danger de voir leur Eglise detruitte, car ils scavent bien, que le Prince d'Orange a esté èleve [sic] presbyterien, et que depuis son usurpation, il n'a que trop fait connoitre ses inclinations, en abolissant l'Episcopat en Ecosse, et en remplissant depuis peu en Angleterre tous les emplois et les charges qui viennent a vaquer, (sans en excepter les [évêques]) de presbyteriens et de Latitudinaires.¹²⁶

Another jacobite account pointed to the triple alliance of dissenters, latitudinarians and whigs, and assumed throughout that they were aiming at a commonwealth.¹²⁷ This latter account began, significantly enough, with the observation that the church of England had the allegiance of the vast majority of Englishmen "(nonjurors as well as jurors)".

With Mary's death and the ascendancy of the whig junto, high tories and jacobites had not dissimilar views of the state of England, and it was in the interest of both groups to promote the cause of the church. Nonjurors joined eagerly in the tory assaults upon the whig ministry and offered their services in the campaign to revive convocation. Issues which could have divided them were ignored. Indeed, knowledge of the new consecrations, which

126. "Memoire de l'estat des affaires en Angleterre" (n.d., but written shortly after Mary's death and for the benefit of Louis XIV): Bodl. MS. Carte 181, fols. 584v-85.

127. "Reflections on the state of England", 15 Oct. 1695: ibid., fols. 591-94.

would have gone a fair distance in nullifying the nonjuror's contribution to the debate on the security of the church under the whigs and William, was kept a dark secret even from so prominent a nonjuror as Henry Dodwell.¹²⁸

Until the jacobites concentrated their efforts upon the defense of the church, their propaganda by definition had been tinged with treason. In the midst of the war there was not a large audience to applaud those, including Leslie, who informed Englishmen that their natural ally was France, and that Holland wanted only to destroy England.¹²⁹ There was fear in many quarters that jacobites were willing to play host to theories of violent resistance and assassination of princes in order to justify their intriguing against a usurper. One angry plotter cited Tertullian and Grotius in support of his claim that "every loyal Subject, tho' a private person, is

128. Dodwell was not informed until 1701. He had assumed that the schism would end with the death of the last deprived bishop. Thomas Ken, deprived bishop of Bath and Wells, informed him that, despite his own reluctance, he had accepted the decision of his brothers that the succession should be continued; "so y^t y^e Controversy, w^{ch} . . . was to end wth our lives, is to be perpetual" Ken to Dodwell, 10 Nov. 1701: Bodl. Ms. Cherry 23, fol. 193. See below, chap. 8.

129. [Charles Leslie], Delenda Cathago [sic], or, The True Interest of England, in Relation to France and Holland (1694). See also The Ballance-Adjusted, 3ff. In Answer to a Book Leslie wrote that the jacobites felt obliged to acknowledge Louis XIV's generous reception of king James. Hickes also objected to criticisms of Louis XIV: see [George Hickes], A Vindication of Some among Our Selves against the False Principles of Dr. Sherlock . . . (London, 1692), 41-5.

a warrantable Minister of Justice" against William.

. . . tis y^e duty of every Loyall Subject that has y^e Courage & y^e opportunity to do it, to rid the world of a Publick Enemy, who has kindled a war all over Europe, & sacrificed more lives of men to his insateable ambition & usurpation, then all your Marius & Syllas, Cesars & Pompys putt together.¹³⁰

Language such as that only strengthened William's position.

The whigs used the attempt on his life in 1696 to push through a bill of association, which recognised him as "rightful and lawful" king and which pledged the members' support of him against James and the pretended prince of Wales.

But only those who had subversive designs would dare to find fault with those who campaigned on behalf of the church established by law. An appeal to the clergy could allow jacobites and nonjurors to participate in English public debate on an equal footing with their opponents. The anger which had surfaced during the convocation of 1689 had been a healthy sign. Burnet blamed Clarendon and his friends for agitating among the clergy and for denouncing as socinians all those who received preferment. The rumour that William was going to abolish episcopacy in England stirred up the universities, "particularly Oxford", and was not allowed to

130. "A Copy of M^r Chernock's letter writt to a friend after his Condemnation": Bodl. MS. Carte 181, fols. 650-55. Charnock was executed in 1696. See Burnet's History, 4: 296-316.

die.¹³¹ The sympathy in favour of Sancroft when he was finally evicted from Lambeth indicated that there could be a response in favour of the beleaguered church.¹³² That strong measures were needed seemed irrefutable after the licensing act expired in 1695 and the kingdom was deluged with heretical tracts. The insolence of the lord mayor of London, who in 1697 rode in state to receive the sacrament in the church of England in the morning and attended a dissenting chapel in the afternoon, was a warning that the dissenters must be kept in check if a de facto comprehension was not to be secured by means of occasional conformity.

It was time to "separat y^e Precious from y^e Vile of our Last Reformation" because "y^e High Places of Sacrilege & Erastianism were not taken away." Such an undertaking would require no small effort. It would, Leslie wrote, require "truly Primitive Labours for y^e support of Unblended Christian Principles."¹³³ Those labours were already being carefully planned.

131. Ibid., 4:50-1, 57-8; Foxcroft, Supplement, 332. See Leslie, The Charge of Socinianism against Dr. Tillotson Considered. . . (1694), Theological Works, (1832), 2:541-669. Clarendon seems to have begun to suspect the leaders of the revolutionary church of England of socinianism as early as 1690: see Cal. Clar. S. P. Bodl., 5:689.

132. Luttrell, Historical Relation, 2:234-35, 238f, 244, 252f.

133. Leslie to [?] T. Tanner, 30 Aug. 1695: Bodl. MS Tanner 24, fol. 61. The letter has been severely damaged.

Leslie's first years in England had made him familiar with the political forces at work after the revolution and had introduced him to the political context in which he would operate for the next two decades. His career as a contributor to the religious and political controversies of the age had only just begun, and his important works lay in the future. These early years were important for that later career because he was becoming familiar with those to whom he would owe his fame. In the early sixteen-nineties Leslie was assessing his divided audience and hoping to draw together its jacobite and high church sections. His several trips to the continent had made him known at Saint Germain as a reliable servant in the Stuart cause, while his travels throughout rural England had introduced him to the clergy as a defender of their endangered church. Leslie's later success as a journalist and propagandist would be derived, as would the success of his contemporary and rival Defoe, from his thorough familiarity with his audience. He would remain successful only for so long as he respected the limits of public debate in post-revolutionary England. Before he defied those limits came years of acclaim.

CHAPTER 3

THE CONTEXT OF LESLIE'S SHORT AND EASY METHOD

In the preceeding chapter the course of the revolution and the years which followed were examined in order to point to the emergence of a political faction which was to make the defense of the Church of England its rallying point. That faction exploited the fears of its audience to obtain political power. But if it enjoyed a measure of success in the first decade of the eighteenth century it was not because it was able to manipulate for its own advantage a terrified audience of its own creation. Virtually all churchmen agreed that England had entered an age of vicious atheism and wilful heresy the end of which would be the destruction of religion and morality. In May 1700 John Evelyn's hopes for a bountiful harvest following the most "glorious" spring in memory were tempered by his unease at the unprecedented growth of atheism and profanity: "most of the youth [& others] Atheist(s), Theists, Arians & Sectaries, which God of his mercy reform".¹ Evelyn's apprehensions were shared by

1. Evelyn's Diary, 5:408. For a general discussion of the threats facing orthodox religion in this period, see John Redwood, Reason, Ridicule and Religion, The Age of Enlightenment in England, 1660-1750 (London, 1976).

many contemporaries who attributed the licentiousness of their age to the inability of authorities in both church and state to withstand the attacks of their enemies.

Charles Leslie established himself very quickly as one of the most indefatigable propagandists of the high-church campaign of the late seventeenth and early eighteenth centuries. That campaign sought to re-assert the authority and privileges of the church of England during the years immediately following the enactment of the toleration bill in 1689 and the lapse of the licensing act in 1695. At this point in the consideration of Leslie's career as a writer involved in the peculiar conflicts of William III's and Anne's reigns, it will be important to discuss the intellectual milieu which helped to shape his religious writings. As a propagandist for the high churchmen Leslie argued that contemporary heresy and contempt for the traditional understanding of revealed religion and the role of the visible church had been encouraged by the collapse of legitimate authority in seventeenth-century England, and that the enemies of the church could be held in check if lawful authority was asserted against them. Leslie the propagandist presented modern heresy to his readers not as the inevitable result of immutable historical forces but rather as a wilful enemy which could be defeated if proper action were taken against it; yet his writings

reveal an awareness of the deeper roots of the challenges facing orthodox religion in his generation.

Most of Leslie's tracts which offer a defence of the traditional doctrine of the church of England date from the latter half of William III's reign. While grappling with problems of theology and attempting to define the proper relationship of church and state Leslie gradually developed the patriarchal argument which was to become his trademark in his celebrated controversies of later years. As did his friend Henry Dodwell, Leslie found that squabbling with heretics was not without its reward; ". . . for in defending Catholic faith against them I find sometimes some notions come into my mind which my cooler thoughts would not so probably have suggested".²

Very little is known about Leslie's activities during these years; indeed, the second half of William III's reign is the most obscure period of his life. He made at least two journeys to Saint Germain between the death of Mary and the accession of Anne,³ and he lived for about a year in London with a quaker family.⁴ But it seems safe to say that

2. Dodwell to Thomas Smith, 22 June 1675: Bodl. MS. Smith 49, fols.119-20.

3. His visit after Mary's death was noted above (chap. 2, p. 89). Another visit took place in Feb. 1702 (H. M. C. Stuart MSS, 4:3-4), which will be considered below, chap. 5.

4. See below, chap. 4.

most of this period was spent either in Oxford or in the nearby Berkshire Village of Shottesbrooke. The house of Francis Cherry, a dedicated nonjuror and jacobite, was located in Shottesbrooke; it was always open to deprived clerics and, according to the biographer of Robert Nelson, it ". . . became a complete hotel for friendship, learning and distress."⁵ In the late sixteen-nineties, Oxford and the surrounding parishes were centres where nonjurors met and planned their campaign for the defence of the church.

There is suggestive evidence that every effort was made to mount a coordinated attack in favour of episcopacy, primitive discipline and the rights of the spiritual jurisdiction. According to the deist Mathew Tindal, late in William's reign, Oxford and Cambridge had taken up a collection to provide Leslie--"this doughty Champion of the Christian Religion against the Deists", "this bungling Journeyman"--with a "Gratuity. . . for doing their proper Work".⁶ A letter to Leslie from Henry Dodwell, deprived

5. C. F. Secretan, Memoirs of the Life and Times of the Pious Robert Nelson (London, 1860), 71. See also G. V. Bennett, White Kennett, 1660-1728, Bishop of Peterborough, A Study in the Political and Ecclesiastical History of the Early Eighteenth Century (London, 1967), chap. 2.

6. [Mathew Tindal], A Detection of the True Meaning and Wicked Design of a Book, intitul'd A Plain and Easie Method with the Deists (London, 1710), 28. In attributing this work to Tindal, I am accepting Leslie's charge that the Detection had been written by the author of Priestcraft in Perfection and The Rights of the Christian Church Asserted:

Camdenian professor at Oxford and a resident at Shottesbrooke, apparently confirms Tindal's belief that Leslie's writings of the late 1690's were encouraged and supported by others. Dodwell urged Leslie to complete his Case of the Regale and of the Pontificate as soon as possible:

When you were pleased to sollicite y^e Undertaking it, I remember you mentioned some, who were pleased wth y^e design, as impatient to have it finished before it could be begun. This makes me wonder y^t it lyes so long neglected. I have had experience of y^e miscarriage of such a design when delayed till it grew stale.

The campaign in favour of convocation was then in full swing, and Dodwell himself "had his hands in so many presses" that he was unable to take on further work.⁸

The nonjurors' primary contribution to the campaign was in the form of treatises and pamphlets. They were able to draw upon some of the most learned minds of their generation, notably George Hickes and Dodwell, whose knowledge of the primitive church was unrivalled. The violation of the spiritual jurisdiction by secular authorities and the widespread contempt for sacerdotal powers offered sufficient proof to the nonjurors that the spiritual

see Leslie, The Short and Easy Method with the Deists Vindicated (1711), L.T.W., 1:123. Tindal also accused certain high-church Oxonians of supporting Leslie's writing in Rights of the Christian Church.

7. Dodwell to Leslie, 1 July 1699: Bodl. MS. Cherry 23, fol. 157.

8. Leslie to [?], 28 May 1700: Bodl. MS. Rawl. c.171, fol. 105.

reform of the nation was essential. They saw their writings as a contribution to that reform, which, they insisted, must take for its model the example of the primitive church. Leslie urged that parochial libraries ought to be established and stocked with books which would teach the growing number of dissenters about their obligations of conscience to the church, of the necessity of baptism for salvation, and of episcopal ordination for the valid administration of the sacraments.⁹ The parish clergy, Dodwell emphasised, had a responsibility to instruct the members of their flocks about their duties as members of "the Ecclesiastical Society" in order to "knit them into one Body among themselves under y^e Minister, but especially y^e Bishop, like y^e Primitive Christians" Primitive discipline, which to the nonjurors meant submission and obedience to spiritual authorities, was to be promoted and maintained by organising the faithful into "Religious Societies & Holy Friendships". That discipline could be both illustrated and reinforced if the members understood properly the duties which parents owed to their children and which children owed to their parents.¹⁰ Dodwell believed that the orthodox church could learn much from "those little Enthusiastick

9. Dodwell to Samuel Brewster, 29 Aug. 1700: Bodl. MS. Cherry 23, fol. 153.

10. Ibid., fol. 154.

sects" which gained followers by promoting an intense feeling of community. That, as much as anything, had contributed to the propagation of the gospel in apostolic times. If those sects could be converted to the church of England, he advised that their communal organisation and worship be retained, with necessary additions to their liturgies to make them doctrinally sound.

Samuel Brewster informed Dodwell that Leslie had "some acquaintance wth y^e Religious Societies". Dodwell urged Leslie "to improve yo[ur] interest among them", and to encourage their reverence for their spiritual superiors as a means of recovering the "Discipline, & y^e Reformation they are so commendably Zealous for."¹¹ He compared these newly-formed English societies to the German pietists and believed them to be "the most likely Instruments in view that I know of for retrieving y^e Independency of Church Power"

The need to reform the church had been recognised by several generations of ecclesiastics; indeed, Leslie inherited his convictions from his family, several members of which had been promoted during Laud's archepiscopal reign. His father had been zealous in promoting and preserving the church in Ireland. He had worked to have restored to the church its alienated lands and had been concerned for the repair and

11. Bodl. MS. Cherry 23, fol. 158.

maintenance of churches in his diocese.¹² While Charles Leslie's father had remained in Ireland during the civil wars and the interregnum, and had taught the doctrine and discipline of the church of England to his family, bishop Henry Leslie, another prominent arminian bishop in Ireland, had joined the royalist forces in England. In 1644 he had exhorted the beleaguered royalists in Oxford to reform their lives in order to atone for the sins of the nation. Gambling, the theatre and luxurious living had provoked the rebellion, Henry Leslie insisted, and "with our humiliation, we must joyne the reformation of our lives"; ". . . so we must testifie, this our repentance by workes of mercy and charity towards the poore" ¹³ The execution of Charles I deepened this sense of national sin and moved a horrified young William Sancroft to write to his father: "--The black act is done, . . . which an age cannot expiate." ¹⁴

Of fundamental importance to the reform of English life in the late seventeenth century was the proper definition

12. See R. J. Leslie, Life and Times of the Right Reverend John Leslie. Bishop Leslie was responsible for the construction of the episcopal palace for the diocese of Raphoe. See above, chap. 2, for the controversy surrounding the building of his chapel at Donagh.

13. [Henry Leslie], A Sermon preached at the Publique Fast the ninth of Feb. in St Maries Oxford . . . (Oxford, 1644), 25, 35, 38.

14. Quoted in D'Oyly, Sancroft, 1:43.

of the grounds upon which men could assent to the truths of Christianity. The recasting of orthodoxy to suit an age in which dissent from it was becoming not simply entrenched but in some sense acceptable led inevitably to discord among its defenders. The church of England had never been comfortable with precise definitions of its theology. Its theological eclecticism was the source of division in the late seventeenth century when the various traditions which had shaped that church separated and hardened into political allegiances.

Seventeenth-century Anglican theologians in general had appealed to both reason and the primitive church in order to confirm "the primacy of Scripture". Leslie was entirely comfortable with that "spirit of Anglicanism" which had maintained those elements in an unequal, though necessary, relationship; the primitive church was a model for the present because, being closer in time, it had understood scripture better and had recognised it as the final arbiter in matters of faith and doctrine.¹⁵ McAdoo argues that this "awareness of a common ground of agreement" became obscured with the formation of parties in the church. Although those parties did not emerge until late in the seventeenth century, their origins may be found during the interregnum when, in the

15. See H. R. McAdoo, The Spirit of Anglicanism, A Survey of Anglican Theological Method in the Seventeenth Century (London, 1965), chaps. 9-10.

face of proscription, Laudians such as Henry Hammond emphasised the visibility and continuity of the church, which had been preserved by the apostolic succession. This Laudian emphasis upon the history of church government and episcopacy was continued after the restoration, and it worked to undermine the "traditional balance of theological method". The revolution and the subsequent deprivation of the nonjurors destroyed what remained of that "awareness of a common ground" which had held together the diverse tendencies of seventeenth-century Anglicanism, "so that High Church and Latitudinarian became descriptions of parties in a way that would have had little or no meaning earlier."¹⁶

Leslie offers a clear illustration of how the division between high churchmen and latitudinarians became irreconcilable only after it came to signify their political allegiances rather than to indicate the emphases of their theology. As a leading high-church propagandist Leslie denounced as heretical latitudinarianism and everything associated with it, and he defended the high churchmen as the only reliable guardians of Christianity in England. Yet Leslie owed as much to the tradition of moderate Anglicanism as did his latitudinarian enemies. Leslie may have used that tradition to attack contemporary advocates of moderation and

16. Ibid., 356-58.

to defend the cause of jure divino episcopacy and the authority of the visible church. The "primacy of Scripture", however, was the central feature of his theology; and near the end of his life he was forced to confess that the theological method of the high churchmen must lead men to scepticism.¹⁷

In 1698 Leslie published what was to become his most famous and influential work. A Short and Easy Method With the Deists was one of the first popular tracts against deism; it remained in print throughout most of the eighteenth and nineteenth centuries, was issued by the Religious Tract Society in 1830, and was translated into French and Spanish.¹⁸ Leslie's aim in this work was to provide rules by which men may know with absolute certainty that the Bible contains an accurate history of mankind since the creation of the world, and that only the Bible offers a true record.

The argument is presented in a letter to a friend who finds himself surrounded by "our modern Men of sense" who

17. See below, chap. 8.

18. The latest edition listed in the British Library catalogue was edited by Sir E. Denny, "illustrated by two diagrams", and was published in 1874. All references in this discussion will be to: Charles Leslie, A Short and Easy Method with the Deists, wherein the Certainty of the Christian Religion is demonstrated by Infallible Proof from Four Rules, . . . L.T.W., 1:1-30. Although Leslie has often been mentioned in passing by historians of deism, the only consideration of his anti-deistical writings is that found in Sir Leslie Stephen, History of English Thought in the Eighteenth Century, 2 vols. (London, 1876; reprint New York, 1962), 1:163-70.

assert that all "pretences to Revelation are cheats, and ever have been among Pagans, Jews, Mahometans, and Christians". Revealed religion, these deists insist, has been founded and encouraged by priests; they believe that mankind could free itself from this conspiracy if it would throw off the "slavish authority of Precedents and Laws" and rely upon reason, which ought to be the only judge "in matters of truth".¹⁹ Leslie agreed to fight the deists on their own ground: he attempted to offer his friend "some short topic of Reason . . . without running to authorities, and the intricate mazes of Learning, which breed long disputes, and which these Men of Reason deny by wholesale" By proving the absolute truth of Christianity in such a manner, he believed that the deists then must "be either obliged to renounce their reason, and the common reason of Mankind, or . . . submit to the clear proof, from reason, of the Christian Religion" ²⁰

Leslie believed that he could prove the truth of the matters of fact recorded in the Bible by applying to them these four rules, or marks:

1. That the matters of fact, be such, as that Mens outward senses, their eyes and ears, may be judges of it. 2. That it be done publickly in the face of the world. 3. That not only publick monuments be kept up in memory of it, but some outward actions to be performed. 4. That such monuments and such actions or observances be instituted,

19. Leslie, Short and Easy Method with the Deists, L.T.W. 1:9-10.

20. Ibid., 1:10.

and do commence from the time that the matter of fact was done.²¹

The first two rules make it impossible for any matter of fact to have been imposed upon men at the time when the event was supposed to have taken place, while the third and fourth make it impossible for fictitious matters of fact to have been imposed upon them after the date of their alleged occurrence. For example, Moses could not have persuaded the Israelites that he had led them out of Egypt through the Red Sea and that they had been fed for forty years "by miraculous Manna"; unless the matter of fact was true, ". . . every Man's senses that were then alive must have contradicted it." The books in which Moses records those events could not have been forgeries of a later age, for in addition to the account of the exodus they contain the laws and statutes of the Jewish nation, and ". . . they speak of themselves as deliver'd by Moses, and kept in the Ark from his time. . . ." If a forgery had been imposed upon the nation at a later time, men could not have been convinced that it was their traditional standing law, any more than a man today could invent laws and persuade Englishmen that they had always been governed by them.²² The matters of fact contained in the mosaic books have been commemorated by certain practices which were instituted at the time of the

21. Ibid., 1:11. 22. Ibid., 1:11-13.

deliverance of the Jews and which have been practised ever since:

As of the Sabbath, their daily Sacrifices and yearly Expiation, their new Moons and several Feasts and Fasts: So that there were yearly, monthly, weekly, daily Remembrances and Recognitions of these things.

God appointed and consecrated the tribe of Levi as His priests in His tabernacle, who alone could approach the altar and offer sacrifices, and who also were His chief judges in civil matters. These instituted observances satisfied the third and fourth rules, Leslie said, unless we are to believe the Jews performed them in memory of nothing or without knowledge of their origin.²³

Leslie shared with other defenders of Anglicanism the belief that the historical accuracy of the Bible had to be upheld if the battle against atheism and scepticism was to be won. They were suspicious of the biblical criticism of the late seventeenth century. Leslie warned against

. . . some Christians who think it no prejudice to the truth of the holy Bible, but rather an advantage, as rendering it more easy to be believ'd, if they can solve whatever seems miraculous in it by the power of second causes; and so to make all, as they speak, natural and easy: Wherein if they could prevail, the natural and easy result would be, not to believe one word in all those sacred Oracles.²⁴

23. Ibid., 1:13-15.

24. Ibid., 1:15.

He singled out Le Clerc's Dissertation upon Genesis, which sought to resolve "into the mere natural causes" the miraculous destruction of Sodom and Gomorrah, and those deists who tried to "salve" the parting of the Red Sea "by a Springtide, with concurrence of a strong Wind, happening at the same time". The discussion of the operation of the world purely from the point of view of secondary causes was an obvious threat to a proper and providentialist understanding of God's governance and eternal vigilance. To Leslie, such accounts did not explain the working of the universe; they merely explained away God's design and encouraged men to disregard His warnings while they pursued their natural inclinations to sin. Jeremy Collier gave a succinct expression of that outrage when he described the reaction of the audience during a performance of Macbeth while the great storm of 1703 was raging:

. . . at the mention of the Chimnies being blown down [Macbeth, II, iii], . . . the Audience were pleas'd to Clap, at an unusual Length of Pleasure and Approbation. And is not the meaning of all this too intelligible? Does it not look as if they had a Mind to out-brave the Judgment? And make us believe the Storm was nothing but an Eruption of Epicurus's Atoms, a Spring-Tide of Matter and Motion, and a blind Salley of Chance? This throwing Providence out of the Scheme, is an admirable Opiate for the Conscience!²⁵

25. [Jeremy Collier], Mr. Collier's Dissuasive from the Play-House . . . (London, 1703), 15. This short work emphasises the main points of Collier's famous and controversial A Short View of the Immorality and Profaneness of the English Stage (London, 1698).

Atomism was attractive to seventeenth-century scientists who found in the ancient theories of Democritus, Epicurus and Lucretius an explanation of natural phenomena based upon the size, shape and motion of bodies a more useful approach to the problems of the physical world than the traditional Aristotelian system of substantial forms and qualities.²⁶ The broader implications of the new mechanical philosophy derived from atomistic notions were not lost upon contemporaries. Edmund Waller expressed in sanguine verse the conclusion which more orthodox men understood and feared:²⁷

Lucretius with a stork-like fate
 Born and translated in a State
 Comes to proclaim in English verse
 No Monarch rules the Universe.
 But chance and Atomes make this All
 In order Democratical
 Without design, or Fate, or Force.

The epicurean belief in an infinite universe composed of finite matter which could be resolved into indivisible atoms

26. See Marie Boas, "The Establishment of the Mechanical Philosophy", Osiris, 10 (1952), passim, esp. 413-33; Edwin Arthur Burtt, The Metaphysical Foundations of Modern Physical Science, revised ed. (New York, 1954), esp. 87f; Robert Hugh Kargon, Atomism in England from Hariot to Newton (Oxford, 1966); Alexandre Koyré, From the Closed Word to the Infinite Universe (New York, 1958); Arthur O. Lovejoy, The Great Chain of Being, A Study of the History of an Idea (Cambridge, Mass., 1936; reprint, 1974), esp. 117ff. Thomas Franklin Mayo, Epicurus in England (1650-1725) (Dallas, 1934), is concerned with the literary side of the revival of atomism.

27. Edmund Waller, poem dedicatory, in John Evelyn, Essay on . . . De Rerum Natura (London, 1656), 3: quoted in Kargon, Atomism in England, 92. Cf. Mayo, Epicurus in England, 49.

acted as a corrosive upon the traditional conception of a finite universe composed of matter which was infinitely divisible. "Out of the finite is generated the infinite", wrote the early-seventeenth-century atomist Thomas Hariot;²⁸ his contemporaries suspected that he and his colleagues had embraced the atheism inherent in their materialistic creed. John Aubrey called Hariot "a Deist", and recorded that he "did not like (or valued not)" the account of creation found in the Bible: "he would say ex nihilo nihil fit".²⁹

Leslie perceived that the new mechanical philosophy encouraged a sceptical view of the Bible. The extraordinary events recorded in scripture could not easily be accommodated within a view of the world which emphasised the regular and orderly course of nature's bodies. Although most seventeenth-century scientists shunned the atheism of ancient atomism and affirmed their belief in biblical miracles, their attempts to preserve a role for divine intervention in a mechanical universe served only to draw attention to the conflict between traditional religion and modern science.³⁰ Other devotees of atomic thoery were less concerned to preserve the biblical

28. Quoted in Kargon, Atomism in England, 25.

29. Aubrey's Brief Lives, 3rd edition, ed. Oliver Lawson Dick (London, 1958), 123. For contemporary reaction to Hariot and other atomists, see Kargon, Atomism in England, passim.

30. See Richard S. Westfall, Science and Religion in Seventeenth-Century England (Ann Arbour, 1973; orig. published, 1958), chap. 4.

record. Accepting the epicurean assumption that man seeks pleasure and avoids pain and fear, they were convinced that an understanding of science could free men from irrational fears. Fear caused men to suppose the existence of gods, according to Democritus; and Epicurus had held that fear originated in the confusions and mixtures of sensory perceptions, which were the source of all our knowledge.³¹

Such ideas encouraged Thomas Hobbes to insist that if anything in scripture appears to contradict our own sensory experience or natural reason, ". . . the fault is either in our unskilful Interpretation, or erroneous Ratiocination."³² The Bible, then, if it was to be interpreted skilfully, had to be subjected to critical examination. After studying its "Books, Writers, Scope and Authority", Hobbes concluded that Moses could have written only part of the Pentateuch and that most of the other books of the old testament had been written long after the times of which they spoke.³³

Leslie's defense of biblical literalism was in part a reaction against the mechanical interpretation of the natural

31. See Leo Strauss, Spinoza's Critique of Religion, trans. E. M. Sinclair (New York, 1965), 38ff.

32. Thomas Hobbes, Leviathan, or The Matter, Forme, & Power of a Common-Wealth Ecclesiastical and Civill (1651), ed. C.B. Macpherson (Harmondsworth, 1968), 409-10.

33. Ibid., chap. 33.

world. To religious conservatives of his day, that interpretation was seen as supplying a metaphysic for the most widespread form of contemporary heresy, namely, socinianism. By the late seventeenth century, the term "socinianism" did not represent so much a particular sect as it did a general tendency among leading protestants. Leslie, for example, was not using it simply as an all-purpose label of abuse when he charged archbishop Tillotson and bishop Burnet with socinianism.³⁴ Socinians exalted and even proclaimed the supremacy of human reason in religion; their insistence that right reason and divine truth must agree led them to offer "forced" explanations of scripture. Their emphasis upon reason was at the root of their denial of the doctrine of the trinity, which, they believed, was both contrary to right reason and without scriptural foundation. Indeed, they were generally suspicious of the niceties of orthodox Christian doctrine; Christianity, for them, was primarily a code of ethics and Christ, Who was divine only in function but not in nature, was fundamentally a great moral teacher.³⁵ Throughout the seventeenth century defenders of the church had warned of the social chaos which would result from the socinian

34. See below, chaps. 4 & 8.

35. See H. J. McLachlan, Socinianism in Seventeenth-Century England (London, 1951), esp. 11ff.

rejection of such doctrines as the trinity, the atonement and original sin.³⁶

Biblical criticism, Leslie understood, was usually taken up by those who wished to undermine Christian doctrine and human society. Spinoza, for example, went much further than Hobbes in his investigations of chronology and the authorship of the books of the Bible.³⁷ He, in turn, had been influenced by Isaac de la Peyrère, a Bordeaux calvinist whose ancestors had been converted from Judaism. La Peyrère's speculations about the beginnings of mankind were to have a momentous impact in England.³⁸ Indeed, the implied historical proof of whig political theory which was inherent in la Peyrère's work encouraged Leslie to develop patriarchal theory as his response to whig ideas; it also convinced him that a reply to the whigs must be preceded by a defence of the Bible as an accurate history of mankind since the creation.

In the 1640's la Peyrère wrote several tracts, including his Prae-Adamitae³⁹ and Systema theologium, ex

36. See Christopher Hill, Milton and the English Revolution (Harmondsworth, 1979), chap. 23.

37. Benedict Spinoza, A Theologico-Political Treatise (1670), Works of Spinoza, trans. R. H. M. Elwes, 2 vols. (New York, 1951, 1955), 1:chaps. 7-12.

38. On la Peyrère, see David Rice McKee, "Isaac de la Peyrère, a Precursor of Eighteenth-Century Critical Deists", Publications of the Modern Language Association, 59 (1944), 456-85. A much abler discussion of his writings is found in Strauss, Spinoza's Critique of Religion, chap. 3.

39. The full title is: Prae-Adamitae, Sive Exercitatis super

Praeadamitae hypothesis. When they were published in 1655 they immediately went through several editions and translations, including an English version.

La Peyrère used anthropological and historical evidence to argue that the Bible offered a history only of the Jewish nation. He denied that Moses had been the sole author of the Pentateuch and that the events recorded there applied to any other part of the world beyond Palestine. He ridiculed those modern Europeans who traced their nations from the division of the world after the deluge, for he claimed that the flood had covered only Palestine and that only Palestine had been divided among Noah's children.⁴⁰

La Peyrère's central point was that there must have been men before Adam, for St. Paul speaks of a time when sin and death were in the world but did not reign. He cited the recent discovery of unknown peoples as well as the ancient accounts of the Chaldeans, Egyptians, Ethiopians and Scythians. La Peyrère offered his pre-adamite hypothesis in order to re-interpret St. Paul's epistle to the Romans in favour of his own conviction that the mosaic law had nothing to do with salvation.⁴¹ His view of the pre-adamite world was that it

versibus duodecimo, decimotertio, et decimoquarto, capituli
quinti Epistolae D Pauli ad Romanos. Quibus inducuntur Primi
Homines ante Adamum conditi.

40. Don Cameron Allen, The Legend of Noah, Renaissance Rationalism in Art, Science and Letters (Urbana, 1963), 135.

41. La Peyrère's socinianism is noted in Strauss, Spinoza's Critique of Religion, 65-7.

had been a time when reason had ruled and when the knowledge of God and the laws of nature had been written in all men's hearts. Indeed, as Strauss writes, "the human condition before Adam was the state of nature."⁴² And Spinoza emphasised:

The state of nature must by no means be confounded with a state of religion, but must be conceived as without either religion or law, and consequently without sin or wrong: this is how we have described it, and we are confirmed by the authority of Paul.⁴³

Spinoza believed that the essence of religion ". . . is chiefly moral, like the whole of Christ's doctrine, [and it] can readily be apprehended by the natural faculties of all."⁴⁴ The only aim of the doctrine found in scripture is to teach obedience; since ". . . obedience to God consists solely in love to our neighbour--for whosoever loveth his neighbour, as a means of obeying God, hath, as St. Paul says (Rom. xiii,8), fulfilled the law,--" Spinoza concluded "that the worship of God consists only in justice and charity, or love towards one's neighbour."⁴⁵

Leslie was undoubtedly familiar with Spinoza's dangerous writings, for they had been available in an English translation since 1689 and had been publicised by

42. Ibid., 78.

43. Spinoza, Theologico-Political Treatise, Works, 1:210.

44. Ibid., 1:162.

45. Ibid., 1:chaps. 12-14.

deists.⁴⁶ He was certainly familiar with la Peyrère, for Charles Blount's Oracles of Reason (1693), parts of which defended Thomas Burnet's Archaeologia philosophicae (1693), contained long sections taken directly from the Prae-Adamitae and the Systema theologicum.⁴⁷ Leslie was particularly incensed by "the execrable Mr. Blount", whom he sought to answer in the Short and Easy Method with the Deists.

Leslie's four marks were framed as a response to contemporary biblical criticism, which saw in scripture nothing more than allegories suited to primitive capacities and which rational men could not accept as literal truths. For Leslie, the matters of fact recorded in the Bible had to be proved true, for

. . . I suppose, that the truth of the doctrine of Christ will be sufficiently evinced, if the matters of fact, which are recorded of him in the Gospels, be true; for his miracles, if true, do vouch the truth of what he delivered.

The same is to be said as to Moses. If he brought the children of Israel through the Red-Sea, in that miraculous manner, which is related in Exodus, and did such other wonderful things as are there told of him, it must necessarily follow, that he was sent from God⁴⁸

46. Rosalie L. Colie, "Spinoza and the Early English Deists", Journal of the History of Ideas, 20, no. 1 (Jan. 1959), 23-46.

47. For la Peyrère's influence on Blount and Burnet, see McKee, "Isaac de la Peyrère", 474-76. It is perhaps unfair of McKee to accuse Blount of plagiarism since the Oracles were compiled from his private papers and published after his death: see below, n. 53.

48. Leslie, Short and Easy Method with the Deists, L.T.W. 1:10.

Both Moses and Christ had to be rescued from accusations that they had been able to perform wondrous deeds because they had learned Egyptian magic. Several years later Leslie testified that he had received information that Anthony Collins, John Toland "and other free-thinkers"

. . . are in quest of some fine old Manuscript, which will prove that Jesus was thirty years in AEgypt, and more skill'd in all the learning of the Country than Moses: and that they both did their Miracles by Magick.⁴⁹

In earlier years, Blount had presented to English readers Philostratus's life of Apollonius of Thyana, an ancient magus whose wonders had rivalled Christ's.⁵⁰ The "Preface" to the Short and Easy Method with the Deists is dedicated to undermining Philostratus's evidence because it could not meet the test of Leslie's four rules.

Blount had made a career of spreading dangerous ideas and he proudly acknowledged his debt to lord Herbert of Cherbury, Hobbes and Spinoza.⁵¹ The purpose of all his works was to

49. Charles Leslie, The Short and Easy Method with the Deists Vindicated (1711), L.T.W., 1:124.

50. Charles Blount, The first two books of Philostratus, concerning the life of Apollonius Tyanaeus (London, 1680). See D. P. Walker, The Ancient Theology, Studies in Christian Platonism from the Fifteenth to the Eighteenth Century (Ithaca, N. Y., 1972), 60, 219; and his Spiritual and Demonic Magic from Ficino to Campanella (London, 1958), 147-48. Cf. Frances A. Yates, The Art of Memory (Chicago, 1966), 42-43.

51. On Blount, see J. A. Redwood, "Charles Blount (1654-93), Deism, and English Free Thought", Journal of the History of Ideas, 35, no. 3 (July-Sept., 1974), 490-98. See also John Leland, A View of the Principal Deistical Writers that have Appeared in ENGLAND in the last and present Century . . . Third Edition, Improved, 2 vols. (London, 1757), 1:37-43.

execrate the "crafty and covetous Sacerdotal Order" which had "introduced Fables and Fictions of their own coining", insisting that men lacked the natural ability to receive and interpret God's word. Before the people had been seduced by the ceremonies, sacrifices and pretended revelations of priests, Blount believed, ". . . there was no worship of God but in a rational way . . ." when philosophers had taught virtue and piety and had been examples to the people.⁵² He admitted that Philostratus "magnifies" Apollonius, but he refrained from condemning the leaders of ancient paganism because they had imposed upon "the Predominant Frailties of the Vulgar Sort, in a thing they judg'd of no more Concern, than a Temporal Convenience."⁵³ Blount held a Brunian belief in the infinity of the universe and the plurality of worlds; and he insisted that motion was essential to matter and that

52. Charles Blount, Great is DIANA of the EPHESIANS: or, The Original of Idolatry, . . . (1680), 3, in The Miscellaneous Works of Charles Blount, Esq. . . To which is prefix'd the Life of the Author, and an Account and Vindication of his Death (London, 1695).

53. Charles Blount, The Oracles of Reason (1693), "The Preface", in Miscellaneous Works. The Oracles consist of a number of Blount's private papers; the work was compiled and published after his suicide in 1693 by Charles Gildon, who was also responsible for the Miscellaneous Works and the life of Blount. See Leland, View of the Principal Deistical Writers, 1:38-9, 42-3; Biographia Britannica, 2:830. Gildon later recanted his deism; he claimed that Leslie's short and easy method had converted him to Christianity. See Charles Gildon, The Deist's Manual: or, A Rational Enquiry into the Christian Religion (London, 1705), to which was added a letter (dated 17 July 1704) from Leslie.

the soul was a material substance.⁵⁴

Blount offers a rather crude example of what Margaret Jacob has described as the "rationalisation" of the hermetic and mystical cabalistic traditions into a "hylozoic natural philosophy devoid of mystical symbolism".⁵⁵ Those traditions which had invigorated renaissance neoplatonism taught that, through magic resulting from his contact with the angelic spheres, man as magus has the ability to dominate and control nature and to return to a state of adamic purity.⁵⁶ Those traditions had also encouraged a reconciliation of the Judeo-Christian revelation with the ancient theology of Moses, Hermes Trismegistus, Orpheus, Pythagorus, Plato and other prisci theologi.⁵⁷ Neoplatonists discovered the universality of God's word through an interpretation of Christian and pagan mysteries and allegories.⁵⁸ Free thinkers of the

54. Blount, Oracles of Reason, 178ff.

55. Margaret Candee Jacob, "John Toland and the Newtonian Ideology", Journal of the Warburg and Courtauld Institutes, 32 (1969), 313. Cf. Keith Thomas, Religion and the Decline of Magic, Studies in Popular Beliefs in Sixteenth- and Seventeenth-Century England (Harmondsworth, 1973), 267-68.

56. See the important studies by Frances A. Yates, particularly her Giordano Bruno and the Hermetic Tradition (London, 1964); "The Hermetic Tradition in Renaissance Science", Art, Science and History in the Renaissance, ed. Charles Singleton (Baltimore, 1967), 255-74; and The Rosicrucian Enlightenment (London, 1972; reprint 1975).

57. See Walker, Ancient Theology and Spiritual and Demonic Magic.

58. On the importance of allegory, see Walker, Ancient Theology,

late seventeenth century preferred to believe that that universal truth was written in all men's hearts and was not hidden in a sacerdotal fog. What for one age had been an aid to an appreciation of the immanence of God was for the next proof of the ubiquity of a priestly conspiracy to hide His word.

Leslie and other churchmen believed that those free thinkers had gathered themselves into secret societies for the encouragement and propagation of their blasphemous and radical ideas. In the Short and Easy Method with the Deists Leslie denounced the "Theistical Club", which proved its depravity by justifying Blount's suicide.⁵⁹ He was later to condemn the notorious Calves-Head club, which was rumoured to have been founded by "Milton, and some other Creatures of the Commonwealth" in opposition to those divines who had observed the anniversary of Charles I's martyrdom.⁶⁰ This club

85-104. For the reaction against it, see Frank E. Manuel, The Eighteenth Century Confronts the Gods (New York, 1967), 24-33. See also Rosalie L. Colie, Light and Enlightenment, A Study of the Cambridge Platonists and the Dutch Arminians (Cambridge, 1957), chap. 5, esp. 79-80.

59. Leslie, Short and Easy Method with the Deists, L.T.W., 1:24. Leslie claimed that several members had "horribly practis'd" self-murder.

60. The Secret History of the Calves-Head Club, 4th ed. (London, 1704), 9. This pamphlet has often been attributed to Ned Ward; he undoubtedly had some role in its production, but he had collaborators. See Howard William Troyer, Ned Ward of Grubstreet, A Study of Sub-Literary London in the Eighteenth Century (Cambridge, Mass., 1946), 113-15; cf. Robert J. Allen,

continued to hold annual meetings on 30 January,⁶¹ and Jacob believes that it was among its members that John Toland circulated Giordano Bruno's Spaccio della bestia trionfante.⁶² Concerned churchmen were worried about the activities and influence of these religious and political radicals. On 11 December 1693 Humphrey Prideaux wrote from Norwich:

I find the Republicians in these parts openly sedulous to promote atheisme, to w^{ch} end they spread themselves in coffee houses and talk violently for it, and Dr Burnets Archaologia [sic] is much made use of by them to confute y^e account y^e Scriptures give us of y^e creation of y^e world, and other books are also dispersed for this purpose, and y^e number of their proselytes I am assured is great. You see where licentiousnesse and confusion at last end.⁶³

The Clubs of Augustan London (Cambridge, Mass., 1933), 56-69. Leslie attacked the club in A Case of Present Concern, In a Letter to a Member of the House of Commons (London, 1703) and The New Association of those Called Moderate-CHURCHMEN, with the Modern-Whigs and Fanaticks, to UNDER-MINE and BLOW-UP the present Church and Government (London, 1705), 13.

61. For a vivid description of a meeting of the club in 1693--with its "lewd and profane" "railing at Monarchy, and blaspheming the memory of King Charles the Martyr", together with its mock-religious ritual--see Samuel Wesley, A Defense of a Letter Concerning the Education of Dissenters in their Private Academies (London, 1704), 4-5. Allen (Clubs of Augustan London, 59) believes that Wesley's testimony is reliable; see also Troyer, Ned Ward, 116.

62. Jacob, "John Toland and the Newtonian Ideology", 314. She also believes that the third earl of Shaftesbury was a member of the Calves-Head club.

63. Letters of Humphrey Prideaux, sometime dean of Norwich, to John Ellis, sometime Under-Secretary of State, 1679-1722, ed. Edward Maunde Thompson. The Camden Society, new series, 15 (London, 1875; reprint New York, 1965), 162-63. For the background to the fears expressed by Prideaux, see G. E. Aylmer, "Unbelief in Seventeenth-Century England". Puritanism and Revolutionaries, Essays in Seventeenth-Century History presented to Christopher Hill, eds. Donald Pennington and Keith Thomas (Oxford, 1978), 22-46.

In the face of what appeared to be an organised conspiracy to subvert revealed religion, Leslie attempted to provide a means by which Christian revelation could be isolated from superstition and defended on rational grounds. His defence of Christianity was influenced by, among others, the latitudinarian divine, Edward Stillingfleet, who had been the first Englishman to take up his pen against deism.⁶⁴ Stillingfleet's Origines Sacrae (1662) had been aimed against epicurean ideas and la Peyrère's pre-adamite hypothesis. From that work and other writings of Anglican divines Leslie was encouraged to develop his four rules which would demonstrate as true the matters of fact recorded in scripture. History, Stillingfleet believed, can provide sufficient proof to establish matters of fact; to doubt that would be to surrender to scepticism:

. . . either we must destroy all Historical Faith out of the World, and believe nothing (tho' never so much attested) but what we see our selves, or else we must acknowledge, that a Moral certainty is a sufficient foundation for an undoubted assent, not such a one cui non potest subesse falsum, but such a one cui non subest dubium, i.e., an Assent undoubted, tho' not infallible.⁶⁵

64. See Robert Todd Carroll, The Common-Sense Philosophy of Religion of Bishop Edward Stillingfleet, 1635-1699 (The Hague, 1975), and Richard H. Popkin, "The Philosophy of Bishop Stillingfleet", Journal of the History of Philosophy, 9 (1971), 303-19.

65. Edward Stillingfleet, Origines Sacrae: or, a Rational Account of the Grounds of Natural and Reveal'd Religion, The Works of that Eminent and most Learned Prelate, Dr. Edw. Stillingfleet, Late Lord Bishop of Worcester. Together with His Life and Character, 6 vols. (London, 1710), 2:69.

We know that miracles were wrought because there were witnesses to them, and we may distinguish true from false miracles if they serve to confirm God's word and turn people to Him,⁶⁶ and if they are obviously in excess of the power of nature.⁶⁷

Stillingfleet is here merely representative of what was becoming the church of England's standard response to critics of the history recorded in scripture. The method would culminate at the end of the eighteenth century in William Paley's Evidences of Christianity; but by that time it had been mocked by Hume, whose On Miracles professor Popkin says can be read as "the reductio ad absurdum" of Stillingfleet's approach.⁶⁸ Yet it was a persuasive vindication of Christianity to some of the leading minds of the late seventeenth century. Robert Boyle, for instance, eagerly and expansively offered a rational proof for Christianity drawn from miracles. Boyle objected to Spinoza's pantheistic determinism;⁶⁹ he saw

66. Stillingfleet denounced the wonders of Simon Magus ("who far out-went Apolonius Tyanaeus") because his miracles were intended "to raise an admiration of himself". Ibid., 2:222.

67. See Carroll, Common-Sense Philosophy, 74.

68. Popkin, "Philosophy of Bishop Stillingfleet", 304. See Stephen, History of English Thought, 1:169-70, 343-56.

69. See Spinoza's discussion of miracles in Theologico-Political Treatise, chap. 6, Works, 1:81-97. Spinoza held that nature "preserves a fixed and immutable order" and that "her laws are broad enough to embrace everything conceived by the Divine intellect"; "it most clearly follows that miracles are only intelligible as in relation to human opinions, and merely mean events of which the natural cause cannot be explained by a reference to any ordinary occurrence, either by

miracles as offering proof of God's free will. The problem was to distinguish between divine and diabolical miracles: God would not perform a miracle which would pervert men from true religion; as a trial of men's faith and constancy, however, He may allow devils to perform wondrous deeds in opposition to Christian doctrine.⁷⁰ Boyle noted some "Circumstances to be consider'd in the Miracles at Pentacost". As Leslie, he believed the biblical record could be accepted as true because the evidence for it is overwhelming. A miracle must have occurred at a certain time at a specific place, Boyle asserted, if the record of it was set down immediately afterwards by an individual who had no interest in concocting a false record and if his testimony could be verified by that of other witnesses.⁷¹ Archbishop Tillotson, the very last churchman on earth from whom Leslie would consent to learn anything, also argued that the truth of Christian doctrine, as recorded in the Bible, was confirmed by "so many and unquestionable miracles" which had been recorded by reliable witnesses whose

us, or at any rate, by the writer and narrator of the miracle." Cf. The Ethics, Pt. 1, Props. 29, 33, Works, 2:68, 70.

70. See "Hitherto unpublished works of Robert Boyle relating to Spinoza and the discussion of miracles", which appear in seven appendices to Rosalie L. Colie, "Spinoza in England, 1665-1730", Proceedings of the American Philosophical Society, 107, no. 3 (June 1963), 211-19.

71. Ibid., 217 (Appendix v. Royal Society, Boyle Papers III, fol. 106).

accounts have "been transmitted to posterity, in publick and authentick records. . ." ⁷² This method of vindicating Christianity, though it was to become especially characteristic of the latitudinarian school, could also claim a Laudian heritage. During the interregnum, Henry Hammond concluded that reason may be used to judge evidence which has been "represented to the Senses" if one witness's account can be verified by the testimony of other witnesses "because such a concurrence of Testimonies agrees to tell me so much as I have no Motive or Reason to disbelieve, and this is humane Faith". ⁷³ In other words, this type of argument had appealed, originally at least, to various shades of Anglican opinion.

Leslie's method, then, belongs within the tradition of Anglican apologetics which sought to vindicate Christianity by arguing that the evidence recorded in scripture was true, and that because the recorded facts could be proven to be true the doctrines which they revealed were undeniable. Leslie's method is noteworthy not, certainly, because it was unique but

72. The Works of the most Reverend Dr. John Tillotson. . . published by Ralph Barker D. D., Chaplain to his Grace, 2 vols. 2nd ed. (London, 1717), 2:466; cited in J. O'Higgins, "Archbishop Tillotson and the Religion of Nature", Journal of Theological Studies, new series, 24, pt. 1 (April 1973), 130-31.

73. See the discussion of Hammond's Of the Reasonableness of Christian Religion (1650) in Packer, Transformation of Anglicanism, 56-58.

because it helps to place him within the context of Anglican apologetics. Although, as has been noted, certain Laudians may have used such an argument, by Leslie's day it had become associated with low churchmen; and it remained exclusively in those circles in the eighteenth century. High churchmen of the late seventeenth century found solace not so much in vindicating the facts set down in scripture as in affirming the authority of the church, whose peculiar function it was to preserve divine truth. Prominent high churchmen such as Thorndike, Pearson and Dodwell defended the church of England of their day by emphasising the continuity of the visible church from primitive times. Their fundamental interest was the primitive church, not the time during which the events recorded in scripture had actually taken place; Dodwell even argued that the proper form of church government and the final "Canon of the New Testament" had not been "settled" until the second century.⁷⁴ But if their basic concern was the authority and constitution of Christ's church, they were, in a sense, responding to the same challenge which produced those arguments about the scriptural evidences for Christian

74. See George Every, "Dodwell and the Doctrine of Apostolic Succession", Theology, 55 (1952), 412-17. For Burnet's dislike of Dodwell's theology and his charge that his "extravagant notions" were popular with the lower clergy, see Burnet's History, 6:124-25, 194-95. And see below, chap. 5 and 8.

doctrine. Leslie's generation experienced an unprecedented growth of freethinking and challenges both to the veracity of the scripture and the authority of the church. George Every perceptively recognised that "the High Church craving for a visible, tangible, tactual succession was in part an expression of the whole age's desire for external, sensible evidences of Christianity, which could be put to the proof".⁷⁵ Leslie professed his allegiance to the high churchmen but, in fact, he was not comfortable with their increasingly historical approach to theological questions. His short and easy method was really an affirmation of the high church doctrine while at the same time an expression of his reservations about the historical method which vindicated that doctrine; just as his later patriarchal theory was a justification of the high church concept of episcopacy which made unnecessary the historical scholarship on which it was based.⁷⁶ In both cases Leslie was affirming the purely scriptural warrant for the authority of the visible church and priesthood. He adopted the method which was gradually becoming the standard response of the increasingly influential latitudinarian school and made it argue on behalf of the high church party.⁷⁷ The sacraments and the priesthood

75. Every, High Church Party, 132.

76. See below chap. 8.

77. Sir Leslie Stephen (History of English Thought, 1:165-66) recognised that Leslie "arranged [his four marks] in such a manner as to be specially suitable to sacramental and sacerdotal theories".

descending through the apostolic succession were the "publick monuments" kept in memory of the matters of fact perceived by the outward senses of the scriptural witnesses.

Leslie's opponents did not object to his short and easy method until he began his fullscale assault upon the whigs by using the four rules to establish partriarchal theory. In 1705 he spent successive issues of his Rehearsal refuting Locke and arguing the patriarchalist case; finally, on 25 August, the "Rehearser" led his "Country-man" through a dialogue which was intended to illustrate how the succession of the first born and the species of government are "further Demonstrated by the four Rules in The Short Method with the Deists: And shew'd to be Infallible".⁷⁸ The next year--almost a decade after the Short and Easy Method with the Deists had been published--the first attack on it came from Jean Le Clerc, friend and defender of Locke, in an article on Jewish feasts and their origins. Le Clerc did not refute Leslie; he simple noted, without naming him, that he was a poor historian with ulterior motives:

Il est bon de remarquer cela, contre certaines personnes, pleines d'un zele aveugle, pour ne rien dire de pire, & peu versées dans l'histoire; qui se servent de ces fêtes, pour prouver la verité des Legendes; ou même la verité des Histoires Saintes, qui n'ont pas besoin de cette sorte de preuves équivoques, dont le Mensonge se prévaut, aussi bien que la Verité. Il y a je ne sai qui, qui méprise les meilleures preuves du Christianisme, en comparaison

78. Rehearsal, 1, no. 57 (25 August 1705).

de celle-là, je ne sai à quel dessein; mais je soupçonne beaucoup, que ce ne soit pour etablir des traditions trompeuses, & les éгалer aux dogmes les plus assurez du Christianisme, dan la Vuë d'en profiter. Les discours seditieux, calomnieux & violens de cet homme ne permettent pas que l'on ait meilleure opinion de lui. Il n'est pas besoin, que je désigne davantage cet Auteur, qui cherche de la reputation à attaquer ceux qui croiroient flétrir la leur, s'ils s'amusoient à perdre leur tems a lui répondre.⁷⁹

Le Clerc's veiled hints about Leslie's intentions were stated explicitly by the author of a tract entitled A Detection of the true Meaning and wicked Design of a Book, entitled A Plain and Easy Method with the Deists; wherein it is proved that the Author's (Lesley) FOUR MARKS are the Marks of the Beast, and are calculated only for the cause and service of Popery.⁸⁰

Leslie's first reaction to the Detection was that it was simply "Grubstreet, wrote by some impotent Whigg or Dissenter". After reading it, however, "I was filled with horror and amazement, to see Christ our Lord not only blasphemed but ridiculed, and the truth of his facts and of the Gospel, put into a lower class of Probabilitye than the most senseless Legends either of the Papists or the Heathens."⁸¹ Soon after

79. Jean Le Clerc, Bibliothèque Choisie, pour servir de suite a la Bibliothèque Universelle, Tome 8 (Amsterdam, 1708), 394-95.

80. For Leslie's belief that Tindal had written this pamphlet, see above, n.6.

81. Leslie, Short and Easy Method with the Deists Vindicated, L.T.W., 1:115.

he offered four additional rules to strengthen his demonstration of the truth of Christianity. They are significant, even though they merely emphasise and elaborate upon points he had made in The Short and Easy Method with the Deists.

The fifth rule was "that the Book which relates the Facts contain likewise the law of that People to whom it belongs, and be their Statute Book by which their causes are determin'd."⁸² The law had been given to the Jews as their municipal law, and it was peculiar to them. Because Christianity was not restricted to one nation the gospel was not intended to be the municipal law for Christians, for that would mean that Christians must rebel against the various temporal governments which ruled them. "But the Gospel was given as the spiritual and ecclesiastical Law to the Church whithersoever dispersed through all Nations; for that did not interfere with their temporal Laws, as to civil Government."⁸³ Leslie believed that no forgery could have been imposed because the gospel was dispersed among all Christian nations and peoples; such a forgery would have been detected immediately, unless we suppose that all Christians in all nations had been part of that conspiracy.

82. Charles Leslie, The Truth of Christianity Demonstrated in a Dialogue Betwixt a Christian and a Deist. Wherein the case of the Jew is likewise consider'd (1711), L.T.W., 1:138.

83. Ibid., 1:139.

The sixth mark was that "the great Fact of Christ's coming into the world was prophesy'd of in the Old Testament from the beginning to the end . . ."; while the seventh urged that not only prophecies, ". . . but also types, resemblances, and exhibitions of the fact, in outward sensible institutions [were] ordain'd as Laws from the beginning, and [were] to continue till the fact they prefigur'd should come to pass." The eighth, and final, mark concerned "the Truth and Sincerity of the Pen-Men of Scriptures, and what Interest they cou'd have in setting up these things if they had been false".⁸⁴ Leslie's discussion of these three marks occupies almost all of The Truth of Christianity Demonstrated. They are significant in that they illuminate not only Leslie's thought but also the enemy against whom he was chiefly writing.

John Toland charged that natural religion had been obscured at the founding of Christianity because

. . . the Jewish Rabbies, divided at that Time into Stoick, Platonick, and Pythagorean Sects, &c. did, by a mad Liberty of Allegory, accomodate the Scriptures to the wild Speculations of their several Masters. They made the People, who comprehended nothing of their Cabalistical Observations, believe 'em to be all profound Mysteries: and so taught 'em Subjection to Heathenish Rites, whilst they set the Law of God at nought by their Traditions.⁸⁵

84. Ibid., 1:140, 154, 163.

85. [John Toland], Christianity Not Mysterious . . . (London, 1696), xxi-xxii. On Toland, see especially Jacob, "John Toland and the Newtonian Ideology". See also F. H. Heineman, "John Toland and the Age of Reason", Archiv für Philosophie, 4

The natural moral law, said Toland, had been discovered by the heathens, not by virtue of their heathenism, but by "the Light of Reason". That light had been dimmed by those who had "entertain'd designs against the Liberty of Mankind", that is, by priests who had appreciated that the chief cause of superstition is the "fluctuating of mens Minds between Hope and Fear". By enslaving men's reason they had enhanced their own power and prestige.⁸⁶ Christ's mission had been to restore natural religion. Toland argued that Christianity is ". . . an Institution design'd to rectify our Morals, to give us just Ideas of the Divinity, and consequently to extirpate all superstitious Opinions and Practices."⁸⁷ But after the first century Christianity degenerated into "mere Paganism". Ceremonies crept in and the old heathen superstitions were imposed again by priests who set themselves up as the only mediators between God and men, and who succeeded in separating themselves into "a separate and politick Body, tho not so soon into their various Orders and Degrees,"⁸⁸

(1950-52), 35-66; H. F. Nicholl, "John Toland: religion without mystery", Hermathena, 100 (Summer 1965), 54-65; Franco Venturi, Utopia and Reform in the Enlightenment (Cambridge, 1971), 49-67; Leland, View of the Principal Deistical Writers, 1:43-47.

86. John Toland, Letters to Serena . . . (London, 1704), 78.

87. Ibid., 128.

88. Toland, Christianity Not Mysterious, 168-71.

The essential point for Toland was that the moral content of natural religion is discoverable by reason, not by revelation, and that it had been known to the ancients before they had been enslaved by priests.

Toland was excited about the religion of the ancient Egyptians, whose magi had discovered astronomy and astrology and who had taught the ancient world about the soul's immortality, that is ". . . the eternal Revolution of Forms in Matter, those ceaseless Vicissitudes and Alterations, which turn every thing into all things, and all things into any thing" ⁸⁹ In this he was influenced by Giordano Bruno, who had enthused about the Egyptians, whose religion had preceded the religions of the Greeks, the Hebrews and the Christians. They

. . . were not ignorant that One is the divinity which is in all things, which, as it diffuses and communicates itself in innumerable ways, so it has innumerable names, and by innumerable ways, with reasons proper and appropriate to each one, it is to be sought, whilst with innumerable rites it is honoured and cultivated, by which we seek to obtain innumerable kinds of favours from it. ⁹⁰

God, in short, "is in all things": nature is permeated with the one divinity.

As freethinkers were rationalising the hermetic tradition into a hylozoic naturalism, so Leslie tried to rid Christian platonism of its pagan accretions. Only Christian

89. Toland, Letters to Serena, 57.

90. Giordano Bruno, Spaccio della bestia trionfante, dial. 3: quoted in Yates, Giordano Bruno, 211-14.

history recorded in scriptures could meet the test of his rules. But Leslie did not conclude that no other evidence could be mustered in the defence of Christianity. He was indebted to that platonic tradition which claimed that the theology of the ancient pagans had grasped certain fundamental religious truths.⁹¹ But knowledge of these truths was derived, he argued against the deists, from revelation rather than from "the Light of Reason". Pagans may have forgotten the source of their knowledge of the moral law which was expressed in their allegories and fables; but God had originally revealed His law to the world through Adam, and later through Noah, the common fathers of all mankind.⁹² Leslie, then, willingly appealed to pagan authorities, but made certain that those authorities did no more than confirm the evidence of scripture.⁹³ Thus, after discussing the old testament prophecies of Christ's coming, Leslie considered the evidence from the Chaldeans,

91. D. P. Walker, The Decline of Hell, Seventeenth-Century Discussions of Eternal Torment (Chicago, 1964), 15. Walker has discussed this tradition more fully in the various essays collected in his Ancient Theology (see above pp.123-24).

92. Cf. Dodwell to John Falconer, 27 Feb. 1710/11: Bodl. MS. St. Edmund Hall 14, fols. 48-49, and George Hickes Two Treatises, One of the Christian Priesthood, The Other of the Dignity of the Episcopal Order. . . (London, 1707), xlvii.

93. See especially, Leslie, Truth of Christianity Demonstrated L.T.W., 1:141.

Plato, the Sybilline oracles, Tacitus, Cicero, Suetonius and Virgil, all of whom attested to "this general expectation both in East and West, of the great King of the Jews to be born about that very time that he did come. . . ."94

Similarly, there were "types, resemblances, and exhibitions of the fact, in outward sensible institutions". Many heathen peoples, for example, had "types" of sacrifices in imitation of the propitiatory sacrifice God had instituted at the fall of Adam.

These were continu'd in the heathen posterities of Adam by immemorial Tradition from the beginning. Tho' they had forgot the beginning of them, as they had of the World or of Mankind; yet they retain'd so much of the reason of them, as that they had universally the notion of a vicarious atonement, and that our Sins were to be purg'd by the blood of others suffering in our stead. . . .95

Leslie offered many such parallels, and his purpose was to demonstrate that Christianity was not simply the only true religion but, in essence, the only religion. He begins this interesting speculation by asserting that there are four religions in the world: Christianity, Judaism, Heathenism and "Mahometism".

Christianity was the first. For from the first promise of Christ to Adam, during the patriarchal and legal dispensations, all was Christianity in type96

94. Ibid., 1:140-46. Cf. Charles Leslie, A Short and Easy Method with the Jews, . . . (1698), ibid., 1:46-50.

95. Leslie, Truth of Christianity Demonstrated, ibid., 1:154.

96. Ibid., 1:164.

Judaism has been invalidated since the birth of Christ.⁹⁷

Heathenism, Leslie believed, was based upon

. . . mythological fables, invented to express some moral virtues or vices, or the history of nature, and power of the elements, &c. as likewise to turn great part of the history of the Old Testament into fable, and make it their own, for they distain'd to borrow from the Jews.⁹⁸

In other words, heathenism was a degenerate form of Christianity, for its fables were based upon facts found in scripture. "Ovid begins his Metamorphoses with a perfect poetical version of the beginning of Genesis. Ante Mare & Terras--Then goes on with the history of the Creaton" The god Janus, "with his two faces, one old, looking backward to the old World that was destroy'd, the other young, looking forward to the new World that was to spring from him" was obviously based upon Noah.

97. Leslie had earlier tried to convert the Jews to Christianity by urging them to consider that if they wanted to defend Moses' miracles from the accusation that they had been performed by magic then they must also defend Christ's miracles: ". . . you can never demonstrate the truth of the matters of fact of Moses by any arguments or evidences which will not as strongly evince the truth of the matters of fact of Christ: And, on the other hand, you cannot overthrow the matters of fact of Christ, but you must by the same means destroy those of Moses: So that I hope you are involved under the happy necessity either to renounce Moses or to embrace Christ." Short and Easy Method with the Jews, L.T.W., 1:37. It was reported that Leslie had convinced a doubting Jew by this method, but that he (the Jew) died before he could be received into the church: see Harris, Works of Sir James Ware, 2:283. In the Truth of Christianity Demonstrated, L.T.W., 1:165, Leslie emphasised that while his first four rules vindicated both Judaism and Christianity, the former could not rise to the test of the final three marks.

98. Ibid.

So that even their turning the sacred history into fable, is a confirmation of it. And there can be no comparison betwixt the truth of the facts attested as I have shew'd, and the fables that were made from them.⁹⁹

Mohammedanism was simply a heretical form of Christianity.

"And the Alcoran is but a system of the old Arianism, ill digested and worse put together, with a mixture of some Heathenism and Judaism." Modern socinianism was doctrinally agreeable with Mohammedanism.¹⁰⁰

"So that all is Christianity still", the bewildered deist in Leslie's dialogue is forced to conclude. At least the three corruptions of the one religion are in agreement that revelation is essential. Plato expected that a great lawgiver would be sent from heaven; and Leslie believed that that greatest of all philosophers had perused the Jewish scriptures, for he described that divine lawgiver "as if he had copied the LIII of Isaiah."¹⁰¹ All the "wise and polite World" accepted the necessity of revelation. The only people who would support the deist's belief in nature instead of revelation

99. Ibid., 1:166.

100. Ibid., 1:166-68.

101. Ibid., 1:169. See also Short and Easy Method with the Jews, ibid., 1:35, where Leslie says he "wou'd, from this reasoning of Plato's, infer the necessity of reveal'd Religion against the Deists. Here they see what the wisest of the Philosophers did own, that they were wholly at a loss, and uncertainty without it."

were ". . . the Hottentotes at the Cape of Good Hope, hardly distinguishable from beasts, to shew us what nature left to it self would do"

Leslie's discussion of these various points shows him to have been completely at odds with the intellectual momentum of the late seventeenth and early eighteenth centuries. The study of comparative religions and the accumulation of anthropological evidence from beyond Europe encouraged the development of a secular view of the world. Leslie used the same evidence to enhance his case in favour of revealed religion. John Toland and Charles Blount may have had a naive and crude conception of human motivation; but it was a modern view in that it offered essentially a psychological interpretation of religious impulses. Leslie appreciated differently "this universal impulse (if we will call it no more) which was imprinted in whatever manner, upon the minds of the whole Earth".¹⁰² The common consent of mankind in all ages spoke powerfully in favour of revealed religion. Accepting the consensus gentium, Leslie tried to demonstrate not that the ancients and the heathens had grasped the truth of the one true revelation, as had been implied by some earlier Christian platonists, but that that revelation had been preserved inviolate against all imposters and could be known

102. Ibid., 1:50.

with certainty because it alone offered sufficient evidence.

It is true God gave but one Revelation to the World, which was that of Christ: And as that was corrupted, new Revelations were pretended. But God has guarded his Revelations with such evidences, as it was not in the power of Men or Devils to counterfeit or contrive any thing like them. Some bear resemblance in one or two features, in the first two or three evidences that I have produc'd; but as none reach the fourth, so they are all quite destitute of the least pretence to the remaining four: So that when you look upon the face of divine Revelation, and take it all together, it is impossible to mistake it for any of those delusions which the Devil has set up in imitation of it: And they are made to confirm it, because all the resemblance they have to truth, is that wherein they are any ways like it; but when compar'd with it, they shew as an ill drawn picture, half Man, half Beast, in the presence of the beautiful original.¹⁰³

In this passage Leslie has virtually transformed his marks into an up-to-date neoplatonic furor, which stimulates the mind to rise from lower things (i.e., the matters of fact found in scripture) to a contemplation of the One.

The tradition of Christian platonism in time was transmuted into the handsome blandness of archbishop Tillotson. The latitudinarian and deistical inheritors of that broad tradition which had encompassed lord Herbert of Cherbury and the Cambridge platonists emphasised the approaches to the one true God which all men in all ages have shared, and found in that a basis for toleration.

Leslie was no less aware of certain similarities between Christianity and other religions, but he could never forget that

103. Leslie, Truth of Christianity Demonstrated, L.T.W., 1:169-70.

what was "half Man" was equally "half Beast". All men have not embraced the one revelation because men are in love with the world and its "beloved vices". Leslie was too obsessed with "the beautiful original" to be overly impressed with the variety of its degenerate forms; rather than indicating an approach to universal truth, they were rebels against it. The evidence for Christianity, Leslie argued, is overwhelming and is demonstrably true. It has been preserved by the church, which is a distinct society instituted to preserve that evidence.

Leslie defended revelation against the attacks of deists who charged that religious mysteries were the contrivances of priests and that the essential lesson taught by all religions was a moral one which men could discover through "the Light of Reason". Leslie replied that the natural religion of ancient and modern pagans was not, in fact, derived from nature and reason but rather from God's original revelation to the whole world. Revelation is the only real source of human knowledge and it provides the materials for human reason. Revelation and right reason are inseparable. Leslie's desired end was to prove the literal truth of the scriptural record and to make that literal revealed truth the starting point for all discussions about the nature of man and his natural state of government.

CHAPTER 4

NATURE AND REASON IN LESLIE'S WRITINGS

"I know nothing can be call'd Nature, but that Order and Disposition of things in which God Plac'd them at the Creation." In such curt terms Leslie dismissed Daniel Defoe's claim to have triumphed over the "Dry Wither'd Branches of Revelation" by appealing to the "Green Boughs of Nature".¹ "Nature" was a normative term to Leslie's contemporaries. It suggested the original pattern of things and an ideal form which ought to be imitated. But if nature offered a model, it had to be discerned. Defoe dedicated his satirical poem to "Lady Reason, First Monarch of the World", believing that reason alone was sufficient to investigate the natural order. Leslie belittled the claims of Monarch REASON"; she was "the Great Seducer" and the source of contradictory and vain notions, "Insomuch that [the] Great Part of her Subjects are turn'd Scepticks and Seekers, and think she has left the Earth." Human reason is incapable of discovering the order of nature because both reason and nature were corrupted at the fall. Man must rely upon authority if he wishes to learn about nature "in its Pure and Primitive Face".

1. Rehearsal, 1, no. 133 (24 Aug. 1706). See Daniel Defoe, Jure Divino: A Satyr in Twelve Books (London, 1706).

God, in His infinite mercy, has given us His revelation. He revealed what our reason can never determine: "the Creation of the World, and our own Beginning, which is the first Sin, and the Redemption provided for it"

Without revelation as a guide, man's flawed reason must depend entirely upon his senses, which perceive only "Corrupt'd and Defac'd nature."²

If Leslie denounced reason that is "Positive, Pragmatical, and Conceited, and Impatient of Contradiction", reason was, nevertheless, essential to his thought. Reason is incapable of discovering fundamental truths about God and the nature of His creation, Leslie insisted, but reason can assess evidence which has been presented to it. Human reason in Leslie's religious writings has the same function which consent has in his political speculation: it is the means by which men recognise and submit to a pre-established legitimate order, not the means by which a legitimate order is created.³

Leslie's emphasis upon the primacy of revelation over reason was not a denial of reason but rather a reaction against his age's exaltation of its capacities. Reason

2. Rehearsal, 1, no. 133.

3. Cf. below, chap.7.

which is not subservient to revelation can never discover the true nature of God, Who is three persons in one substance and Who is known through His revelation of Himself. Such reason leads only to disputes and must inevitably cause men to become sceptics. What Leslie detested most of all was the absorption of the new grounds for scepticism by those who held offices in the church of England. That there was an alliance between those churchmen and the deists and dissenters seemed obvious. One of the basic purposes of Leslie's tracts was to expose the links between the declared opponents of the church of England and those undeclared opponents who had intruded themselves into its high offices. And the reason for that alliance was no less obvious to him. By undermining men's certainty in the truth of revealed Christianity, they encouraged the Hobbesian notion that religion has no higher purpose than to serve the state by teaching obedience to its subjects. The triumph of such ideas would destroy the concept of the church as an autonomous society with ends which were not of this world.

Leslie feared that unorthodox notions of God were encouraged by attacks upon the veracity of His revealed word recorded in scripture. Those attacks upon the traditional grounds for the certainty of God's revelation were a manifestation of his age's general inquiry into the nature of human reason and the source of human knowledge. Leslie's short and easy method, as well as defending biblical literalism, contains his reaction to contemporary empiricism. That reaction helps

to illustrate his belief that scripture and revelation must guide human reason.

Leslie tried to convince the deists that there is sufficient evidence for assenting to the truth of miracles set down in scripture. He agreed that miracles could be accepted as true only ". . . when not done in contradiction to the Revelations already given in the holy Scriptures". Unless that was accepted, any "sign" or "wonder" might be imposed upon men "(as there are many examples, especially in the Church of Rome)".⁴ But a common objection of deists was that men can never distinguish true from false miracles because men do not know "the utmost extent of the power of nature"; and a miracle, by definition, is that which exceeds the power of nature.⁵ Leslie insisted that ". . . though we do not know the utmost extent of the Power of nature, perhaps, in any one thing, yet it does not follow, that we know not the nature of any thing, in some measure; and that certainly too". He used the example of fire as an illustration. While we do not know the full extent of fire's nature and power, yet we do know that it is fire's nature to burn and that it is contrary to its nature not to consume fuel added to it. So if we witness three men cast into a fire continue

4. Leslie, Short and Easy Method with the Deists, L.T.W., 1:22.

5. Ibid., 1:23.

to walk up and down, see them joined by a fourth man "of glorious appearance, like the Son of God", and finally observe the three men emerge unscathed, we are not deceived if we conclude that the nature of fire has been stopped, because ". . . we can certainly know what is contrary to the nature of several such things as we do know."

The significance of Leslie's reply to the deists' objections to miracles lies in his attempt to show that the deists' basic assumptions ought rationally to lead them to a renunciation of deism. Deists accepted "a God, of an almighty power, who made all things"; but because we cannot be certain of miracles, He lacks the power to reveal Himself by extraordinary means. They believed that God's existence was proved in nature; we learn about the ordinary power of nature (and therefore we learn about God) through our "outward senses". Leslie responds to this argument by asking:

. . . how shou'd we know the ordinary power of nature if we knew not what exceeded it? If we know not what is natural, how do we know there is such a thing as nature? That all is not supernatural, all miracles, and so disputable, till we come to downright Scepticism, and doubt the certainty of our outward senses, whether we see, hear, or feel, or all be not a miraculous illusion?⁶

Leslie had agreed to argue against deism by using its own terms, and his argument, at this point, was fundamentally an epistemological one. He did not launch an attack upon empiricism; that would have undermined the purpose of his

6. Ibid., 1:23-4.

rules, which were intended to validate the "conviction of the outward Senses" of those witnesses to scriptural miracles. But he does point clearly to the inadequacy of the empirical method, and here he shared Stillingfleet's impatience with those who demanded inappropriate evidence for the existence and nature of God:

It is a sign there is little of Reason left, where Sense is made the only Umpire of all kinds of Beings. Must all intellectual Beings be proscrib'd out of the order of Nature, because they cannot pass the scrutiny of Sense?⁷

Empirical demonstration can offer "evident proofs", and those were the kinds of proofs Leslie's method was intended to provide. He believed, however naively, that his rules demonstrated that the events recorded in the Bible were true and that the matters of fact offered by other religions could not meet their test. We can have reasonable grounds for assenting to Christian revelation because Leslie's method offers us a moral certainty.

Moral certainty is sufficient because it is derived from "connate Principles engraven in the human Soul" which are "antecedent to any acquisition by industry or the exercise of the discursive Faculty in Man" ⁸ John

7. Stillingfleet, Origines Sacrae, Works, 2:239.

8. Sir Matthew Hale, The Primitive Origination of Mankind, Considered and Examined According to The Light of Nature (London, 1677), 60: quoted in John W. Yolton, John Locke and the Way of Ideas (Oxford, 1956), 34. Hale's assertion

Locke had aided the development of naturalistic religion when he attacked this doctrine of innate knowledge in his Essay Concerning Human Understanding (1690). For Locke, human knowledge is not derived from maxims or innate principles; rather, the reasoning mind forms ideas from data provided by sensory experience.⁹ "General knowledge", according to Locke, "consists in a perception of the agreement or disagreement of our own ideas"; knowledge of external phenomena (with the exception of God) is received by our senses: and the faculty of reason is required "both for the enlargement of our knowledge, and the regulating our assent" to the inward perceptions of our outward senses.¹⁰ Leslie differed

that the world was not very old, that the deluge had been universal and that America had been settled after its recession leads Allen (Legend of Noah, 137n.) to "feel certain" that he was writing, at least partly, against la Peyrère.

9. The first book of the Essay contended that "Neither Principles nor Ideas are Innate"; book two, "Of Ideas", proceeds from the assumption that the mind is "white paper, void of all characters, without any ideas", and asks how it has been "furnished": "Whence comes it by that vast store which the busy and boundless fancy of man has painted on it with an almost endless variety? Whence has it all the materials of reason and knowledge? To this I answer, in one word, from EXPERIENCE. In that all our knowledge is founded; and from that it ultimately derives itself." John Locke, An Essay Concerning Human Understanding, ed. Alexander Campbell Fraser, 2 vols. (New York, 1959), 1:121-22 (Bk. II, Chap. i, Para. 2). For the historical context of Locke's epistemology, see John W. Yolton, "Locke and the Seventeenth-Century Logic of Ideas", Journal of the History of Ideas, 16, no. 4 (Oct. 1955), 431-52.

10. Locke, Essay, 2:238-87 (IV, xviii, 2). "General knowledge" is defined by Fraser as the "intuitive certainty of the truth of any general abstract proposition."

from Locke in his insistence that knowledge was not derived simply from the association in our minds of the various ideas formed from our sensory perceptions or the perceptions offered to us by reliable witnesses,¹¹ but rather from associating those perceptions with Christian doctrines. For Leslie, we do not assent to a proposition because of its degree of probability in relation to our own experience but because Christian doctrine permits assent. It is the task of the human mind, according to Leslie, to understand the evidence of the senses in a Christian way. Locke's careful distinction between reason (which discovers the certainty of propositions deduced by the mind from ideas formed by sensory experience) and faith (which is the assent to a proposition coming immediately from God)¹² was, from Leslie's point of view, a misrepresentation of the nature and source of human knowledge. Faith, rather, provides the context in which reason operates. God is the source of reason, and the effects of His will cannot be other than reasonable. Because reason is derived from God, the only right reason is that which agrees with revelation.

Locke, on the other hand, insisted that reason must be the arbiter of revelation. Truths which God reveals

11. Cf. ibid., 2:367-78 (IV, xvi, 1-11).

12. Ibid., 2:383 (IV, xvi, 14).

directly must also be discoverable by reason, Locke wrote, and revelation cannot "invalidate" what reason decrees "in all things . . . where we have clear evidence from our ideas".¹³ He supplemented this argument in The Reasonableness of Christianity (1695), where he urged that revelation teaches men moral lessons which are "agreeable to reason, and such as can by no means be contradicted", but which have not been learned by unassisted reason because "men's necessities, passions, vices, and mistaken interests" have led them astray. Man's weakness, in fact, is the basis of priestly power, which excludes reason from religion and completely hides "the one only true God" by setting up "the crowd of wrong notions and invented rites."¹⁴

The deist John Toland twisted Locke's epistemology to support his own developing pantheism. Any miracle, he held, must be intelligible, ". . . and the Performance of it appear most easy to the Author of Nature, who may command all its Principles at his Pleasure". Insisting that faith is not "an implicit Assent to any thing above Reason", he

13. Ibid., 2:416-23 (IV, xviii, 3-6). For a discussion of some of the problems considered here, see Richard Ashcraft, "Faith and the knowledge in Locke's philosophy", John Locke: Problems and Perspectives, A New Collection of Essays, ed. John W. Yolton (Cambridge, 1969), 194-223.

14. John Locke, The Reasonableness of Christianity, as Delivered in the Scriptures (1695), ed. George W. Ewing (Chicago, 1964), 165-72 (paras. 238-41).

argued that we must understand revelations as we understand all matters of fact; ". . . Revelation being only to enform us whilst the Evidence of its Subject perswades us". Consequently, anything purporting to be a revelation which contradicts our reason cannot be true.¹⁵

The contemporary association of Christianity not Mysterious with the less radical Reasonableness of Christianity did much to damage Locke's reputation with high churchmen. They were encouraged to search for unorthodox notions in his works, and by the early years of Anne's reign he had been singled out as one of the most dangerous heretics in that generation which knew its heresy and did not suffer it gladly. Indeed, it was Locke's epistemological and theological writings which brought him under the close scrutiny of the high church party. It was, of course, Leslie who was chiefly responsible for the high-church attack upon the Two Treatises of Government. What is important to note at this point is that the Two Treatises were subjected to an intense examination only after their author was shown to have been an agent of scepticism and atheism, and that Leslie's reaction to them was shaped by the theological and epistemological questions raised by Locke's writings.

15 Toland, Christianity Not Mysterious, 145, 146, 150ff.
Cf. Jacob, "John Toland and the Newtonian Ideology", 311-12.

It was Locke's rigid empiricism which aroused the suspicion of churchmen. He doubted that men could have "a clear distinct idea of substance" apart from the qualities or modifications of substance.¹⁶ His opponents saw that the problem lay with his method. We can have as clear a notion of substance as we can have of its qualities, replied Henry Lee, but not if we are first required to abstract all qualities from substance: "That's as impertinent as to ask, what a Man's Estate is, after we have stripp'd him of every Foot of Land, House, and all his Goods wherein Estate consists."¹⁷ Lee pointed out that Locke had predisposed himself to reject the notion of substance because it is only the qualities of substances, not substances themselves, which are perceived by our senses; ". . . 'tis by reason that we know there are Substances to support these Qualities: and herein the Interest of his Scheme about all Knowledge coming from Sensation and Reflexion lies at stake"¹⁸ Locke would have been better advised to sacrifice his "way of ideas" rather than admit doubts about the doctrine of substance; for the consequences of unassisted empiricism would be dire. On

16. See Locke, Essay, 1:228-31 (II, xiii, 17-20).

17. Henry Lee, Anti-Scepticism: or, Notes Upon each Chapter of Mr. LOCK's Essay concerning Human Understanding. . . (London, 1702), 111.

18. Ibid.

Locke's principles, Lee believed, it is impossible to prove God's existence, "or indeed of any Substance whatever".

So that I must either suppose the Existence of Substances themselves, or go upon the common Maxims in which all Mankind are agreed; both which are downright contrary to my Author's Principles. And for this reason it is, that I charge these Principles, as well in relation to natural Religion as reveal'd, with inextricable Scepticism.¹⁹

Locke's equivocation about substance is the key to the high-church reaction against him; in time he was classed with one of the seventeenth century's most dangerous exponents of "atheism". By 1705 William Carroll could write: "This Atheistical shopkeeper [Spinoza] is the first that ever reduced Atheism into a System, and Mr. Locke is the Second; with this Difference, that the latter has only copied the former as to the main" ²⁰ Locke's hesitations about substance had come to be interpreted as an assent in favour of Spinoza's unequivocal assertion that there was only one substance, which was God.²¹ If substance is rendered precarious

19. Ibid., 238.

20. Willaim Carroll, Remarks upon Mr. Clarke's Sermons, Preached at St. Paul's against Hobbs, Spinoza, and other Atheists . . . (London, 1705), 9: quoted in Yolton, John Locke and the Way of Ideas, 144.

21. Spinoza, Ethics, Pt. 1, Prop. 14, Works, 2:54-55. Of course, Locke intended quite another meaning. Whereas Spinoza held that all things are modifications of the one substance (i.e., of God), Locke wondered whether what was meant by the term substance when applied to God, finite spirits and bodies was not really "a bare different modification of that substance". See Locke, Essay, 1:229 (II, xiii, 18). The

because it cannot be perceived by the senses, then we cannot know that God is not material, we cannot offer a defence of the orthodox conception of the trinity and we cannot assert the immateriality of the soul.

Leslie's affirmation of the doctrine of substance was consistent with his subjection of reason to revelation. Our senses may perceive the qualities of substances, but by empirical knowledge "we know not the nature of any one thing under the sun" We see that trees grow and produce other trees, that certain herbs and minerals have certain qualities; "but we know not the reason of any one thing, no, not of a pile of grass, why of that colour, shape, or virtue".²² The faculty of reason helps us to understand our perceptions. We know from both observation and reason that nothing can produce itself; in other words, we know that cause precedes effect. So reason leads us to assent to a first cause, from which all effects have proceeded. For that same reason, we must believe that the first cause neither produced itself

passage is, if anything, a refutation of Spinoza. For a discussion of Locke's ambiguity on this problem, see W. von Leydon, "What is nominal essence the essence of?", John Locke: Problems and Perspectives, 224-33; and Richard I. Aaron, John Locke, 3rd ed. (Oxford, 1971), 172-79.

22. Charles Leslie, The Socinian Controversy Discussed, in Six Dialogues . . . (1708), Theological Works (1832), 2:50.

nor was it produced by anything else; therefore its duration is not by succession of time, "for then it must have a beginning".²³ But if observation and reason may lead us to the idea of God, that idea will be necessarily incomplete unless our inquiries are guided by Christian doctrine. Without the doctrine of substance we could never discover that God is three persons in one substance. That doctrine is necessary when inquiring into the nature of creation as well as its creator. If the doctrine guides our inquiries we must understand that the qualities which we perceive have a substantial unity. They are united not simply because our mind relates them to one another but because God has willed their fundamental unity. The doctrine does not inform us of what substance consists; rather, it provides a Christian context in which to reason about what we observe.²⁴

Leslie's understanding of the doctrine of substance was most clearly revealed during the complex controversy concerning the nature of the soul's immortality. He defended Henry Dodwell's claim that the immortality of the soul cannot be proved from the nature of the soul itself because it is a revelation of the gospel; but although the soul is naturally mortal, it is immortalised through baptism administered by

23. Ibid., 2:51.

24. See below, chap. 7, for the influence of this doctrine upon Leslie's political theory.

episcopally-ordained priests.²⁵ Dodwell's mortalism was condemned by, among others, Samuel Clarke, the leading latitudinarian thinker of his generation. He urged that Dodwell had encouraged all the libertines to continue in their dissolute ways, for they need not fear eternal punishment if the soul perishes at death "if not upheld by the extraordinary power of God, in a praeternatural way".²⁶

This controversy raised a literary furore during the middle years of Anne's reign, for latitudinarians saw in Dodwell's argument nothing more than high-church politics; if the soul's immortality depended upon the sacrament of baptism, all dissenters were automatically condemned.²⁷

Leslie defended Dodwell's belief in natural mortality by arguing that by "natural" Dodwell had made it clear that he meant only that which proceeds ordinarily from the nature of the thing, "as of Bodies to be Dissolv'd". But "Actually or in Fact" a body is not dissolved until the

25. Henry Dodwell, An Epistolary Discourse, Proving . . . that the Soul is A Principle Naturally Mortal; but Immortalized Actually by the Pleasure of God . . . by its Union with the Divine Baptismal Spirit . . . (London, 1706).

26. See Ben Lazare Mijuskovic, The Achilles of Rationalist Argument, The Simplicity, Unity, and Identity of Thought and Soul from the Cambridge Platonists to Kant: A Study in the History of an Argument (The Hague, 1974), 43-48; Yolton, John Locke and the Way of Ideas, 148-66.

27. See Rehearsal, 2, no. 36 (11 Feb. 1708). Cf. Burnet's History, 6:124-25.

various parts of which it is made are separated. Philosophers cannot explain how the parts of bodies are held together. All we can know of the nature of bodies is what we observe; in their own nature their parts are inseparable--"(that is Immortal in Living things)"--until God intervenes. Mortality and immortality of bodies can be resolved "into nothing else but the Good Pleasure of God", for God is the only thing that is naturally immortal.

And what Receives its Being from another, must Depend upon Him for its Conservation as well as Creation. And when that is withdrawn, it falls of it self into its Primitive Nothing, without any outward Force, or other Intervention of a Foreign Power.²⁸

28. Rehearsal, 2, no. 36 (11 Feb. 1708). Thomas Hearne commended Leslie for his defence of Dodwell: see Remarks and Collections of Thomas Hearne, ed. C. E. Doble, 11 vols. (Oxford, 1885-1921), 2:95. See Dodwell's angry defence of himself, where he asserts that he did not deny the soul's immortality, but only argued that it depended upon divine pleasure rather than its own nature. Dodwell to Burnet, Feb. 1710/11: Bodl. MS. St. Edmund Hall 14, fol. 42. What must have been most galling to Dodwell was the deist Anthony Collins' pamphlets against Clarke on his behalf; the controversy offered Collins the opportunity to defend materialism and embarrass the nonjurors: see John H. Gay, "Matter and Freedom in the Thought of Samuel Clarke", Journal of the History of Ideas, 24, no. 1 (Jan.-Mar. 1963), 88. Leslie's defence of Dodwell was probably intended to obviate what was admittedly a dangerous theological position: he wrote that the whigs ought not to criticise Dodwell, for he had only asserted a belief which had been held by Milton and Baxter, "former Revolutioners": Rehearsal, 2, no. 37 (14 Feb. 1708). So far as I know, this was the only time in his life that he fell back upon such a defence. On mortalism, see George Williamson, "Milton and the Mortalist Heresy". Seventeenth Century Contexts, revised ed. (Chicago, 1969). 148-77, and C. A. Patrides, "Psychopannychism in Renaissance Europe". Studies in Philology, 60, no. 2, pt. 1. (April 1963), 227-29.

The soul, Leslie argued, is a principle of unity. It makes "Me to be My Self" by enlivening and acting upon "my Body"; "and this Body and this Soul is what I call my Person".²⁹ He objected to William Coward's assertion that ". . . the Notion, that the Spiritual, Substantial, Essence of the Soul, as conceiv'd, Distinct from the Body, and consequently in its own Nature immortal. . ." was merely a "Platonick Whynsie" which had been derived from the heathens by a "Primitive unlearned Church" and had been fostered by papists in order to gain wealth by praying for souls in purgatory.³⁰ For Coward, the soul was life itself; it was "only a Power inherent in Matter" which God had breathed into Adam and Eve, and which has been passed to successive generations in seminal matter. When the breath of life leaves any living creature, that creature "totally perishes, as to the Identity of that Individuum. . . ." The consequences of life, according to Coward, are sensation, thinking and reasoning, and if this makes man "a meer piece of Mechanism" distinguished from the beasts simply by the excellence of these qualities, "I see no Objection but in the Words".³¹

29. Rehearsal, 1, no. 204 (30 April 1707).

30. [William Coward], Second Thoughts Concerning Human Soul. . . (London, 1702), 46-50, 429.

31. Ibid. 90. 104, 122-25. For the similarities between

Leslie objected to the materialism which was central to Coward's mortalism and attacked him in eleven successive issues of The Rehearsal.³² Coward used as his starting point Locke's speculation that it was not inconceivable for God to have added the faculty of thought to material substances and that religion and morality would not be endangered if the soul was material.³³ Coward denied the existence of any immaterial substance, believing that it was a contradiction to conceive of an immaterial substance

Coward's views and those of various sects which had flourished during the interregnum, cf. Hill, Milton and the English Revolution, chap. 25.

32. Rehearsal, 1, nos. 204-14 (30 April-4 June 1707). Before attacking Coward, Leslie took notice of a pamphlet by John Asgill, entitled An Argument Proving That . . . Man may be translated from hence into that Eternal Life, without passing through Death . . . (London, 1700). Asgill argued that death held sway simply because men fear it; men fear it because they observe that it was a "custom" which lasted for several generations, and therefore came to be thought "Jure divino, and all attempts against it to be Rebellion." (pp.7-8) However, Christ's death and passion took away the law of death "by Conquest", rendering the customary law "of no more force than wast Paper." (pp.33-34) According to a handwritten contemporary note on the title page of the Bodleian library's copy, Asgill was expelled from the house of Commons for his efforts. Leslie was horrified by this jumble of socinian and right-of-conquest theories; see Rehearsal, 1, no. 204. A defender of Coward suggested that Leslie and his friends ought to "leave off Railing and Scurrility both out, and in the Pulpit"; they were only publicising "Heterodox Opinions . . . which would otherwise dye neglected." See Evan Lloyd, A Muzzle for a Mad Dog: or, Animadversions On some late Scandalous Papers call'd Rehearsers; Treating About the SOUL. . . (London, 1707), 8-9.

33. Locke, Essay, 2:191-98 (IV, iii, 6).

with the power of thinking, and that self-moving matter was "the Foundation of Thought in Men and Beasts".³⁴ This was a direct challenge to the view, supported by Newtonian physics, that matter was sluggish until set in motion by an immaterial substance operating in the void, which was God's sensorium.³⁵ Leslie and Dodwell were certainly not advocates of Newtonianism; high churchmen in general suspected that that philosophy undermined the notion of God's immediate providence and His trinitarian nature, and consequently was responsible in part for the promotion of arianism, socinianism or, more simply, an indefinite theism.³⁶ When responding to Coward's utterly materialistic version of natural mortality, Leslie and Dodwell characteristically emphasised that God, through His priests, operates through the sacraments. Indeed,

34. William Coward, The Grand Essay: Or, A Vindication of Reason, and Religion, against Impostures of Philosophy. . . (London, 1704), 194. Locke was not impressed with Coward's speculations: see Yolton, John Locke and the Way of Ideas, 157-58.

35. See, for example, Richard Bentley's second Boyle lecture, Matter and Motion cannot Think: or a Confutation of ATHEISM from the Faculties of the Soul. . . (London, 1692). On Newtonianism and its relationship to the religious and social thought of the period, see Margaret C. Jacobs, The Newtonians and the English Revolution, 1689-1720 (Hassocks, Sussex, 1976), passim, esp. chaps. 4 and 5.

36. See George Hickes to Roger North, 23 May 1713: Bodl. MS. Eng. Hist. b.2, fol. 170.

all of creation, in both its physical and its social aspects, functions in a sacramental way. It is God's will, descending to all levels through the legitimate executors of that will, which gives order and unity to His creation, preventing it from disintegrating into "Primitive Nothing".³⁷

The notion that matter is self-moving fascinated religious and political freethinkers of the seventeenth and eighteenth centuries and horrified their orthodox opponents. Belief in the "Spiritual, Substantial, Essence of the Soul" supported the accepted view that all matter derives its motion from a higher power, and furthermore, allowed for a distinction between men and beasts, giving the former a spiritual dimension qualitatively different from the latter. It was in the discussion of the souls of animals that the differences between Leslie and Coward were most clearly revealed.

Earlier in the seventeenth century Descartes had argued that animals were mere automata, devoid of souls and rationality. This had been in keeping with his dualism of extended, material body and unextended, immaterial spirit.

37. For Leslie's and Dodwell's understanding of the role of the sacraments, see below chap. 5. High-church opposition to Newtonianism is scarcely mentioned and not at all pursued in Jacobs, Newtonians. Larry Stewart, "Samuel Clarke, Newtonianism, and the Factions of Post-Revolutionary England", Journal of the History of Ideas, 42, no. 1 (1980), 53-72, contains a fine discussion of the high-church reaction; but its focus is upon science and metaphysics, rather than on theology and sacraments.

While Descartes saw in this dualism a distinction between men and beasts and a vindication of the soul's immortality, there was the inherent danger that man as well as beast was simply a machine composed of extended matter.³⁸ When Dodwell attacked Coward for his assertion that men were distinguished from beasts merely by the excellence of their shared qualities--that is, soul, life and mind, "by which every liveing [sic] Creature is what he is. . ."³⁹--he did so by emphasising that man's soul is immortalised through participation in the sacraments. Leslie agreed that ". . . the whole Drift and Design, or at least Plain Consequence" of Coward's arguments was "to bring Men down to the same Condition of Brutes, as to their Spiritual Concerns. . ."⁴⁰ Coward had explained that at death the power of life which had been implanted in material man reverts to God, and that that power will be breathed into matter again at the resurrection.⁴¹ But he added that even the

38. See Leonora Cohen Rosenfield, From Beast-Machine to Man-Machine, Animal Soul in French Letters from Descartes to La Matrie, new enlarged edition (New York, 1968), 21-24, 45-50.

39. Coward, Second Thoughts, 90. Redwood, Reason, Ridicule and Religion, 141, seems to attribute Dodwell's position in the controversy to Clarke.

40. Rehearsal, 1, no. 208 (14 May 1707).

41. Coward, Second Thoughts, 279. This was Coward's interpretation of Ecclesiastes 12:7: "Then shall the dust return to the earth as it was: and the spirit shall return unto God who gave it".

power of life in beasts returns to God, Who may revive that material at His pleasure.⁴² To emphasise how difficult it is to understand where the breath of life goes at death, Coward cited Ecclesiastes 3:21: "Who knoweth the spirit of man that goeth upward, and the spirit of the beast that goeth downward to the earth?"⁴³ Leslie replied that the passage does not ask where the spirit goes at death; rather, it asks what the spirit is, and it refers to the present time. And at the present time, man's spirit, through "Meditation and Contemplation of Heavenly things", rises to God; while the spirit of beasts is concerned only with "what is before them here Below".⁴⁴

Leslie's platonic view of the hierarchy of creation, in which each level participated in the divine intelligence to that degree which was appropriate to its position, allowed a spiritual unity to creation which was denied by Coward's materialism and by Descartes' dualism. It was also in opposition to Newtonianism, which preserved a distance between the created universe and God, Who regulates His creation

42. [William Coward], Farther Thoughts, concerning Human Soul, In Defence of Second Thoughts. . . (London, 1703), 35.

43. Coward, Second Thoughts, 276-77.

44. Rehearsal, 1, no. 209 (17 May 1707).

through laws of motion. Margaret Jacob has described how various latitudinarian churchmen derived from the Newtonian scheme a conception of man's relationship to the world which reflected God's relationship to His creation. Man is able to manipulate the matter of the world in a way analagous to God's willing, which operates in the void and which creates harmony through the law of universal attraction.⁴⁵ This view stands in contrast to Leslie's conviction that to manipulate God's subtle ordering of His creation would be blasphemous. To reduce nature or society to its individual parts so that it might be controlled through the imposition of an artificial harmony was, he believed, nothing more than a levelling notion. His thoughts here reveal a familiarity with the Cambridge platonists, who insisted upon a "plastic", as opposed to a "mechanical", nature. Ralph Cudworth had described his plastic nature as "an Inferior and Subordinate Instrument [which] doth drudgingly execute that Part of [God's] Providence which consists in the Regular and Orderly Motion of Matter"⁴⁶ This vital force, or world soul

45. See Jacob's account of Samuel Clarke's application of Newtonian concepts to society: Newtonians, 199.

46. Ralph Cudworth, The True Intellectual System of the Universe (1678): quoted in Ernst Cassirer, The Platonic Renaissance in England, trans. James P. Pettegrove (Austin, Texas, 1953), 141n. Both Cassirer (p. 51) and Colie (Light and Enlightenment, 123) emphasise that this notion of plastic nature is part of the Plotinian and Augustinian tradition.

as Plotinus had expressed it, was inherent in the chain of creation; it was expressed at each of its gradations and in each of its individual parts.

Leslie's firmest rejection of latitudinarian social and political theory will be found, of course, in his patriarchalism. At this point his position may be illustrated with another example. During the peace negotiations which resulted in the treaty of Utrecht, he offered his observations on the much-sought-after balance of power among the nations of Europe. During all of the negotiations, Leslie said, there has been no talk of justice and restoring what rightly belongs to each nation; rather, men are concerned with a new partition of the world so that no one country will be able to "Over-Ballance" another in riches and power. Such a balance, he insisted, is impossible, just as levelling among men is impossible. If such a balance ever were arranged, "Ten Thousand Accidents Every Day" would upset it.⁴⁷ The attempt to level nations

. . . is indeed no other than to take the Government of the World out of the Hands of Providence, and Entrust it to our own Skill and Management. Instead of Dieu et Mon Droit, it is Je Maintiendray.⁴⁸

47. [Charles Leslie], Natural Reflections upon the Present Debates about Peace and War. In two Letters to a Member of Parliament from his Steward in the Country (London, 1712), 60-1.

48. Ibid. 61-2. "Dieu et Mon Droit" and "Je Maintiendray" were the mottoes of, respectively, Louis XIV and William of Orange.

God has arranged the world into great and small nations, and He keeps the balance in His own hands. Schemes to re-arrange that balance are the cause of war, which will be perpetual until we acknowledge God's sovereignty and make ourselves content with His ordering of His creation. Justice, which is the restoration of each to his own right, ought to be the measure of our actions.

There is a Beautiful Image of this given by Spencer [sic] where he introduces a Giant with a Pair of Scales in his Hand, to Weigh the Earth, Sea, Fire, and Air, to Retrieve the Encroachments they had made upon one another, and Reduce them to an equal Ballance: And likewise to Weigh all Nations, and by taking from one, and adding to another, to bring them to a Ballance of Power. And thus had Inveagled Multitudes of the unthinking People to Destroy one another, upon the Quarrel whose Subjects they should be. But Justice having first Detected the Folly as well as Impiety of his Arguments, threw him Headlong into the Sea, as the Disturber of the Peace of Mankind; and Persuaded the People to leave God to Govern the World, and make Justice their Rule.⁴⁹

Leslie's essentially platonic view of the social and political world was supported by his theology. Of fundamental importance to that theology was the doctrine of substance, that is, the belief that there is something unperceived which unites the particular qualities perceived by the senses. Substance, for Leslie, is the manifestation of God's will; it is that which gives order and unity to creation and identity to its individual parts. In opposition to those of his contemporaries who held that the principle of motion was inherent in matter,

49. Ibid., 63-4. Cf. Faerie Queene, V. (ii). 30ff.

Leslie emphasised that spiritual substance invigorates inert matter.

Awareness of doctrine helps us to contemplate God, which is the chief duty of Christians. God is reflected in His creation, and our perception of that creation leads us to a proper appreciation of Him. Because His nature is so fundamentally incomprehensible, we must approach Him through "allusions" and "parallels". We may gain some light about the mystery of the trinity through the contemplation of our own soul, "which is that image of God wherein he made man". The soul's three faculties of understanding (i.e., apprehension; "this resembles creation, or bringing things into being, as to us"), remembering (i.e., the retention of what we understand, which allows us to compare thoughts and things, to infer and draw consequences, "which we call reasoning") and willing (i.e., coming to like or dislike that which we have understood and remembered) is a representation of the trinity. The understanding is the father faculty and it begets remembering; the will proceeds from both of them. Similarly, length, width and thickness are essential to every body and are inseparable from each other. Thus, God has implanted resemblances of His trinity in every body and soul; ". . . but still with that distance and dis-proportion that must necessarily be supposed between finite and infinite."⁵⁰

50. Leslie, Socinian Controversy Discussed, Theological Works (1832), 2:60-79.

There are other parallels which bring us closer to God's image. It is, said Leslie, an image of God to be beneficial to others; ". . . the sun shines to others, not to himself". An even closer image of God is attained by making ourselves the object of our benefactions:

. . . this is performed in us by what we call self-reflection, whereby we become the object of our knowledge and love: and this is reciprocal in us: we are the person knowing, and the person that is known; the person that loves, and the person that is loved: and this could not be done but by the operation of several faculties in the soul, which are an image of the several Persons in the Deity: and the original of this self-reflection is a reflex act of the understanding, the father faculty . . . : and this resembles the Father, the Fountain (as I may so say) of the Deity.

In this consists the essential happiness of God, in the knowledge and love of himself; and this reflected perfectly from one Person of the Godhead to another; which is infinitely more complex than the shadow of it in the reciprocal reflection of the faculties in our soul: but a shadow and image of it it is; and without which we should not be able to have the least glimpse or apprehension of the other.⁵¹

Intense self-consciousness, in the platonic sense, is the source of true knowledge. As with the Cambridge platonist John Smith, Leslie urged his readers to reflect upon their own souls in order to convince themselves of the superiority of the spirit over the body; by such reflection, according to Smith, "we may know a thousand times more distinctly what our Souls are than what our Bodies are!" Such a notion was in opposition to materialist and empiricist theories, which

51. Ibid., 2:80.

emphasised that human knowledge was founded upon clear distinct ideas derived from external phenomena. Knowledge of bodies, Smith wrote, "is little better than merely historical, which we gather up by scraps and piecemeals . . ."; whereas knowledge of a mind is so "clear and distinct from all those notions which we can fasten upon a body, that we can easily conceive that if all body-being in the world were destroyed, yet we might then as well subsist as we now do".⁵²

This mystical tendency in Leslie's theology needs to be emphasised, especially when one considers that his short and easy method was essentially a vindication of revealed Christianity which relied upon historical-empirical evidence. He defended himself by reminding his critics that St. Paul had reasoned with the Athenians by citing Aratus, "one of their own Poets", whereas he had reasoned with the Jews from scripture. He noted that "I had omitted the strongest proof for Christianity"--that is, "the self-evidence of the Scriptures, from the dignity of the matter, and the majesty of the style, beyond any other writing"⁵³--because he was

52. Passages from Smith's Discourse of the Immortality of the Soul quoted from Frederick J. Powicke, The Cambridge Platonists (Hamden, Conn., 1971; originally published 1926), 100-101.

53. Leslie, Short and Easy Method of with the Deists . . . Vindicated, L.T.W., 1:128. This passage may be compared with that quoted above, where Leslie observes that God's essential happiness consists "in knowledge and love of himself". That "self-evidence of the Scripture" offers the strongest proof for Christianity in the same way in which self-reflection brings us closer to God's image.

confronting "scoffers", who could understand no argument unless it was based upon "plain Principles of Reason". The purpose of the method, then, was simply to prepare the "scoffers" to receive the gift of saving faith after assenting to indisputable matters of fact. Leslie simply tried to show that Christianity can be defended even by the feeble method of the deists; but, he insisted, "I have not made it the chief foundation of my argument".⁵⁴

That argument was that Christianity is the only true religion, and that true Christianity is a revealed religion. Reason certainly is not to be despised, but reason alone can never discern God's revelation. In short, the Christian life cannot be lived simply by following moral precepts discoverable by reason, for morality is inseparable from revelation.⁵⁵

Leslie viewed with contempt the enthusiasm for natural religion. He asked John Tutchin: "Is Christianity then nothing but morality?"⁵⁶ "Moral men" had forced them-

54. Leslie, Truth of Christianity Demonstrated, ibid., 1:164.

55. See Leslie, Snake in the Grass, L.T.W., 2:69-9, where he rebukes William Penn for asserting that the distinction between a moral man and a Christian "has been a deadly poyson these latter Ages have been infected with."

56. Leslie, Short and Easy Method with the Deists Vindicated, L.T.W., 1:127.

selves into the pulpits of the church of England and had proceeded to explain away such mysteries as the trinity and eternal punishment. Leslie attacked Tillotson and Burnet, the leading members of the "theistical juncto", for preaching that even though God threatened eternal damnation, we have no certainty of hell's torment if we disobey Him. These "blasphemers", he sneered, were either too wise to be the dupes of God's undoubted threat or they had been informed of His secret by private revelations; in either case, ". . . why would they blab this, and spoil God's design upon other men? I dare say he will tell them no more secrets for this trick."⁵⁷ Leslie could see nothing reasonable about their doubts about punishment, for punishment as well as reward was surely essential to the nature of justice, which is God in the abstract.

So that these doctors will find reason as much their enemy as revelation; and it is a just judgement, that those who presumptuously go against the latter, should discover their extreme folly in the other, wherein they boast themselves.⁵⁸

Divine revelation is the essence of Christianity. The latitudinarian and deistic emphasis upon morality as its fundamental message demonstrated to Leslie and his nonjuring and high-church sympathisers that Christianity

57. Leslie, Charge of Socinianism, Theological Works (1832), 2:624-25.

58. Ibid., 2:626.

was in danger with the advancement of Tillotson and men of his school to influential offices within the church of England. To assert that the moral law, or the light of nature, shines in all men's hearts and that individuals ought to heed that divine spark is to make religion no more than opinion and is to dissolve the church as a society. Revealed religion, on the other hand, requires submission to the discipline of the government of that society into which Christ formed His followers. It is a society which has "great and unconceivable privileges and promises", which are not natural; rather, those rewards are reserved for those who have qualified themselves for membership in that corporation. and so, by definition, have distinguished themselves from the generality of mankind. Followers of natural religion are rebels against the discipline of any society: ". . . it is the law, not the doctrine of Christ, which is grievous to them"59

The notion that God dwelt in all things suggested to Leslie that the cult of natural religion was in essence a revival of Egyptian magical religion, which worshipped the one divinity which manifested itself in all nature. Radical whigs charged the jacobites and nonjurors with Egyptianism,

59. Ibid., 2:649-51, 663. A detailed consideration of the church as a society will be presented in chapter 5.

which they detected in their devotion to the doctrine of divine right of kings. "How did they [the jacobites] loath the Manna of his [William III's] gentle Reign," wrote John Tutchin, "and long for the Onions and Garlick of Egypt?"⁶⁰ But Leslie did not hesitate to return those charges because of their confused notion of religious and moral duties. Tillotson was roundly condemned for asserting that a mother's nursing of her child is ". . . of a more necessary and indispensable obligation than any positive precept of revealed religion."⁶¹ But the revival of Egyptian magic was most clearly evident to Leslie among the quakers, whose "monstrous" doctrine of the light within inspired several

60. The Observator, 3, no. 84 (31 Jan. 1705); see also the same newsheet, 1, 3 (15 April 1702). Tutchin, who had been accused of being "Secretary to the Abominable Society of Kingkillers" (see Secret History of the Calves-Head Club, dedication), was alluding to Bruno's Spacchio, dial. 3: "For Mars is more efficaciously in natural vestiges and modes of substance, in a viper or a scorpion, nay even in an onion or garlic" Toland (Letters to Serena, 92) refers to the Egyptian worship of "the Bird Ibis, Hawks, Cats, Dogs, Crocodiles, Sea-Horses, Goats, Bulls, Cows, Onions, Garlick, and what not". This is undoubtedly the unacknowledged source of Macaulay's famous characterisation of the nonjuror, who sacrificed both order and liberty ". . . to a superstition as stupid and degrading as the Egyptian worship of cats and onions." Macaulay, History of England, 3:155.

61. John Tillotson, Six Sermons (London, 1694): quoted in Leslie, Charge of Socinianism, Theological Works (1832) 2:599. See J. O'Higgins, "Archbishop Tillotson and the Religion of Nature", esp. 126-29, for the use the deist Anthony Collins was to make of this sermon in his Discourse of Freethinking (London, 1713).

lengthy treatises.

Leslie had a first-hand knowledge of the quaker community. His writings against the quakers reveal a familiarity which could not have been gained simply by listening to high-church railing against the sect. Indeed, he refers to conversations with its members, and he was keenly aware of the transformation it had undergone as a result of William Penn's leadership:

. . . many of them have really gone off from that height of Blasphemy and Madness which was profess'd among them at their first setting up in the year 1650, and so continu'd till after the Restauration Anno 1660: Since which time they have been coming off by degrees; especially of late, some of them have made nearer advances towards Christianity than ever before. And among them, the ingenious Mr. Penn has of late refin'd some of their gross Notions, and brought them into some form; has made them speak Sense and English, of both which George Fox (their first and great Apostle) was totally ignorant⁶²

62. Leslie, Snake in the Grass, L.T.W., 2:18. The entire second volume of his Theological Works (1721) is made up of his anti-quaker writings. There is much repetition in the ten lengthy treatises, all of which were written between 1696 and 1702.

The Snake became one of Leslie's most famous works. When preparations were started in 1716 to gather his works together in two folio volumes, an advertisement entitled Proposals for printing by Subscription the Works of the Author of The Snake in the Grass did not mention him by name (he was then in exile); it simply noted that the writings of "this Learned and Ingenious Author . . . have received so Universal an Approbation for their Learning and Solidity, and for the Conviction which they do so irresistibly carry in them; That it is much to be wish'd, every Clergyman in England, could have them in his Study." See Bodl. MS. Rawl. letters 42, fol. 216. For contemporary quaker reaction to Leslie and The Snake, see William C. Braithwaite, The Second Period of Quakerism (London, 1919) 488-90.

It is probable that Leslie became familiar with the quakers as a result of his association with Penn, who was an enthusiastic jacobite and a confidant of the earl of Clarendon.⁶³

In the late sixteen-nineties Leslie resided for about a year with a quaker preacher and his wife, whom he is supposed to have re-converted to the church of England, and whose children he baptised.⁶⁴

Despite Leslie's respect for Penn and his recognition of the sect's "nearer advances towards Christianity", his basic aim in his anti-quaker tracts was to point out that modern quakers had not renounced the heresies of Fox; rather, they had only advanced "little pretty distinctions" to disguise "those Doctrines of Devils" which had formed the sect during the commonwealth. They were, in fact, indistinguishable from the followers of Ludowick Muggleton, whom Penn had condemned as a "Sorcerer of our Days".⁶⁵

63. See above, chap. 2. Clarendon had corresponded with Penn even before the revolution. He had asked Penn to use his influence with James II to help secure the English interest in Ireland. See Cal. Clar. S. P. Bodl., 5:683-84.

64. I have been unable to find primary evidence to support this statement, but the story has been told in all previous accounts of Leslie's career: see Harris, Works of Sir James Ware, 2:282-83; Biog. Brit., 5:2918n.; R. J. Leslie, Charles Leslie, chap. 6; S. Leslie, Of Glaslough in the Kingdom of Oriel, 48-9. Given the jacobite sympathies of the quakers, it is not unreasonable to suppose that he resided with them for a time. The story of the conversions may or may not be true; although the addition of the family to the swelling ranks of his converts spoke powerfully for the infallibility of his method.

65. Leslie, Snake in the Grass, L.T.W., 2:18-19.

The "ground and foundation of all their other Errors and Blasphemies" was, of course, their notion of the light within. This light in each individual's conscience, the quakers believe, is "not only an inspiration or illumination sent from God, but to be itself the essential God and Christ".

And from hence (O Blasphemy to repeat it!) they call their Souls a part of God, of his Being and Essence; that they are one Soul with God; and therefore that their Soul is infinite, and that in its [sic] self, without beginning or ending; and that God is not distinct from his Saints. . . They make themselves equal with God, infallible, and perfectly sinless, as he is.⁶⁶

Because scriptures often contradict the light within, quakers reject them as a rule of faith and manners. They cast doubt upon the authority of scripture "by disputing their Pen-men": we do not know if the first "Pen-man" was Moses or an imposter, such as Hermes; nor can we be certain of the true inspiration of the other authors of the books of the Bible.⁶⁷ The quakers' fundamental error, in short, had its roots in their rejection of the literal truth of the scripture. Leslie regarded that rejection as the basic error of his age.

66. Ibid., 2:20.

67. Ibid., 2:51. Leslie charged that the quakers accepted Fox's rejection of scriptures and substituted for them Fox's own writings in their prayer meetings and schools. See ibid., 2:53ff, 76. See also, Charles Leslie, Satan Disrob'd from his Disguise of Light. . ., (1696), L.T.W., 2. He defended his charges against their schools in The Present State of Quakerism in England. . . (1701), L.T.W., 2:65lff.

Leslie detected in the quakers a truly diabolical enthusiasm comparable to the frenzies of Mme. Bourignon and her crazed followers.⁶⁸ But when he attacked the quakers, he had his sights set on a larger target than one small, though growing, sect.⁶⁹ The clue to the larger diabolism which was his concern is found in the titles of his various works against the quakers. The Primitive Heresy revived in the Faith and Practice of the People called Quakers⁷⁰ contained further charges that in quakerism was to be found "Satan transform'd into an Angel of Light" (the allusion is to 2 Corinthians 11:14). Leslie declared that Simon Magus had been more modest than "our Magician", who was George

68. Indeed, the "Preface" to the Snake in the Grass is devoted to a consideration of Mme. Bourignon, whose "exalted piece of Enthusiasm", entitled The Light of the World, "has lately arriv'd upon our Shore". L.T.W., 2:3-15. On Bourignon, see R. A. Knox, Enthusiasm, A Chapter in the History of Religion, with special reference to the XVII and XVIII centuries (Oxford, 1950), 352-55. Leslie was fond of pointing to parallels between protestant fanatics and popish mystics; see, for example, [Charles Leslie], The Wolf Stript of His Shepherd's Cloathing (London, 1704), 6.

69. Leslie warned that ". . . their numbers (increas'd by being neglected) are now become formidable, chiefly for the many Souls seduc'd by them; they not only swarm over these three Nations, but they stock our Plantations abroad." Snake in the Grass, L.T.W., 2:17. Leslie suggested there were as many as 100,000 quakers in England. The quaker Joseph Wyeth replied: "I wish he may speak true." Switch for the Snake (London, 1699), 372. See Braithwaith, Second Period of Quakerism, 459-60.

70. 1698, L.T.W., 2.

Fox, or, as Leslie called him, "George Magus".

For Simon Magus was the Father of the Quakers, Socinians, and all the rest of the Anti-trinitarian Hereticks: He first blasphemed against the holy Trinity, slighted the Scriptures, denying the Law of Moses to be from God, set up Magic, Idolatry, and Sensuality: in all of which he was not more follow'd by the Gnosticks than the Quakers⁷¹

The "preter-natural Convulsions and Quakings, Foamings, and swellings of their Bellies" which Leslie recorded with undisguised horror bear comparison with what Dr. Yates has described as "the supreme Hermetic experience . . . in which the soul was transformed into the light of the divine mens, in the likeness of which it was created, the body 'slept' during the whole vision, the senses being bound whilst the soul left the body to become divine."⁷² The fourth neoplatonic furor, or enthusiasm, which excited the soul to rise to the One, was the furor of love, which, according to Agrippa, ". . . turns and transmutes the spirit of man into a god by the ardour of love, and renders him entirely like God, as the true image of God."⁷³

71. Snake in the Grass, L.T.W., 2:76-7.

72. Yates, Giordano Bruno, 280. See Geoffrey F. Nuttall, "'Unity with the Creation': George Fox and the Hermetic Philosophy", in The Puritan Spirit, Essays and Addresses (London, 1967), 194-203.

73. Quoted from Cornelius Agrippa's De occulta philosophia in Yates, Giordano Bruno, 281-82.

The basic aim of diabolical enthusiasm has always been to attack the priesthood and all outward ordinances of religion, for without these men are left "senceless and open, to steer without compass". Leslie was careful to distinguish between diabolical and divine enthusiasm. The latter ought to be encouraged, "even the greatest flights and exstacies of it . . . let these rise as high as they can; the higher the better! while we keep within the rule of Scripture, and are content to let all our notions be try'd and judg'd by that."⁷⁴ Divine enthusiasm fills us with humility and encourages charity towards others and unity among men; whereas diabolical enthusiasm inspires vanity and the rejection of our spiritual governors. In the same vein, Henry Dodwell insisted that the true spirit of prophecy, which is under the control of reason, could not be confused with diabolical enthusiasm because adherence to the sacraments and subjection to those ordained to administer them were marks of divine inspiration; the spirit is derived from the apostles, and so "preternatural emotions" by private persons outside the one true communion are to be rejected.⁷⁵ The content of private revelations, he wrote later in an

74. See Snake in the Grass, L.T.W., 2:12-14, 144-50, for Leslie's discussion of divine and diabolical enthusiasm.

75. Dodwell to Francis Lee, 12 Oct. 1697: Bodl. MS. Cherry 22, fols. 48-50; Dodwell to Lee, 15 Jan. 1697/8: ibid., fols. 51-5.

almost Lockean admonition, must be determinable, and must be capable of being conveyed, by rational argument.⁷⁶ To support his design of wrenching people away from the rule of scripture, Leslie charged, the devil ". . . has arm'd the Atheists and Deists to join with the more plausible Enthusiasts and Latitudinarians."⁷⁷

Archbishop Tillotson was the one man whom Leslie despised more than William III. In confounding religion and morality he had fulfilled admirably his role as Hobbes's deputy in the pulpit: "his sermons . . . are all the genuine effects of Hobbism, which loosens the notions of religion, takes from it all that is spiritual, ridicules whatever is called supernatural; it reduces God to matter, and religion to nature."⁷⁸ This sentiment unites all of Leslie's theological writings. The underlying aim of all his diatribes was to demonstrate that deism, nonconformity and latitudinarianism were fundamentally indistinguishable, and that each found its political expression in the whig

76. Dodwell to Lee, 12 Oct. 1697: Bodl. MS. Cherry 23, fol. 371. Cf. Snake in the Grass, L.T.W., 2:28-9.

77. Ibid., 2:6.

78. Leslie, Charge of Socinianism, Theological Works (1832), 2:595. For further accusations that Tillotson was responsible for the spread of atheism, see George Hickes, Some Discourses upon Dr. Burnet and Dr. Tillotson (London, 1695), 38ff, 74.

party. His theological writings of the last years of William III's reign laid the groundwork for the campaign under queen Anne which sought to convince Englishmen that there was, as the title of one of his most famous pamphlets put it, a "New Association of those Called, Moderate CHURCHMEN, with the Modern-Whigs and Fanaticks, to UNDER-MINE and BLOW-UP the present Church and Government".

Leslie and other high-church propagandists perceived in Lockean epistemology, the mechanical philosophy, deism and whig political theory a concerted attack upon Christianity properly understood, that is, upon revealed religion. High churchmen were busily searching for grounds of absolute certainty for Christianity at a time when the grounds for scepticism seemed to be strengthening. One of the chief promoters of scepticism, according to George Hickes, was Locke, whom ". . . all of the Atheists, and Deists, and Scepticks of the Age cried up for a Performance above whatever had been done by any other Philosopher" ⁷⁹ Locke had "perverted" many men when he wrote that we cannot believe anything without having a clear idea of it. Hickes congratulated Roger North for distinguishing between credibility and understanding; we can be certain of things or facts, even though we may not be able

79. [William Carroll], Spinoza Reviv'd. To which is added A Preliminary Discourse . . . by the Reverend Dr. George Hickes (London, 1709), "Preliminary Discourse".

to understand the reasoning behind them.⁸⁰ Henry Dodwell agreed. He urged a correspondent who wanted to reply to the deists to argue that Christian revelation could be proven to be true because the miracles and prophecies which attested to it and which had been set down in scripture were verifiable historical facts: "This proof of fact from facts of miracles & prophecies. . . I take to be the easiest & most fitted to y^e capacities of even y^e meanest men, who are all concerned to agree in y^e belief of Truths of this nature."⁸¹ In attempting to frame an argument against contemporary scepticism nonjurors such as Leslie, Hickes and Dodwell believed that they were vindicating the rights of the spiritual jurisdiction and helping to secure the church's independence of the state. The rights of the church, they feared, had been further weakened by the revolution. Not only had loyal churchmen been deprived of their offices by secular authorities, but their places had been filled, in the main, by churchmen who advocated the new philosophy. The nonjurors perceived a vital link between modern scepticism disguised as latitudinarianism and the suppression of the spiritual jurisdiction; and they were

80. George Hickes to Roger North, 23 May 1713: Bodl. MS. Eng. Hist. b.2, fol. 170.

81. Dodwell to John Falconer, 27 Feb. 1710/11: Bodl. MS. St. Edmund Hall 14, fol. 47. See also Francis Brokesby, The Life of Mr Henry Dodwell (London, 1715), 499-500.

convinced that, unless remedied, the revolution of 1688-1689 would stand as the final act of England's erastian reformation. Tillotson's religion, declared Leslie, "is latitudinarian, which is none; that is nothing that is positive, but against every thing that is positive in other religions; whereby to reduce all religions to an uncertainty, and determinable only by the civil power" Beloved by "the atheistical wits of all England, as their true primate and apostle",⁸² Tillotson had encouraged the ridicule of revelation and the rendering of Genesis "into a mere romance".

They now cry there is nothing but natural religion. All that which is called revealed is at most but God's compliance with the superstition of the vulgar; and what does that concern men of wit and sense? Since religion has no deeper a root, what reverence, what veneration is due to it? All the ordinances and constitutions of the Law and Gospel are but politics to secure government; and the threatenings even of hell itself are no more; and therefore there is no necessity, no certainty, that they will be inflicted, as our primate has boldly asserted in the very face of the government; and his Sermon was printed "by their Majesties' special command." Thus do

82. Toland quoted Tillotson on the title page of Christianity not Mysterious. In "A Supplement upon occasion of a History of Religion, lately Published . . .", Leslie claimed that the author of the History ("Sir R. H__d", sc., Sir Robert Howard) "borrowed from a work of that execrable Charles Blount, one of the atheistical club, and very intimate with Dr. Tillotson." Charge of Socinianism, Theological Works (1832), 2:635. George Hickes asserted that Samuel Johnson was "ye chief Author" of Howard's "wicked book": see Hickes to White Kennett, 1 Nov. 1711: Bodl. MS. Eng. Hist. b. 2, fol. 166v. For an assessment of Tillotson's theological sympathies, see O'Higgins, "Archbishop Tillotson and the Religion of Nature".

the Deists triumph!⁸³

That, for Leslie, was perfect Hobbism. Perhaps it was consummate Anglicanism. Surely, Dodwell wrote to Bishop Lloyd of St. Asaph, his friend could not agree that an act of state might vacate a bishopric unless he would also admit that James, upon his restoration, might vacate every protestant bishopric in the three kingdoms.⁸⁴ It was both unjust and unwise to allow the secular power to intrude upon the church, "especially in a time when Governours have no Principles of Conscience, but only Politicks, to oblige them to befriend y^e Church, & in such times of unsettlement when none can reckon upon y^e designs of Politicians."⁸⁵ Leslie and his

83. Charge of Socinianism, Theological Works (1832), 2:595-96.

84. Dodwell to Lloyd, 30 Nov. 1689: Bodl. MS. Cherry 23 fol. 163. (Also, Bodl. MS. St. Edmund Hall 11, fols. 1-3). Dodwell had heard a rumour that Lloyd hoped to be promoted to Ely after Turner's deprivation. See also [Henry Dodwell], A Dutiful Letter. To which Is Adjoyn'd, Another; To Prove Non-Jurors No Schismatics (London, 1703), 26-27.

85. Dodwell to Lloyd, 7 Jan. 1689/90: Bodl. MS. Cherry 23, fol. 164. Lloyd had assured Dodwell--rather disingenuously--that he had no designs upon Ely. Dodwell must also have heard of Lloyd's growing friendship with Burnet (see Clar. Corr., 2:242 & passim.), for in this letter he warned: ". . . my Ld. of Salisbury has, in most of his Writings, shewn such malignity against his own Order, & such partiality to Secular Invaders of y^e Ecclesiastical Rights, y^t he can, by no means, be taken for a competent Judg of matters of this nature. I beseech you beware of him."

friends feared natural religion and modern currents of thought because their inherent scepticism was a rather dangerous complement to the erastian tendencies which were never very well disguised by official Anglicanism. For that reason, no small part of their campaign was to insist that the reformation of the sixteenth century had been merely the first step towards a total reformation. That notable rejection of Elizabethan and Stuart apologias for the church of England was rooted in the conviction that there was now at hand the weapons by which "our Last Reformation"⁸⁶ might be completed according to its own first principles.

86. See Leslie's letter (Bodl. MS. Tanner 24, fol. 61) referred to above: chap. 2, n.133.

CHAPTER 5

LESLIE AND THE CASE AGAINST ERASTIANISM

In 1700 William III turned to the earl of Rochester and his followers in an attempt to settle the parliamentary confusion which had reigned since the collapse of the junto ministry in 1698. Rochester insisted that he could not serve unless convocation was allowed to sit for business. William acceded to those terms, thereby bringing to a close the first stage of the controversy which would keep the church of England at the centre of political debate until convocation was silenced in 1717.

The danger of allowing clerical grievances an organised expression had been keenly observed in 1689 when convocation had sabotaged William's ecclesiastical policy.¹ In the years that followed, convocation had been prorogued immediately after the opening ceremonies. In the sixteen-nineties a campaign was organised to re-assert the right of the representatives of the clergy to assemble together and to deal with those issues which belonged properly within the spiritual jurisdiction.

The grievances and fears of the clergy were given succinct expression in the tract which launched that campaign.

1. See above, chap. 2.

The spread of licentiousness, anti-clericalism and heretical ideas of every kind demonstrated the need for a convocation, especially since the enemies of religion were urging a "universal unlimited Toleration" in order to establish "the indifference of all religion". Biblical history has been attacked, all religious mysteries have been ridiculed, "and nothing is admitted as an Article of Faith but what we can fully and perfectly comprehend".² Because ". . . there seems to be an universal Conspiracy . . . to undermine and otherthrow the Catholick Faith", it was essential that the full force of ecclesiastical authority be allowed to exert itself.

Jacobites and nonjurors saw in this rallying of disaffected churchmen a chance to right the wrongs of the recent past. Henry Dodwell would never agree that the church of England was not a schismatical church for so long as lay deprivations were allowed to stand uncorrected. Charles Leslie, while agreeing with Dodwell, had a larger end in view. He hoped that clerical anger with the government in both church and state could be used to work for a restoration

2. [Francis Atterbury], A Letter to a Convocation-Man Concerning the Rights, Powers, and Privileges of that Body, (London, 1697), 2-3. The work is correctly ascribed to Atterbury, although he was assisted by an unidentified cleric and by Sir Bartholomew Shower, a tory lawyer and friend of Rochester: see Hearne, Remarks and Collections, 3:279. The problem of authorship is satisfactorily explained in H. C. Beeching, Francis Atterbury (London, 1909), 53 n.1, and in Norman Sykes, Edmund Gibson, Bishop of London, 1669-1748, A Study in Politics & Religion in the Eighteenth Century (London, 1926), 26 n.2.

of king James and "a throro [sic] & Honest Reformatⁿ" of the Church of England.³ There was a shift in Leslie's tactics as the campaign for convocation began in earnest. Gone were the days when he urged the clergy to separate from wicked and heretical bishops; no longer did he "admonish all the godly laity" to withdraw from those clergymen who remained loyal to the intruded bishops.⁴ Instead, he published a series of tracts which examined the church's independence of the state and its right to self-government; he reminded the clergy of the high dignity and function of their office; and he hinted at great things to come if the clergy returned to their duty.

The potential strength of the clergy was appreciated by all observers, and whig writers feared any combination of jacobites and tories which might arouse them. One deist was probably not far off the mark when he claimed that, when the interest of the clergy required it, ". . . their Doctrine of Non-Resistance was qualify'd by Non-Assistance, [and] the whole Stream of Loyalty was turn'd from the King to the Church"⁵ It was on this basis that jacobites were

3. Charles Leslie to [?] Thomas Tanner, 30 Aug. 1695: Bodl. MS. Tanner 24, fol. 61.

4. See Leslie, Charge of Socinianism against Dr. Tillotson, Theological Works (1832), 1:667-69.

5. William Stephens, An Account of the Growth of Deism in England (London, 1696), 11.

scheming with tories. They welcomed any opportunity to exploit divisions within the kingdom, wrote an angry defender of dissenters from the attacks of these enemies, and ". . . the Tools they now work upon are some of the inferiour Clergy, and such of the dignified ones as are perhaps discontented that they are not elevated to an higher Dignity" ⁶

White Kennett accused Leslie of joining Atterbury, even though he disagreed with his views on certain key issues, because he had "secret Hopes and Expectations" which could be brought to fulfillment by encouraging unrest in the lower house of convocation. ⁷

During the three decades following the revolution of 1688-1689 the role of the church of England was furiously debated. It might be supposed that the nonjurors agreed with the essential arguments of those conforming churchmen who fought for the rights of the "church in danger". The nonjurors, in fact, had a radically different view of church and state relations from that held by tory churchmen. Whereas Francis Atterbury's "essential method and aim was to achieve

6. Anon., A Rowland for an Oliver: Or, a Sharp Rebuke to a Sawcy Levite. (London, 1699), 6.

7. [White Kennett], The History of the Convocation of the Prelates and Clergy of the Province of Canterbury, Summon'd to Meet at the Cathedral Church of St. Paul, London, on February 6, 1700 (London, 1702), xxxi-xxxii.

reconstruction in the Church in partnership with the State and the politicians", Leslie and the rest of the nonjurors asserted the church's complete independence of the state. Leading tory churchmen were suspicious of the views expressed by Leslie and his friends, whose writings about sacerdotal authority and the autonomy of the spiritual jurisdiction "held and uncanny fascination for the Anglican priesthood".⁸ Before examining in some detail Leslie's ideas on the government of the church and its proper relationship with the state, it will be necessary first to emphasise fundamental points of disagreement between those two groups which had been drawn together in the battle against whig politicians and latitudinarian divines. These differences can be illustrated conveniently by considering Leslie's reservations about Atterbury's case in favour of convocation.

Kennett was correct when he noted that Leslie's and Atterbury's theories were quite different. Atterbury insisted that convocation occupies a position within the spiritual realm exactly parallel to the place which parliament occupies

8. Bennett, Tory Crisis, 150-53. Leslie was certainly aware that prominent tory churchmen found some of his views unacceptable. See Leslie to [?], 28 May 1700: Bodl. MS. Rawl. c.171, fol. 105, where he reports to his correspondent that William Jane, regius professor of divinity at Oxford and prolocutor of the lower house of convocation in 1689, was especially critical of the discussion of the royal supremacy in Regale and Pontificate.

in the temporal. In ancient times, a "Wittena Gemote signifie'd what we call a Parliament, and a Church-Gemote what we call a Convocation."⁹ It was essential to Atterbury's argument that both parliament and convocation stand "upon the same Foundation and principle, with regard to the King's Prerogative". He cited numerous maxims of common law to show that parliament is necessary "by the Fundamental Laws of the Government". Although the king is entrusted with summoning and dissolving it, the laws determine how and when he will do so; ". . . which is enough to shew, that the King's share in the Sovereignty, which is lodg'd in the Parliament, is cut out to him by Law, and not left at his disposal."¹⁰ Now, Atterbury continued, if the English sovereign is considered as a Christian king, whose religion is established by law, and the profession of that religion is in the national church with its own rights and privileges, then those maxims of the common law will be seen to apply to the church as well as to the state, that is, to convocation as well as to parliament.

After convocation was finally allowed to proceed with business in 1700, the crucial point in the controversy between the two houses was the nature of that institution, specifically the relationship of the upper and lower houses and the role of the archbishop of Canterbury. The lower house insisted

9. Atterbury, Letter to a Convocation-Man, 30.

10. Ibid., 30-3.

upon its right as a house, which had been assembled by the authority of the royal writ, to determine its business and to regulate its affairs without deferring to the authority of the archbishop. Atterbury claimed that by the submission of the clergy under Henry VIII the archbishop of Canterbury had lost his authoritative position over convocation and had become merely a representative of the crown to preside over its meetings.¹¹ The defenders of the archbishop's authority over the whole convocation accused the high churchmen of participating in what was essentially a presbyterian rebellion against episcopal authority.¹²

Atterbury's assertions about the position of the archbishop were not to Leslie's liking. Atterbury had exalted the royal supremacy in order to counter episcopal claims. To be sure, the royal supremacy to which he appealed was one defined by law and executed through established institutions. It was, nevertheless, an appeal to the crown's

11. See the discussion of the submission of the clergy in [Francis Atterbury], The Rights, Powers, and Privileges, of an English Convocation, Stated and Vindicated. . . (London, 1700), 78-90. See also his The Case of the Schedule Stated . . . (London, 1702), 2-3, 4ff., 15-6.

12. See, for example, [Edmund Gibson], The New Danger of Presbytery. Or, The Claims and Practices of Some in the Lower-House of Convocation, Very Dangerous to the Constitution of an Episcopal and Metropolitcal Church . . . (London, 1703).

authority in ecclesiastical affairs, and that appeal, it will become clear in this chapter, was unacceptable. Atterbury and his followers had launched a campaign on behalf of the rights of the church, and in doing so they had brought back into the church and politics the cause for which the nonjurors had suffered deprivation. But the differences between the two groups were not superficial.

Leslie did not offer a detailed criticism of Atterbury's writings, but he did feel obliged to point out that the latter "has dropt several expressions which are not tenable". He objected to Atterbury's claim that the submission of the clergy was no longer a grievance and that there was no need to repeal it. "This must pass for a compliment", was Leslie's even reply; it was one of several unwarranted concessions made to encourage William to allow convocation to sit for business.¹³ Even more regrettable were Atterbury's assertions that the clergy had "more than once" led Englishmen in shaking off "yokes of every king", and that "none had been more instrumental than they in promoting the common deliverance".¹⁴

13. Charles Leslie, The Case of the Regale and of the Pontificate stated. In a Conference concerning the Independency of the Church Upon any Power on Earth, in the Exercise of her purely Spiritual Power and Authority (1700), L.T.W., 1:589. See Atterbury, Rights, Powers, and Privileges, 112.

14. Ibid., 113, 362.

Leslie granted the goodness of Atterbury's end, which was to promote the interests of the church, but he could not allow such expressions to stand unchallenged; at most, he insisted, no more than "half a dozen of the Clergy" could be suspected of "promoting, contriving, and bringing about the Revolution". Sancroft and "near half of the then Bishops in the Kingdom", as well as several hundred of the lower clergy, "have stood their ground"; while many of those who did "swallow" the oaths still considered James II to be their king de jure. Leslie urged Atterbury to "let neither Clergy nor Laity share more either of reproach or glory than what they have deserved".¹⁵

Leslie could not accept Atterbury's account of convocation. If he did not attack that account outright, neither did he commend it or even refer to it in his own arguments on behalf of the church's right to self-government. Atterbury began by enunciating certain first principles to which no nonjuror could have objected. The church, he wrote, is a spiritual society with Jesus Christ as its head, which is independent of temporal society. Christ has given it laws and has appointed "a standing succession of officers under himself for the government of this society". The inherent right of self-government is essential to the church, ". . . for a Society, without a Power of Government, is a Bull in Polity."¹⁶ After

15. Leslie, Regale and Pontificate, L.T.W., 1:590.

16. Atterbury, Letter to a Convocation-Man, 17-9.

these principles had been asserted as unquestionable, Atterbury proceeded with his discussion of the peculiar form of self-government which had been evolved by the English branch of the universal church. But the importance of Atterbury's writings lies not in his assertion of these principles, but in his detailed (and often bogus) constitutional history, which tried to fix convocation's place in English history as firmly as seventeenth-century whigs had tried to fix parliament's. In doing so, as has been shown, he resorted to the myths of the Germanic origins of the English constitution and the rights and liberties of the Anglo-Saxons. In building his case for the privileges of the lower house of convocation--which, he claimed, were essentially the same as those of the lower house of parliament--he did not hesitate to admit that his conclusions were not based upon "Airy Speculations" about the divine institution of the church, but were drawn from the constitution of parliament.¹⁷

The convocation controversy inevitably drew the church of England into the party conflict of the post-revolutionary years. The rights of the church became one of the key issues in the opposition to William's whig ministers, and the right of convocation to proceed with business provided

17. [Francis Atterbury], The Parliamentary Original and Rights of the Lower House of Convocation Cleared. . . (London, 1702), 3.

a basic cause around which all friends of the church could rally. Atterbury encouraged this association of the rights of the church with the opposition to the government by adopting the language and concepts of the old country opposition and deploying them in the interests of the church.¹⁸ Leslie was suspicious of this tactic. He could not help but distrust the general transformation of the tory party from a pre-revolutionary court party which had adhered to the loyalist doctrines of the restoration period to a post-revolutionary country party which was absorbing the rhetoric of the old whig opposition to Charles II and James II.¹⁹ Neither church nor state, he insisted, could rely upon so feeble a defence as that derived from an ancient constitution which was demonstrably fabulous.

Leslie's first concern was to defend the divine rights of the church, and this side of the question Atterbury virtually ignored. And, what was worse, by ignoring the divine rights of the church in his furious campaign to have convocation placed upon a parliamentary foundation, Atterbury left the

18. For one contemporary's recognition of Atterbury's use of ideas formerly associated with the country opposition to the Stuart court, see Gilbert Burnet, Reflections on a Book Entitled, [The Rights, Powers, and Privileges of an English Convocation, Stated and Vindicated] (London, 1700), 8.

19. See below, chap. 6.

way clear for whig churchmen to point out that the church had a rather different origin. It was, ironically, a whig writer who denounced the claim for the "Independent and Coordinate Power of the Lower House of Presbyters", and who urged the friends of the hierarchy to oppose Atterbury's "plain Foundation of an Erastian Church".²⁰ Gibson insisted that Atterbury had not simply ignored, but had undermined, the divine rights of the church; for it the lower house of convocation has the same rights and privileges as the house of commons, he claimed the English church would be taken completely off its primitive foundation of the superiority of bishops over the inferior clergy.²¹

In the face of the whig attack, Leslie came to Atterbury's defence, not because he agreed with him, but because he believed that the purpose of the whig writers was to deny the church's inherent right to govern itself.²² Leslie noted that Kennett's treatise against Atterbury²³ "has

20. Gibson, New Danger of Presbytery, 2; and his The Schedule Review'd. . . (London, 1702), 4-5.

21. [Edmund Gibson], Synodus Anglicana: Or, The Constitution and Proceedings of an English Convocation, shown From the Acts and Registers thereof, to be agreeable to the Principles of an Episcopal Church (London, 1702), 3-4.

22. Leslie, Regale and Pontificate, L.T.W., 1:588-94.

23. White Kennett, Ecclesiastical Synods and Parliamentary Convocations in the Church of England historically stated. . . (London, 1701). G. V. Bennett, White Kennett, does not discuss Leslie's objections to Kennett; nor does it take note of Kennett's objections to Leslie (see above, pp.192-93, and below p. 275).

expressions very full for asserting original and independent rights of the Church: But then he would not have them insisted upon, and gives them up." Kennett urged "his Brethren" "not to set up for independence, and another fatal separation, which none but our enemies can project or wish."²⁴ Leslie read this as meaning that the church must remain under the protection of the state. Such protection, he granted, would be better than persecution. But he denounced Kennett for speaking against the independence of the church, and accused him of threatening the church with persecution if it should insist upon that original independence which he had acknowledged.²⁵ Leslie believed that the tendency among whig writers to recognise the divine rights of the church, only to inhibit them by exalting the rights of the state since it became Christian, was much more dangerous than Atterbury's pseudo-historical entrenchment of the ecclesiastical establishment in the ancient constitution.

Atterbury's prime concern was with the church established by law, and he fought for it against an administration which tolerated dissent from it at home and which had allowed episcopacy to collapse in Scotland. Leslie was determined to

24. Kennett, Ecclesiastical Synods, 12.

25. Leslie, Regale and Pontificate, L.T.W., 1:591.

teach the clergy that they had a duty to assert their rights, even if that meant defying the church established by law. Establishments are a convenience; certainly they are a part of the constitution and have historic rights as such. But the church does not owe its prerogatives to the state. They would be as valid if there had never been an ecclesiastical establishment, or if that establishment should collapse. Leslie's prime concern was to root out "the secular Spirit which the principles of Erastianism have begot in the Clergy"; he wanted to "exorcise" "their poor fear of temporal powers" and teach them to believe "that God is stronger than the Devil, and Christ than all the Kings upon Earth".²⁶

Leslie, ultimately, was waging a battle different from Atterbury's. He was not interested in securing the legal privileges of an established church which William III had filled with presbyterians, fanatics and atheists. From the beginning until the end of his career he feared the "new association" of whigs, dissenters and low churchmen. He was no less aware of the threat to the establishment which the unrepentant Romanism of a Stuart restoration offered. But he preferred a Roman catholic monarch to the utter destruction of religion, and it was the latter which he believed he was

26. Ibid., 1:595.

witnessing in the England of the sixteen-nineties.²⁷

The cause which rallied all concerned churchmen of the time was the defence of the church in a dangerous age. But the nonjuring campaign against erastianism should not be confused with the tory campaign to strengthen the establishment. The nonjurors supported the tories because an establishment under their control was less of a threat than one controlled by the whigs, and a revived convocation might lead to better things. But the nonjurors' view of the proper relationship of church and state was a threat to both tory and whig ideals. "Whose hands do I strengthen when I write?" Leslie asked. "I belong to that side, however artificially I manage the argument."²⁸

While it is true that nonjurors took advantage of the tory campaign on behalf of the church, it must be emphasised that they had contributed greatly to the origins of that campaign. Their vehement objections to lay deprivations was a vital part of the general climate of opinion which tory propagandists were later able to exploit; the apparent ease with which Atterbury aroused the lower clergy to support the demand for convocation is in part explained by the fact that by 1697 nonjurors had done much to publicise their concept of

27. Northampton Record Office, MS. Buccleuch 63, No. 7, pp. 2-3.
I should like to thank Dr. Mark Goldie of Churchill College, Cambridge, for this reference.

28. Leslie, Regale and Pontificate, L.T.W., 1:598.

the church as an autonomous society which was threatened by predatory secular authorities.²⁹

29. Most historians of the convocation controversy date it from 1697 with the publication of Atterbury's Letter. Rarely is attention paid to the controversies of earlier years, for historians have been concerned to show how the church became so important to the two-party conflict under queen Anne. See in particular Bennett, Tory Crisis, chap. 3, and the numerous works of Norman Sykes, especially his William Wake, Archbishop of Canterbury, 1657-1737, 2 vols. (Cambridge, 1957), 1:chap. 2. While this is an accurate view of the course of the controversy, it ignores the role of jacobites and nonjurors. One historian who did recognise the nonjurors' denunciations of lay deprivation as an essential part of the campaign to revive convocation was Every, High Church Party, chap. 4. More recently, Mark Goldie read a paper entitled "The non-jurors, episcopacy, and the origins of the convocation controversy" to the International Conference on Jacobite Studies, which met at the Institute of Historical Research, University of London, from 2-4 July 1979. The papers from this symposium have been published in a volume entitled Ideology and Conspiracy: Aspects of Jacobitism, 1689-1759, ed. Eveline Cruickshanks (Edinburgh, 1981). I should like to thank Dr. Goldie for providing me with a typescript copy of his valuable essay while this chapter was in preparation. While my own research agrees substantially with his findings, I believe it is a mis-reading of both Atterbury and the non-jurors--especially Leslie--to assert that the Letter to a Convocation-Man depended upon the nonjuring view of the relationship of church and state. Goldie places too much emphasis upon those few pages of the Letter (pp. 17-20) where Atterbury notes that the church is a society with a supernatural end and must have the inherent right of self-government. Goldie believes that Atterbury did not elaborate upon this because the argument was so familiar to his readers who had read nonjuring literature. My account of Atterbury would suggest that he did not elaborate upon it because it was not important to his basic purpose. I would suggest that at this point Atterbury was merely mouthing nonjuring rhetoric--much of which, to be sure, was quite acceptable to him and other conforming churchmen--and that those pages could be excised from the Letter without marring his essential argument.

The nonjurors had been forced to elaborate and defend their conception of the church and its relationship with the state as a result of their refusal to accept deprivation from their spiritual offices because of political disobedience to prevailing powers. They denounced complying churchmen as schismatics who had separated themselves from the doctrine, discipline and worship of the church of England. The example of loyal churchmen who had refused to accept the Cromwellian regime was cited as justification for their refusal to communicate with the rebellious establishment.³⁰ Their fundamental grievance was not that William had usurped the throne.³¹ Rather, their protest was aimed at those churchmen

30. See, for example, Bodl. MS. Rawl, c.343, which answers in the negative the "Query", "Whether those Nonjurors who declare they cannot say Amen to several Prayers in y^e Church Service thinking some of y^e Prayers to be Rebellious may lawfully communicate with y^e New Church of England Congregations in y^e rest of theire Prayers."

31. The conclusions expressed here are clearly at odds with the forceful but calm views of Norman Sykes, Church and State in England in the XVIIIth Century (New York, 1975; first published 1935), 284ff. Sykes argues that the nonjurors' fundamental protest was against the illegal monarchy of William III and "was therefore political in principle, looking backwards to the obsolescent doctrine of divine indefeasible hereditary right". In other words, there would have been no campaign against erastianism had the church been oppressed by a Stuart; there had been, Sykes notes, no denunciations of Charles II and James II for suppressing convocation from 1664 to 1688. What Sykes's discussion lacks is any indication that the nonjurors were aware that their denunciation of erastianism was indeed a condemnation of the church of England's dependence upon the crown since the reformation and that consistency with earlier practices was not what they were demanding. Sykes was writing particularly against L. M. Hawkins (Allegiance in

who had complied with the intrusion into the spiritual jurisdiction by temporal authorities--who happened to be illegitimate--who had declared the sees of nonswearing bishops to be vacant and had set up new bishops in their places. "New consecrations must by the nature of the spiritual monarchy be perfectly null and void and schismatical", Dodwell warned Tillotson. The erection of "another altar against the hitherto acknowledged altar of your deprived Fathers and Brethren" would be a rejection of the doctrine of the primitive church and a rebellion against episcopal authority.³² In the face of persecuting secular magistrates Dodwell urged the faithful to maintain their principles chiefly by means of private piety and family prayers. They should

Church and State: The Problem of the Non-Jurors in the English Revolution [London, 1928]), who had distinguished between the "state point" and the "church point" of the nonjurors' protest. "It may be doubted", Sykes replied, "whether the non-jurors would have recognised the divorce between the state and church points" Henry Dodwell urged a correspondent to read the nonjurors' books in order to understand that state and ecclesiastical questions are indeed separable and should not be confounded: See Dodwell to George Jones, 2 Nov. 1701: Bodl. MS. Cherry 23, fols. 161-62.

32. Dodwell to Tillotson, 12 May [1691]: Bodl. MS. Tanner 26, fol. 60. See also same to same, 16 May 1691: Bodl. MS. Rawl. c.735, fol. 92. Dodwell's letter of the 12 May was later published under the title A Dutiful Letter: To which Is Adjoyn'd, Another; To Prove Non-Jurors No Schismatics (London, 1703), 21-8. The charge of aggression against "the old brethren" is also found in Dodwell's letters to Stillingfleet; e.g., 25 Jan. 1691/2: Bodl. MS. Rawl. 735, fols. 106-9 (also, Bodl. MS. Smith 30, fols. 20-8).

seek out nonjuring clergymen only for sacraments, which should be administered at early hours and in secret locations, as had been necessary in primitive times. To communicate with the schismatical church of England would only strengthen and encourage men who were ". . . promoting principles that shall put it in the power of an ill-affected Prince to destroy the Church as a society by persecutuion."³³

The unease with which even complying churchmen accepted the elevation of men to sees which had not been declared vacant by an ecclesiastical authority made it mandatory that a case be made on their behalf. When Leslie began his elaborate review of the controversy which plagued the church of England under William III he correctly dated it from the day of the new consecrations:

For tho' the depriv'd Bishops and Clergy went out upon account of the Oaths, yet this made no Schism: no not even when they were actually depriv'd and ousted by Act of Parliament: . . . the Schism did not commence till the day of the consecration of new Bishops into the Sees of the Bishops who were ejected: for then, and not till then, there were Bishops and Anti-Bishops, and opposite Altars set up.³⁴

The dispute over the nature of the relationship of the spiritual and the temporal jurisdictions began when Humphrey Hody of Wadham College, Oxford, published The

33. Dodwell to [?], 7 Jan. 1692/3: Bodl. MS. St. Edmund Hall 11, fol. 9. See also Dodwell to Leslie, 6 Feb. 1691/2: Bodl. MS. Add. c.180, fols. 208-9.

34. Leslie, Regale and Pontificate, L.T.W., 1:628.

Unreasonableness of a Separation from the New Bishops.³⁵

Arguing from "the authority of precedents", Hody and his supporters, according to Leslie, "do not take it upon them to justify Lay-Deprivations; but only to comply with them, tho' supposing them not only unjust, but invalid, if impos'd by an irresistible power, and that the Bishops whom the Lay-Power does put into the Sees of the ejected, are orthodox in the Faith."³⁶ Hody had discovered in the Bodleian library a Baroccian manuscript dating, he believed, from the thirteenth century. The manuscript, which he attributed to Nicephorus Callistus, a historian of the eastern church, cited numerous precedents to show that, for the sake of unity in the church, obedience was due to a bishop who was not a heretic, even if he was put in possession of a diocese which had been held by a bishop who had suffered uncanonical deprivation.

Hody did not hesitate to accept the full implications of his position. When Dodwell denounced him for attempting

35. In addition to Hody's, the initials "R. B." appear in the preface of the Unreasonableness. Goldie has discovered (from Bodl. MS. Cherry 16, fol. 110r.) that these refer to Richard Bentley, the future classicist. Both Bentley and Hody were Stillingfleet's chaplains. Neither contemporaries nor later historians were aware of his early involvement in this dispute.

36. Leslie, Regale and Pontificate, L.T.W., 1:628.

to justify lay deprivations,³⁷ Hody calmly replied that he did not intend to justify them; but even though they were invalid, ". . . a Submission to the present Possessor (if otherwise unexceptionable) is lawfull, and warranted by the general Practice of the Ancients" if the predecessor had been deprived by an irresistible power.³⁸ Dodwell objected that the Baroccian manuscript could not be attributed to Nicephorus, and that no document of the eastern church which had been written long after the days of the primitive fathers could be regarded as in any way authoritative. Most damaging to Hody's case was Dodwell's forceful defence of the principle of the age of St. Cyprian that "Secundus was Nullus", and that Hody had not informed his readers that most of the examples found in the Baroccian manuscript were of bishops who either had resigned or who had suffered deprivation after their cases had been referred to an ecclesiastical synod.³⁹

In arguing in favour of submission to an irresistible power, Hody seemed to have no conception of the church as a society which had been established for the preservation of

37. [Henry Dodwell], A Vindication of the Deprived Bishops, Asserting Their Spiritual Rights against a Lay-Deprivation. . . (London, 1692).

38. Humphrey Hody, The Case of the Sees Vacant By an Unjust or Uncanonical Deprivation, Stated. (London, 1693), "To the Reader" & 196.

39. Dodwell, Vindication, 4-5, 17-8, 45ff. Leslie, Regale and Pontificate, L.T.W., 1:628-29. See Every, High Church Party, 68.

doctrine necessary for salvation. His nonjuring opponents urged the necessity of the independence of the spiritual jurisdiction if the church was properly to execute its commission. Unless that independence is granted, Jeremy Collier warned, ". . . the Apostles can never be cleared of the Charge of Sedition", for they had continued to teach Christ's doctrine after they had been forbidden to do so "by those whom themselves owned to be Rulers of the People" ⁴⁰ Christians had remained loyal to St. John Chrysostom, Leslie pointed out, and had defied the "irresistible power of the Emperor, which was let loose upon them, to make them own the second Bishops he had set up." ⁴¹ Christian doctrines oblige men to enter into a society. The principal thing insisted upon in the doctrine of the trinity, Dodwell wrote, is its unity; that unity is trinity was revealed so that men might see "the Extent of the Mystical Union to which they were intitled by the External Union with the visible Church" Similarly, Christ made Himself one with us by taking on our body and our flesh; we are entitled to the benefits of Christ's incarnation by being of one body and of one flesh with Him, that is, by being a member of the church, "which is called

40. [Jeremy Collier], A Brief Essay concerning the Independency of Church Power (London, 1692), 5.

41. Leslie, Regale and Pontificate, L.T.W., 1:629.

his Body, his Flesh, his Bones."⁴² These were the concepts Leslie was to develop in his defence of the church and his appeal to the clergy.

Leslie and his nonjuring associates claimed to derive their understanding of the church and the sacraments from the African fathers in general, and in particular from St. Cyprian. The primitive African church, which had been jealous of Rome, appealed strongly to patristic scholars who defended the church of England; increasingly the church of the first four centuries became for these high churchmen the arbiter of doctrine and discipline. Leslie gave the credit for this development entirely to "our English Cyprian, the Great Archbishop Laud", who had encouraged the study of primitive Christianity and the fathers. In earlier years, Leslie said, English divines had deviated from the primitive standard and had come too close to rigid Calvinism; but in ". . . teaching us to Derive our Faith from its Fountain and Original, and to go Higher up than either Luther or Calvin" Laud helped both Oxford and Cambridge to gain European reputations for the excellence of their learning in antiquity and in primitive doctrine and discipline.⁴³

42. Dodwell, Vindication, 28.

43. Rehearsal, 1, no. 235 (16 Aug. 1707). See also [Charles Leslie], The New Association. Part II . . . (London, 1703),

The church of England had been shaped by disaster and disestablishment as well as by the privileges bestowed upon it by the law and the constitution. For the persecuted churchmen of the mid-seventeenth century, the primitive conception of a pure church "without spot or wrinkle" sturding itself against a hostile world with which no compromise could be made was starkly realised.⁴⁴ The threat to the church from hostile secular authorities and the entrenchment of dissent in English society encouraged a small group of post-restoration high churchmen to develop their concept of the church as an autonomous society, the government of which owes nothing to secular authorities, but rather was derived directly from Christ through the apostolic succesion. They were less interested in the idea of a comprehensive national church than they were in the idea of particular churches, each of which was governed by a

8. On the development of an Anglican theology with an affinity for the primitive church, see G. V. Bennett, "Patristic Tradition in Anglican Thought, 1660-1900", Tradition in Luthertum und Anglikanismus: Oecumenica, 1971/72 (Gutersloh, 1972), 63-87; and McAdoo, Spirit of Anglicanism, esp. chaps. 9-10. See also Peter Heylin, Cyprianus Anglicus: or, the History of the Life and Death, of . . . William, By Divine Providence, Lord Archbishop of Canterbury, Primate of all ENGLAND . . . (Dublin, 1719), esp. 2-3.

44. On the African ecclesiological tradition, see W. H. C. Frend, The Donatist Church, A Movement of Protest in Roman North Africa (Oxford, 1952); and R. A. Markus, Saeculum: History and Society in the Theology of St. Augustine (Cambridge, 1970), chap. 5.

bishop who was responsible to no other power upon earth for the spiritual welfare of his flock. The primitive spiritual government these high churchmen defended was the form of episcopacy they believed had existed among all Christian peoples until kings and popes had violated the rights of individual bishops. These high churchmen had a special regard for St. Cyprian whose writings were held to answer all the objections of anti-episcopal dissenters and of papists. For Cyprian, the church was a unity which consisted of the harmony of individual bishops exercising authority over their dioceses; there was no salvation outside the church, and ". . . you should know that the bishop is in the Church and the Church in the bishop, and that if any one be not with the bishop he is not in the Church" ⁴⁵

In the decade before the revolution Dodwell had published several works on the sin of schism, the dignity of the priesthood and the nature of the sacraments, all of which had been informed by Cyprianic principles. ⁴⁶ For the non-

45. Quoted in Sheldon S. Wolin, Politics and Vision, Continuity and Innovation in Western Political Thought (Boston, 1960), 108. See John Henry Bernard, "The Cyprianic Doctrine of the Ministry", Essays on the Early History of the Church and the Ministry, ed. H. B. Swete (London, 1918), 215-62.

46. See Brokesby, Dodwell, chaps. 8-16. See also Every, High Church Party, 11-7; and his "Dodwell and the Doctrine of Apostolic Succession", Theology, 55 (1952), 412-17. He urged the example of the church during the age of St. Cyprian in a letter to Leslie, 6 Feb. 1691/2: Bodl. MS. Add. c.180, fol. 208.

jurors, only scriptures deserved to be studied more than St. Cyprian's works. Georges Hickes recommended the age of Cyprian as the model for all succeeding ages:

Then the Church was neither seculariz'd, nor injured in it's [sic] fundamentall rights by the State; Then faithfull Christians were always prepared for martyrdom & heaven, and their Clergy most diligent in making proselytes, & in instructing them in the doctrines relating to the Church, as one society or body made up of all particular Churches on earth, as well as in the other doctrines of faith relating to Christians as a Sect of Men, who were distinguish'd from unbelievers both of the Jewish & Gentile world.⁴⁷

The high church movement of the later Stuart period, then, was divided. On the one hand there were those whose basic purpose was to re-confirm the unity of church and state in England and who wanted, consequently, to strengthen the establishment. On the other hand there were those who believed that the church in a dangerous age could be secured not by strengthening its links with the state but rather by asserting its independence of all powers upon earth. If Francis Atterbury may be considered the leading spokesman for the former brand of high churchmanship, Charles Leslie stands as the most vigorous and well-known proponent of the latter. To that end Leslie published tracts which popularised the theory of episcopacy which had been discussed in the learned works of such scholars as Pearson, Thorndike

47. Hickes to Charles Lyttleton, 12 March 1705/6: Bodl. MS. Eng. Hist. b.2, fol. 139.

and Dodwell. The patriarchal theory for which he is best remembered was developed specifically to justify this concept of episcopal government and to emphasise that the spiritual monarchy of bishops was exactly parallel to the secular monarchy of kings.⁴⁸ Jacobitism was essential to Leslie's scheme. In return for the church's assistance in bringing about a restoration of the monarchy, the monarchy was to be persuaded to restore the church to its rights.

Enemies such as White Kennett and Gilbert Burnet emphasised that Leslie's jacobitism threatened the church of England not simply because he wanted to see the restoration of a Roman Catholic king, but because he wanted to convince that king to make himself the instrument by which the church throughout western Christendom could be re-united. The Gallican declaration of liberties in 1682 was viewed by some English churchmen as a re-assertion of conciliar power in opposition to Roman supremacy. Leslie hoped fervently that the Anglican and Gallican churches might cooperate to help free the bishops of Europe from the oppressions of both popes and kings. When he suggested that a correspondence be opened with the French clergy he aroused the suspicions of the opponents of the high church movement; suddenly he was transformed from his former role as a minor jacobite agent and

48. See below, chaps. 7-8.

pamphleteer to a figure of national significance.⁴⁹

Leslie, citing the authority of the primitive church, insisted upon the independence of individual bishops. According to St. Cyprian, there is one church and one episcopate, and ". . . part of this one Episcopacy is so committed to every single Bishop, that he is nevertheless charged with taking care of the whole Church." Each bishop represents the person of Christ and is the principle of unity in his diocese; a bishop presiding over his college of presbyters, his deacons and his laity constitutes a "particular Church".

Hence all particular Churches, that is, every Bishop with his proper Flock, make up the whole, which is the Catholic Church.

And all these are one Flock, one Church to Christ, as St. Cyprian speaks⁵⁰

The unity and security of the primitive catholic church had been maintained by the independent bishops acting in concert. They had consented to arrange themselves into provinces and to choose one to preside over their councils.

49. For suspicions of Leslie and his promotion of cooperation with the Gallican church, see White Kennett, History of the Convocation, xxxi-xxxii; and T. E. S. Clarke and H. C. Foxcroft, A Life of Gilbert Burnet, Bishop of Salisbury (Cambridge, 1907), 406, 443. Leslie's interest in Gallicanism is noted in Every, High Church Party, 70.

50. Charles Leslie, The True Notion of the Catholick Church, In Answer to the Bishop of Meaux's Letter to Mr. Nelson (1705), L.T.W., 1:571-72.

That metropolitan had "some particular Jurisdictions in the Intervals [between councils], such as they thought fit, for the better regulation of the whole; but without the infringement of the Power of each Bishop within his own Diocese."⁵¹

Similarly, when a council of metropolitans assembled, a patriarch presided. During meetings of patriarchs, precedence among them was "adjusted" so that confusions and contests might be avoided. That complex arrangement, however, had existed only within the Roman empire. Churches outside the empire had not attended those councils; the various bishops, separated by vast distances, had kept up little or no correspondence with their colleagues.

Because the "Church is a society spread over the Earth", Leslie wrote, it "cannot be dissolv'd in any one Kingdom or State; nor can the concession of any national Church oblige the Church catholick: No, nor oblige that national Church her self, otherwise than according to the rules of the catholick Church"⁵² The unity of the

51. Ibid., 1:572. See also Charles Leslie, A Dissertation concerning the Use and Authority of Ecclesiastical History (1703), ibid., 1:727-34. This latter work originally appeared as a preface to the second volume of Samuel Parker (trans.), The Ecclesiastical Histories of Eusebius, Socrates, Sozoman, and Theodorit, . . . 2 vols. (London, 1703; 2nd ed., 1720).

52. Leslie, Regale and Pontificate, L.T.W. 1:643.

church and the preservation of her doctrines, Leslie insisted, could be maintained only by admitting the independence of particular churches and the duty of individual bishops to separate themselves from the overweening ambitions of any who pretended jurisdiction over them, such as the bishop of Rome or secular authorities. Individual bishops, like kings, are answerable only to God:

. . . as all Nations are one Kingdom to God, so all Churches are one Church to Christ, who is the Chief Bishop: And as God has made no Universal Deputy or Monarch over the World, neither has Christ made any Universal Bishop over the Church.⁵³

Men are creatures of flesh and of spirit. Consequently they dwell both in a temporal and in a spiritual society, each of which has jurisdiction over its respective sphere. That notion was fundamental to Leslie's speculation on the relationship of church and state. Indeed, the high church party's assertion of the corporate rights of the church was essentially a plea for the recognition that the spiritual society has a spiritual government of bishops and priests, in which is vested the keys to the kingdom of heaven; "that is", wrote an anonymous partisan in 1711, "the Key of Doctrine, by which God's Mercies and Judgements are Authoritatively declar'd and denounc'd; and the Key of Discipline, by which all persons are Authoritatively and Ministerially either admitted

53. [Charles Leslie], The Second Part of The Wolf Stript of His Shepherds Cloathing . . . (London, 1707), 29.

to, or rejected from the Privileges of Church-Communion, and their sins are bound or loos'd"54 Under no circumstances could the power of the keys be alienated from the spiritual governors, nor could those governors be hindered from exercising it.

If nonjurors were able to mine a rich vein of Anglican divinity which defended the autonomy of the spiritual jurisdiction, low churchmen could pick at random from the very rock of the church of England's apologetics. Those who scrupled at lay deprivations were roundly rebuked by bishop Stillingfleet:

. . . in a Christian Nation and Government, the Church is incorporated into the State, and the Sovereign Power has a Supremacy in all Ecclesiastical Causes. To deny this is either Popery or Fanaticism: It is plain, the Reformation of this Church was founded on this Principle; and it is the constant Doctrine of our Articles, Homilies, and Canons, and they are our Rules considered as Members of the Church of England.⁵⁵

54. Anon., The Mitre and the Crown; or, A Real Distinction Between Them. In a Letter to a Reverend Member of the Convocation (London, 1711), 5. This pamphlet has occasionally be attributed to Atterbury, but it was not his: see the comments in Bennett, Tory Crisis, 152-53. In Thomas Lathbury, A History of the Nonjurors: Their Controversies and Writings . . . (London, 1845), 246, it is attributed to Leslie. Certainly the tract expresses nonjuring ideas about the independence of the spiritual and temporal jurisdictions; but there is nothing in the presentation of the argument or in the style of writing which would lead one to conclude confidently that Leslie was the author.

55. [Edward Stillingfleet], A Vindication of Their Majesties Authority to fill the Sees of the Deprived Bishops . . . (London, 1691), 18-9.

Edward Welchman feigned confusion at the notion of two distinct societies "where both Church and State consist of the very same Persons";

Two distinct Societies are two distinct Bodies of Men; and therefore where one and the same Body is both Church and State, the Church and State must be one and the same Society. 'Tis true indeed, to be a State is one thing, and to be a Church is another; but yet both the one thing and the other are Accidents, and such as may well consist in the same Subject.⁵⁶

Welchman insisted that an appeal to the authority of St. Cyprian's age was invalid because the relationship of church and state was then very different from present circumstances. Welchman and other defenders of the post-revolution church confidently deferred to Hooker to support their justification of a Christian prince's authority in ecclesiastical matters. The church had been independent of the state in primitive times because the secular authorities had been infidels; "but", Welchman wrote later, "the primary design of Christ was to unite the Interests of both, and to join both Churches and States into one and the same Society."⁵⁷ That had been possible only with the conversion of the Roman

56. [Edward Welchman], A Defence of the Church of England, from the Charge of Schism and Heresie . . . (London, 1693), 8-9.

57. [Edward Welchman], A Second Defence of the Church of England From the Charge of Schism and Heresy . . . (London, 1698), 12. Welchman noted that this position had been held by both Whitgift and Hooker against papists and puritans, and that it was also espoused by Pufendorf, "one of the greatest Men now living".

emperor, at which time the church recognised the authority of a godly prince to determine ecclesiastical causes in return for his protection of its interests. Rather than asserting the principles of the age of Cyprian, these vindicators of William and Mary's authority to make a bishop--"an Authority which belongs to the Imperial Crown of England", according to Stillingfleet⁵⁸--urged the time of Solomon, when church and state had enjoyed much the same relationship as in modern England; and "Solomon thrust out Abiathar from being priest unto the Lord" (1 Kings 2:27).⁵⁹ The church of England recognised in the king the same ecclesiastical power which had been enjoyed by the "godly Kings of God's own People, recorded in Holy Scripture", for the temporalities which the church receives from the state

. . . are so intwisted with the Spiritual Functions, by Mutual Constitution and Concord of Church and State,

58. Stillingfleet, Vindication, 13.

59. See [Samuel Hill], Solomon and Abiathar: or, the Case of the Deprived Bishops and Clergy Discussed . . . (London, 1692). The case of Solomon and Abiathar was also urged by Stillingfleet, Vindication, 23, and Welchman, Defence, 12-3. The case remained of interest as long as the convocation controversy divided English churchmen; in the last year of that controversy the nonjuror Thomas Brett felt it necessary to address himself to it in his The Independence of the Church upon the State, As to its Pure Spiritual Powers . . . (London, 1717), 75-9. Brett, however, merely cribbed his discussion from Leslie: see Regale and Pontificate, L.T.W., 1:616-23.

that they cannot be separated. Now here upon the State may judge in such Matters, which apertain to it in the Church, having never quitted that Power to the Church only.

In other words, the state may deprive ecclesiastics "upon a provocation merely in Civils", without reference to a synod or council.⁶⁰

Leslie emphatically denied any such incorporation of the church into the state; "For it wou'd be strange the Church shou'd lose any of her Rights by Princes becoming Christians!"⁶¹ To unite church and state "wou'd be a new Chaos, and contradiction irreconcilable."⁶² Both church and state can function properly only when it is recognised that "the sacred and civil powers [are] like two parallel lines, which never meet, or interfere; for these two authorities lie in two distinct channels". The refusal to admit that principle had led to the interminable contests between popes and emperors, in which both parties had been in the wrong because each had claimed supremacy over the other. Christ had foreseen

60. Hill, Solomon and Abiathar, 18, 21. Cf. Stillingfleet, Vindication, 17a-19a. (The pagination of Stillingfleet's Vindication repeats the page numbers 17-20 inclusive. I have distinguished references to the second series of pages so numbered by designating them "a".)

61. Leslie, Second Part of the Wolf Stript, 22.

62. Leslie, Regale and Pontificate, L.T.W., 1:609; and his reply to a later work by Welchman, which he appended to the 1701 edition of Regale and Pontificate: ibid., 1:693-722. For the work which occasioned this reply, see below, n.67. See also Rehearsal, 2, no. 27 (10 Jan. 1708).

the consequences of such a rivalry. For that reason, "He alter'd nothing of the civil powers, but left them as he found them; . . . But . . . the administration of the spiritual Kingdom of Heaven, upon Earth, that he left in the hands of his Church, and accountable to none but himself"

Without question church and state "may and ought" to help one another, the state by protecting and honouring the church and the church by teaching obedience to secular authorities "in all lawful things".

This is the concordate and agreement betwixt the Church and the State, upon what we call their incorporation: And there is no other incorporation but this. It is not their giving up their powers to one another; that would be confusion, and an eternal seed of debate and jealousy of each other: The best way to maintain and keep up the agreement, is, to preserve their powers distinct and independent of each other.⁶³

Any society which has pretensions to independence must not admit that the choice of its governors or the permission to assemble together for the ordering of its affairs is derived from another society: ". . . then is that Society, in a manner, dissolved, and subsists precariously upon the mere will and pleasure of the other." That is no "incorporation", but rather a "dissolution" of the society.⁶⁴

The opponents of the campaign in favour of convocation vigorously denied that notion. William Wake wondered whether

63. Leslie, Regale and Pontificate, L.T.W., 1:606-10.

64. Ibid., 1:608.

there was any law which would permit the sitting and acting of a convocation, except "the absolute, free Pleasure of the Prince". That Christian princes have the right to exercise authority over ecclesiastical persons and to "interpose" in the management of ecclesiastical affairs are rights which ". . . neither our own Articles and Canons, nor the Consent of the Universal Church, ever since the Empire became Christian, will suffer us to doubt." The church most assuredly does not have the right to convene its own synods, Wake pronounced, citing the severity of Roman law on this point; for "it has ever been look'd upon as one great part of the Prince's Prerogative, that no Societies should be incorporated, nor any Companies be allow'd to meet together, without his Knowledge and Permission."⁶⁵ The prince has the right not only to summon synods, but also to determine who shall attend them, the matters to be considered by them and, finally, to give or withhold his consent from their recommendations. All of these conclusions, Wake said, can be argued from the ends of civil government, which Christianity came to support, ". . . and the Power that is necessary to be placed in the Hands of the Supreme Magistrate, in order to those Ends." Nor could this whig churchman be swayed by the argument that the prince

65. William Wake, The Authority of Christian Princes Over their Ecclesiastical Synods Asserted . . . (London, 1697), 9-14.

might abuse that power. If the dangers are weighed on both sides, he considered, ". . . I am apt to believe . . . it would be much more fatal both to the Church and State, to have some Men intrusted with an Immoderate Liberty; than others with a Sovereign Power to restrain them."⁶⁶

What was truly at issue between nonjurors and defenders of the crown's right to put bishops into the sees of those who had not been synodically deprived was the nature and extent of the royal supremacy. One critic accused Leslie and his colleagues of denying that supremacy because "the Grounds of their Separation bare hard upon this Doctrine"⁶⁷

Kings are God's deputies, Welchman reminded Leslie. Certainly "that great Divine as well as Prince, King James the First" demonstrated by his proclamation of conformity that he had an obligation "to take care of the Souls, as well as the Skins and Carcasses of his Subjects". Kings, after all, "are the Fathers of their People" and are responsible for their spiritual as well as their physical well-being.⁶⁸

66. Ibid., 38-43.

67. [Edward Welchman], The Regal Supremacy in Ecclesiastical Affairs Asserted in a Discourse Occasioned by the Case of the Regale and Pontificate (London, 1701), Preface. I attribute this work to Welchman on the strength of evidence from George Hickes. After quoting from Welchman's Second Defence of the Church of England, Hickes prefaces a similar passage from The Regal Supremacy with the comment: "This writer seconds himself with great assurance in another book" See George Hickes, Two Treatises, on the Christian Priesthood, and on the Dignity of The Episcopal Order. . . 4th ed., 3 vols. (Oxford, 1847), 2:2. The first edition was published in 1707.

68. Welchman, Regal Supremacy, 4-5. Welchman quotes from

In both the civil and the religious spheres princes have an obligation to make laws according to God's will. The authority to make such laws is "radically and habitually the same in all Sovereigns, whether Pagan or Christian". Yet because iniquity and ungodliness cannot be established by law, that authority is distinguishable from the exercise of it. Early Christians, then, were not bound to obey the laws concerning religion of the Roman emperor, for the exercise of that authority is dependent upon the acceptance of Christianity.

. . . so long as Princes continue in Infidelity, their Authority in matters of Religion must lye dormant; but upon their becoming Christian they proceed to the Exercise of it; not that they acquire any new Power by their Admission into the Church, but only exert that which was inherent in them before. Nor do they owe their Power to any Compromise betwixt the Church and them; but have such an Original Right to it, as that it would be Injustice to deny it them, and Disobedience not to submit to them in the due Exercise of it.⁶⁹

The authority of Christian princes, according to the defenders of the royal supremacy, extended equally over the two societies and, as a consequence, united them into a godly community. The unification of the temporal and spiritual societies consummated Christ's mission on earth, for a kingdom ruled by a Christian prince became a state united

Bilson's The True Difference Between Christian Subjection and Unchristian Rebellion (1585) in support of his claim that God gave princes the sword for the maintenance of true religion as well as of civil justice.

69. Welchman, Regal Supremacy, 6-11.

with the church. It became, in fact, a corporate entity possessing a body and a soul: church and state were the spiritual and temporal aspects of the single personality.

The notion of the inherent power, or "original right", of secular princes over the spiritual jurisdiction was no less erastian an argument than that which held that a prince acquired that right as a result of his acceptance of Christianity. Whig churchmen such as Welchman, Wake and Kennett recognised the divine origins of ecclesiastical authority and proceeded to explain how that authority, originally the legitimate preserve of spiritual governors, had become the rightful possession of temporal powers. By emphasising their original right to it, and then distinguishing between a right and the exercise of it, they avoided the offensive argument that the church had made a contract with the state in which she had conceded her power in return for the protection of the temporal sword.

This explanation allowed whig churchmen to meet nonjuring objections to Hody's defence of lay deprivations, which had been thoroughly discredited by Dodwell. No longer did apologists for the revolutionary settlement assert that the nonjurors had been deprived of their spiritualities. They had merely been deprived of the exercise of them. The spiritual character of the bishop is conferred at his consecration by the imposition of hands. That character, Welchman insisted, is quite separate from his diocese, for questions

of jurisdiction belong to the secular magistrate. That magistrate may dissolve the relationship between a bishop and his diocese without touching his spiritual character and without threatening the church, which can exist as a body without districts, as it had in apostolic times.⁷⁰

Leslie perceived the force of this argument, and he denied it vehemently. He began his discussion of the independence of the spiritual jurisdiction by noting that it had been "agreed on all hands" that there was nothing the state could do to deprive a bishop of his "episcopal character". Now the word "bishop", Leslie wrote, is a "relative word, and implies a Flock"; between the bishop and his flock there exists a "spiritual Relation, or marriage by Christ". To suspend a bishop from his diocese is to deprive him of his subjects, for if kings have "Power to suspend at all, they have Power to continue or to renew that suspension, which may by that means become equivalent to a Deprivation" ⁷¹ It is, therefore, false to argue that an interference with a bishop's temporalities does not hinder his spiritualities.⁷²

70. Welchman, Second Defence, 9-10. This argument became a standard response to nonjuring charges against conforming churchmen; see, for example, a much later work, [Edward Synge], The Sin of Schism Most unjustly and groundlessly charged by the Nonjurors . . . (London, 1716), 28.

71. Leslie to [?], 28 May 1700: Bodl. MS. Rawl. c. 171, fol. 105.

72. Leslie, Regale and Pontificate, L.T.W., 1:603-4, 685.

The use of relative terms was essential to Leslie's method of argument. Later he would construct his political theory around the belief that each partner in any relationship--whether of kings and subjects, husbands and wives, fathers and sons, masters and servants--is dependent upon the other for its existence, for the existence of the one implies the existence of the other.

The whig argument that the church in apostolic times had existed without districts may also explain a private disagreement between Leslie and Dodwell over the early history of episcopacy.⁷³ Seventeenth-century defenders of jure divino episcopacy had maintained against presbyterian opponents that, through His apostles, Christ had fully instituted that form of government for His church by His promise to ratify in heaven those censures inflicted by His

Goldie ("The nonjurors", 18) refers to the nonjurors' "dubious counter-assertion" against Welchman that there was a marriage between a bishop and his flock and that the diocese "belonged to the ordo and not the jurisdictio". Leslie did not argue that the diocese belonged to the ordo, but that subjects were essential to a bishop and that he could not be suspended from his diocese without being deprived of his subjects.

73. Dodwell's history of primitive episcopacy is briefly noted in Every, High Church Party, 73. Every does not mention Leslie's and Turner's doubts about Dodwell's speculations. He writes that Dodwell had developed his theory "At least by 1704, and probably some years earlier . . ."; Leslie's letter referred to below (ns. 75 & 76) is confirmation that it had been worked out before 1700.

ambassadors on earth.⁷⁴ Dodwell was sceptical of that conclusion and, after examining closely the epistles of St. Ignatius, convinced himself that the form of episcopacy which the church of England defended--that is, as Leslie described it, bishops "who are supream in their Districts, Principles of unity to their subjects, & accountable for what they do, to none but God"⁷⁵--must have been a comparatively late development because the jurisdiction of the apostles had been universal and unlimited.⁷⁶ Dodwell believed that in

74. See above, chap. 1; and Packer, Transformation of Anglicanism, chap. 5.

75. Leslie to [?], 28 May 1700: Bodl. MS. Rawl. c.171, fol. 104.

76. Henry Dodwell, De nupero schismate Anglicano Paraenesis ad Exteros tam Reformatos quam etiam Pontificios (London 1704). This was written in the sixteen-nineties and had circulated in manuscript among several nonjurors. Leslie's letter of 28 May 1700 (above, n.71) contains important information about this controversial work, which was then in his keeping. Dodwell was afraid that it would be suppressed if it was printed in England and tried to arrange for its publication in Sweden, "as to come out with Authority & Licensed Privilegio Regiae Majestatis" Leslie believed that a Swedish imprimatur would "stamp a considerable value on the Work" and obviate any objections from within England; it might also open a "Correspondence" with the Swedish church, "which is perhaps the best Constituted in the World, haveing a valid Succession, primitively free from the least Encroachment of the Regale, & intirely independent of the Civil Powers." For Dodwell's praise of the Swedish church and his expressed hope that the Swedish college of bishops would approve of his writings, see the series of his letters to Eric Benzeliuss, archbishop of Upsala, which were written between May 1700 and August 1701: Bodl. MS. Cherry 23, fols. 67-73.

apostolic times all the churches of the world had been subject to the church of Jerusalem and its itinerant officers, who were the only people invested with the exercise of ecclesiastical authority. In other words, the equality and independence of particular churches "cannot be derived higher than the later end of the Apostles" when

. . . the surviving Apostles, in the beginning of Trajan, removed the Apostolical Seat from Jerusalem to Ephesus, where St. John as chief of them wore the Sacerdotal Frontal, as Polycrates witnesses. This last College of the Apostles I take to have settled Episcopacy as the Government to be observed in all Churches from that time forward.⁷⁷

Leslie accepted Dodwell's plea that, while he did not "agree in every point with Bishop Gunning, Mr. Thorndike, or any Body else, . . . Episcopacy is the Conclusion hee is as earnest to prove, & as much concerned to make out, as any of them, but . . . he thinks there is no need of confining themselves to one sort of Praemises." Privately, however, Leslie admitted reservations. Instead of Dodwell's belief that those who had been chosen by the apostles had not enjoyed full episcopal jurisdiction until after the apostles died, Leslie wondered if it was not possible that the apostles had consecrated bishops with full authority to go into distant lands to establish Christianity "(as St. James to India, St.

77. This summary of Dodwell's complex argument has been quoted from his letter to Benjamin Hoadly, 19 June 1703: Bodl. MS. Cherry 23, fol. 121. Every (High Church Party, 72) is wrong when he states that Hoadly was a high churchman in 1703.

Bartholomew to AEthiopia where they both Died)". Leslie had no trouble accepting Dodwell's basic point that the bishops inherited rather than shared the apostles' authority. But

I urged all this to M^r. Dodwell to favour my supposition that that Consecration which he dates so late, might have been earlier & not at Ephesus only, but by other Apostles than St. John & St. Philip.⁷⁸

Leslie found it difficult to accept the fact that so fundamental a question as episcopacy had not been firmly settled "while there were more [apostles] alive than S^t. John & S^t. Philip to make the Constitution more undoubted & authentick"

The doubts at which Leslie only hinted were stated baldly by Francis Turner, who told Dodwell that his hypothesis "run's [sic] counter to y^e received opinion, to our Great Principle of the sufficiency and fullness of the Holy Scriptures"⁷⁹ Turner was able to state his objections openly because he disagreed fundamentally with the conclusion which Dodwell drew and which Leslie accepted, that is, that each bishop is independent of his colleagues and, because he is answerable only to God, he may sever himself and his clergy from the rest of his order. "This wee are afraid will bring

78. Bodl. MS. Rawl. c.171, fol. 104. Every (High Church Party, 73) writes that Dodwell believed that his conclusions were new. Leslie insisted that Dodwell was perfectly aware that his opinions differed from those of earlier Anglican apologists; but that most emphatically he maintained that they were not new.

79. Turner to [Dodwell], 10 Feb. 1699/1700: Bodl. MS. Rawl. c.171, fol. 107.

Anarchy into the Church as it do's into the state wⁿ the Subjects first suppose an Original Contract, & then Particulars Make themselves the Judges when to Retract it."⁸⁰ Individual bishops, Turner insisted, must defer to the "Unitas Episcopalus", and any bishop who is oppressed may appeal to the episcopacy of all Christendom.

The Majority of Bps in a particular Church were never empow'rd to bee the Dernier Resort. But this our Defence must stand not uppon a principle of Independency (such as you contend for) but quite Contrary on the Dependency of particular Churches upon the Catholiqu [sic].⁸¹

Leslie certainly agreed with the spirit of Turner's criticism. His later career would show him to be much less tolerant of the historical research of the high church school when that research threatened to undermine points which he held to be fundamental and derived from scripture.⁸² But at this point he was intent upon demonstrating to both the English clergy and laity their duty to their bishops. Whether or not bishops found their greatest security in dependence upon the episcopal college of all Christendom or in independence from all powers upon earth, their subjects' duty to them remained the same. Leslie's primary concern was to defend the bishop's right to allegiance of his subordinates.

80. Ibid., fols. 107-8.

81. Ibid., fol. 108.

82. See below, chap. 8.

His doubts about Dodwell's history must have arisen from his insistence upon defending the scriptural warrant for the exercise of episcopal authority against the whig defence of the king's supremacy over all jurisdictions within his realms.

Leslie did not concentrate his attack upon William III. Along with other nonjurors he was intent upon showing that the royal supremacy itself was a rather less lustrous thing than was maintained by those who exalted the rôle of a godly prince. It has already been shown that Leslie was adamant that the two societies could never be united; theirs was a federal rather than an incorporating union. His opponents appealed to English history and argued that the English reformation had been effected by the crown, and that unless the crown's right was acknowledged the break with Rome must have been an illegal act.⁸³

The nonjurors were reluctant to condone the way in which that break had been carried out. Dodwell's denial of Hody's accusation that he had tried to subvert the principles of the reformation⁸⁴ was hedged with equivocations which in no way muted his public disgust with the defenders of lay

83. See, for example, Welchman, Regal Supremacy, 39.

84. Dodwell to Hody, 7 Oct. 1691: Bodl. MS. Cherry 23, fols. 263-64. Dodwell wrote that because he preferred the authority of the church of St. Cyprian's day to that of the sixteenth century he was not charging the later reformers with schism.

deprivations. Those defenders, he wrote, ought to have been sensible ". . . how little reason there is for making the reign of the imperious and assuming Prince [Henry VIII] a Reign of Precedents, in arguing that what was actually done then, must therefore be presumed to have been well done, and therefore fit to be done again."⁸⁵

Despite the fact that the king had often been called the supreme head of the church, even from the pulpits of the church of England, Leslie insisted that those making such declarations were "Volunteers": "Themselves only are Answerable."⁸⁶ He believed that there was nothing in the canons and articles of the church of England which could be construed in favour of that position. On the contrary, English kings have "constantly and openly disavow'd to the whole World" that they have any spiritual power and authority.⁸⁷ Although Cranmer and other bishops had held their bishoprics only during the pleasure of the king "and own'd to derive all their power, even ecclesiastical, from the Crown . . .", that referred only to the civil jurisdictions attached to their spiritual

85. [Henry Dodwell], The Doctrine of the Church of England Concerning the Independency of the Clergy on the Lay-Power (London, 1697), III & XXXV. For Hickes's condemnation of Henry VIII's and Edward VI's notion of the supremacy, see his Two Treatises, 2:360ff.

86. Rehearsal, 2, no. 46 (17 March 1708).

87. Leslie, Second Part of The Wolf Stript, 8.

offices; those were mere accretions to the spiritual authority given to them by God and expressly excepted in their commissions.⁸⁸ It had been, Leslie noted with flourish, a convocation of popish clerics which had agreed to the submission of the clergy in 1532. That had been the first time the king had been recognised as the supreme head of the church in his kingdoms.⁸⁹

Leslie agreed essentially with Dodwell's view that the church under Henry VIII and Edward VI had deviated from the standard of the primitive church and had been in error. For Dodwell, typically, the man responsible for the damage done to the church had not been the king but rather Cranmer, who consistently had sided with the secular authorities against ecclesiastical power and the rights of his own order. Cranmer's acquiescence had made the authority of the apostles precarious, Dodwell charged, for it rendered voluntary the obligations of the primitive Christians to the apostles because the apostles had had no secular jurisdiction: "This wholly resolves all obligation of Conscience into Civil Empire, and makes it impossible for the Church to subsist as a Society and a Communion without the support of the Civil Magistrate." The

88. Leslie, Regale and Pontificate, L.T.W., 1:623-24.

89. Ibid., 1:624. He repeated the charge against the popish clergy in Second Part of the Wolf Stript, 24; and in Rehearsal, 1, no. 108 (29 May 1706).

destruction of the government of the church and the dissolution of the church as a society.

. . . are the plain consequences from those Principles by which Archbishop Cranmer acted. If they freed the Church from the Tyranny then in being, they naturally introduced a Tyranny of more pernicious consequence, than that which had been ejected by them; a Tyranny of another Body of Interests frequently inconsistent with hers: and withal deprived her of all security from what further Invasions soever the Lay Magistrate should be pleased to make upon her. Indeed they deprived her of all possible security for her very being.⁹⁰

Leslie's desire to arouse the clergy of the church of England for a vigorous defence of their calling prevented him from tracing in painful detail the way in which their church had ambled into schism; Dodwell had done precisely that, though he would not call it schism.⁹¹ Leslie's method was to impose an interpretation upon the sixteenth century which squared the events of the reformation with his conception of the proper relationship of church and state. He maintained that at no time in England had the temporal jurisdiction

90. Dodwell, Doctrine of the Church of England, XII-XIV, XIX-XX.

91. See ibid., XXIII-XXXIII. Dodwell traced the growth of the conception of the royal supremacy from its first modest expression in 24 H.8. c.12 (which distinguished between the temporal and spiritual jurisdictions) to its most pretentious claims in 37 H.8. c.17 (which was fully Cranmerian in that it delivered the spiritual jurisdiction into the hands of the king), which persisted under Edward VI. Dodwell, while admitting that the church of England had been in error, would never have allowed that it had been in a state of schism; yet schism seems, upon his own view of Cranmer's principles, to have been the only state in which that church could have been.

triumphed over the spiritual. The only ecclesiastical authority claimed by English kings was that which God had granted to kings in scripture; it had "nothing in it but mere civil Power", and it extended over ecclesiastical persons and causes. It was essential to Leslie's conception of the relationship of church and state that only the secular authorities could, in the words of the thirty-seventh article of the church of England, "restrain with the civil sword the stubborn and evil doers", whether ecclesiastical or lay. The church holds the keys to the kingdom of heaven, which includes the key of discipline; the full exercise of her legitimate authority could never interfere with the state's proper function. But temporal punishments can be added to spiritual condemnations without violating the jurisdiction of the latter, for kings are empowered by God to inflict civil penalties in ecclesiastical causes. Only because "the Church knoweth it self to be a Society in its own nature distinct", and because that independence is recognised by the civil laws, could Leslie declare that it was "the unspeakable happiness of the Church to be entertain'd within the Protection of the Supreme Powers Secular."⁹²

Leslie derived this justification of the church of England's spiritual independence and federal relationship

92. Leslie, Second Part of the Wolf Stript, 8-9.

with the state from the Elizabethan settlement. As a result of the excesses of secular power in wrenching England from the Roman jurisdiction, some bishops had opposed the queen's supremacy as it had been set forth in the former oath.

Therefore Queen Elizabeth laid aside the Title of Head of the Church, and instead thereof the word Governor was put into the Oath, as it stands to this day. The King being now styl'd therein only supreme Governor, which is a more secular word than Head (tho' it may mean the same thing) and . . . means only supreme civil Governor.⁹³

This "better and more tolerable Supremacy", according to Dodwell, had been insisted upon by the queen, who had called it "a sinister perswasion, and perverse construction" to believe that Cranmerian principles had been the sense of the legislators of the reigns of Henry VIII and Edward VI. Her oath of supremacy had declared that English princes have sovereignty over all men, ecclesiastical and lay, born in their dominions; that had been merely a re-assertion of ancient rights which had been disputed in former reigns, as in the cases of Anselm, Becket and Wilfrid.⁹⁴ For the nonjurors, the legacy of the first generation of the reformation of the sixteenth century had not been the foundations upon which to build Christ's true church; rather, it had been a collection of deadly principles which, if allowed to stand, would have

93. Leslie, Regale and Pontificate, L.T.W., 1:625.

94. Dodwell, Doctrine of the Church of England, XXXIX-XLIV.

enslaved Christ's church and rendered her impotent to secure her own being. "And indeed the Truth is", Leslie wrote, "That the English Divines have been Explaining away the Regale, ever since the first Heat of the Reformation."⁹⁵ The Elizabethan settlement, happily, had pronounced against those Cranmerian principles which Leslie and Dodwell believed had been imposed upon an unwilling church. It was insufficient to point to the extent of the royal supremacy in Cranmer's day. Under Elizabeth the thirty-nine articles, according to which, Leslie insisted, "the Church is left wholly independent on the State, as to her purely Spiritual Power and Authority", had been incorporated into the laws of England.⁹⁶

While Leslie granted that a Christian prince's authority extends equally over ecclesiastical and lay men and causes, he denied vigorously that that authority has a spiritual dimension. Kings are truly the nursing fathers of the church, but this is "not an office of Authority, but of Service". Leslie was careful to quote the entire verse from Isaiah (49:23): "And Kings shall be thy Nursing-Fathers, and Queens thy Nursing-Mothers. They shall bow down to thee with their face toward the Earth, and lick up the dust off thy feet. And thou shalt know that I am the Lord; for they shall not be

95. [Charles Leslie], The Bishop of Salisbury's Proper Defence, from a Speech Cry'd about the Streets in his Name . . . (London, 1704), 18.

96. Leslie, Regale and Pontificate, L.T.W., 1:625.

ashamed that wait for me." The expression "nursing father" may cause confusion, Leslie granted, for surely a father has authority over his "child", that is, the church. But he pointed out that the confusion arose from the translation: "nursing father" is "an old English word" and it means "the same as Foster-Father, that is, a Nurse's Husband, whose office is to protect and defend the Child, and to carry it, when there is occasion."

Our Margin reads it, Nourishers; and the Latin renders it Nutritii: For neither in the Original, or any one Translation, is there such a word as Father; only this old English word of Nursing-Father stands in our Translation, which yet it explains upon the Margin⁹⁷

This widely used text, Leslie held, could not be employed to infer spiritual authority in the king. Certainly the two societies could never be united under him, no matter how "intwisted" they might become, for spiritual and temporal power "Act in different Spheres, and respect different things." They remain, rather, reflections of one another; the earthly hierarchy is a reflection of the heavenly, united under God but not under man.

Leslie believed that it was essential to rescue a fundamental Christian concept which was threatened by those

97. Ibid., 1:613-15. I have quoted Isaiah 49:23 as it appears in the Regale and Pontificate. The king James translation reads: "And kings shall be thy nursing fathers, and their queens thy nursing mothers . . ." (emphasis added).

who argued that the two societies were united under a godly prince. The church is not merely the state on its knees; rather, it is "the Peculium, the holy Seed, or City of God".

So far from being incorporated into the state, God

. . . has distinguished [the Peculium] from the rest of the World by particular and most glorious privileges and promises in all ages of the world, from the first Man born, even unto this day; and has wonderfully preserv'd [it] by his miraculous Providences amidst all her enemies; has assur'd her of a final victory over them, and eternal triumph and jubilee in Heaven.

Leslie argued, in a fashion consistent with his Short and Easy Method with the Deists, that

This is an invincible argument for the truth of the Gospel, when it is shew'd, that the same Peculium which Christ has set up in his Church had been deduc'd thro' several oeconomies, from the beginning of the World, and foretold by all the Prophets from that time to the coming of the Messiah⁹⁸

The Peculium was that nation chosen by God for His particular favour and protection and ". . . all the whole Creation, as well in Heaven as on Earth seems to be particularly design'd with respect to the Church, and for her service and advantage"⁹⁹ God had ordained His church "from the beginning of the Creation"; He "preserv'd her, as a visible distinct

98. Charles Leslie, A Sermon Preach'd at Chester against Marriages in Different Communions (1702), L.T.W., 1:737. In the "Preface" Leslie writes that the sermon was preached "twelve years ago". He sent a copy of the sermon to Dodwell, who commented at length upon it. See Brokesby, Dodwell, 370-99.

99. Leslie, Regale and Pontificate, L.T.W. 1:672.

Society (tho' a small one, in its infancy) from all the rest of the World, in the patriarchal dispensation before the Flood, and to Moses." The nation of Jews made a covenant with God and became a holy people, "till the Heir did come, our blessed Lord Jesus Christ, who brought in the fulness of the Gentiles, opening the Pale of his Church to the believers of all Countreys, Nations, and People."¹⁰⁰ Christ took on man's nature and suffered death so as to purchase His church and to establish it as a society distinct from all other societies and nations.¹⁰¹

This is the Church which in all things, in its original, constitution, frame, and end for which it was design'd, does far excel that Society call'd the State.

And all States do in words give the pre-eminence to the Church. It is not said State and Church, but always Church and State.¹⁰²

The history of God's creation is the history of His Peculium, ordained before the world began, originally inclusive of all men (that is, Adam and his family), confined to the children of Israel after the flood and the confusion of tongues, and again open to all men since Christ established His Church.

100. Ibid., 1:673.

101. Cf. Brokesby, Dodwell, 384, where Dodwell writes that the old peculium confined the holy seed to one nation while the new peculium refers to the one communion of Christians. See Dodwell, Occasional Communion Fundamentally Destructive, 18ff.

102. Leslie, Regale and Pontificate, L.T.W., 1:674.

But it was open to all men upon the condition that they submit to the doctrine, discipline and governors of the church. Most profoundly did Leslie reject the Lockean notion that the visible church owed its existence to the consent of its members, and that the true church, consisting of the congregatio fidelium, was invisible; a concept which was soon to be vulgarised in Benjamin Hoadly's insistence that "Real sincerity" was the only qualification for membership in the church.¹⁰³ Because they have no proper notion of the church as a society, ". . .these Men make nothing of Christianity but a Sect, like that of an Epicurean, a Stoick, or an Academick among the Philosophers, to which there go's no More than to be of this or that Opinion . . .", which may be changed "without any Hazard or Penalty", just as men change lawyers or doctors.¹⁰⁴ The church is "the Pillar and Ground of the Truth"; it is the guardian of the "Sacred Depositum"--the Gospel--which Christ left with her to teach and protect. She has been

103. John Locke, Epistola de Tolerantia: A Letter on Toleration (1689), eds. R. Klibansky and J. W. Gough (Oxford, 1968), 71ff. Benjamin Hoadly, A Preservative Against the Principles and Practices of the Nonjurors both in Church and State . . . (London, 1717), passim, esp. 57; and his infamous The Nature of the Kingdom, or Church, of Christ . . . (London, 1717). But see below, chap. 8, for similarities between Leslie's and Hoadly's views.

104. [Charles Leslie], The Wolf Stript of His Shepherd's Cloathing . . . (London, 1704), Preface:6. See also Rehearsal, 1, no. 17 (25 Nov. 1704).

empowered to guard against heretical ideas and, when necessary, to exclude purveyors of such errors until they have repented.¹⁰⁵ This is the power of the keys to the kingdom of heaven. The seals of the new covenant, or Peculium, are baptism and the lord's supper, which are to be administered to the people in the name of God by His priests.

Englishmen had to be taught again the high dignity which belongs to the priesthood because the concept "has been dwindled, and indeed quite taken away, in our late times of Schism and Rebellion". Those without commissions had usurped the sacred office, "reduc'd it all to Preaching, and lov'd the name of Preachers better than that of Priests, which they would have rejected under the Gospel dispensation."¹⁰⁶ But Christ invested His apostles with the same commission which His father had given Him and empowered them to transfer it to others to the end of the world. The Christian priesthood, which has succeeded the Levitical, represents the person of Christ, "who is the supreme High-priest, Mediator, and Intercessor with God for Men." Christ died for us, and by virtue of His suffering He makes a continual intercession on our behalf. This is the proper act of the priesthood. He left behind an earthly priesthood to offer the same unbloody

105. Rehearsal, 2, no. 29 (17 Jan. 1708).

106. Leslie, Regale and Pontificate, L.T.W., 1:660.

sacrifice, with the same commission of "Binding and Retaining Sin, in Subordination to him, and in his Name." In this way heaven and earth are united into one family with Christ as its head; those ". . . who are justly Excluded His Churches upon Earth, stand likewise Excluded in Heaven, as He has Expressly Promis'd."¹⁰⁷ To become eligible for the benefits of Christ's death and passion, men must be subject to His priests and enroll themselves into His family through baptism and through frequent participation in the lord's supper. These are outward and visible ordinances "appointed whereby to initiate Men into an outward and visible Society, which is the Church."¹⁰⁸ From the beginning of the world God has had His representatives among mankind, and while their personal holiness is not unimportant, what is essential is their "Sacerdotal qualification".¹⁰⁹ Not even Christ had assumed the office of a preacher until He had received an outward commission at the time of His baptism. Similarly, He gave such a commission to His twelve apostles; and afterwards, to seventy others of an inferior order.

107. Leslie, Second Part of the Wolf Stript, 14-5; Rehearsal, 2, no. 29 (17 Jan. 1708).

108. Charles Leslie, A Discourse, Proving the Divine Institution of Water-Baptism . . . (1697), L.T.W., 2:667-713.

109. Charles Leslie, A Discourse shewing Who they are that are now qualify'd to administer Baptism And the Lord's-Supper . . . (1698), L.T.W., 2:719-20. See also Regale and Pontificate, ibid., 1:658-61.

The succession from the apostles has been preserved in and can be derived only from the bishops.¹¹⁰ The apostolic succession is still valid, even though for many years it descended through popish bishops who were idolaters. Their commissions had been from God, Who alone could have withdrawn them. The end of government in both church and state is peace, order and unity, which could not be preserved if every man is to judge when the commission of his superiors has been withdrawn. The necessity of government and the commands of scripture oblige us to submit to

. . . the Government in being, where there is no competition concerning the titles, or any that claims a better right than the Possessor: So where a Church once establish'd by God, tho' suffering many interruptions, does continue, her Governors ought to be acknowledg'd where there is no better claim set up against them.¹¹¹

Leslie had several purposes in this passage. He offered an apology for those generations of Christians who had neglected to rebel against Rome; he presented a general defence of the continuation of episcopacy since the reformation; and he devised a specific defence for those nonjuring bishops who had a better title, which had not been withdrawn by an ecclesiastical authority. One suspects also that he was silently apologising

110. Leslie, Discourse shewing Who they are, ibid., 2:721.

Cf. Dodwell to Francis Lee, 15 Jan. 1697/8: Bodl. MS. Cherry 22, fols. 51-5.

111. Leslie, Discourse shewing Who they are, L.T.W., 2:729-33.

for Dodwell's astonishing notion that, had the popish bishops kept up their succession after suffering lay deprivation by queen Elizabeth, they would now have a valid claim upon the consciences of those who acknowledged them.¹¹²

Leslie insisted throughout his writings on the nature of the church that Christ left the governors of His society no more power and authority than was necessary for them to carry out their functions. Consequently, His priests are negligent of their divine commissions if they do not assert that authority to the full. By not asserting it, the authority of the church has been undermined; the church herself must bear much of the responsibility for not teaching her "Rebellious Sons" better. "And the way to Retrieve it is to let them know that High Dignity which Christ has Plac'd upon His Church" ¹¹³ Priests are responsible to God for the souls of their flocks. "If they must resist even unto Blood, they ought not to shrink for a little shame . . .", rather than defending to the limit their rights and privileges and allowing "Religion to go to wreck."¹¹⁴

Religion must be destroyed if the priesthood falls into contempt. That was no arcane truth to Leslie's clerical

112. See Dodwell, Doctrine of the Church of England, LX-LXXI.

113. Rehearsal, 2, no. 30 (21 Jan. 1708).

114. Leslie, Regale and Pontificate, L.T.W., 1:675-76.

audience, who saw their calling being attacked and ridiculed. Leslie was waging a war of self-defence rather than of conquest, and Samuel Hill rejoiced that he and Atterbury "seem to be raised up by Almighty God to awaken and influence the more Prudent and Religious (and so the most important) Part of the Nation."

It cannot be unseasonable for us to assert the Sanctity and Powers of the Church, when every Ass and Unclean Beast is lifting up his Heel against Her: For how shall we hope, that the Laity will be guided by an Order which they are taught not to revere. Or how shall they revere our Powers, if our Fears, or Interests will not suffer us to assert them against a popular Profanation?¹¹⁵

Hill agreed with Leslie that the clerical order had fallen into contempt since it had come to rely upon "the Arm of Flesh". Leslie blamed the principle of the regale for begetting "a secular spirit in the Clergy", for the regale encourages them to "look no farther than to the place from whence their preferments come" and to develop "all the pretty arts [of the court], of insinuations, flattery, and address". The result of recognising that "the chief Administration and Dernier Resort of all ecclesiastical affairs is in the hands of the secular Magistrate" is that the evangelical Spirit of christian Simplicity"--that is, the courage to assert the truth of the gosepl against any opposition--is destroyed.¹¹⁶

115. Samuel Hill, The Rights, Liberties, and Authorities of the Christian Church . . . (London, 1701), Sig. A4.

116. Leslie, Regale and Pontificate, L.T.W., 1:644. Cf., Hill, Rights, Liberties, and Authorities, Sig., A4.

The nonjurors were furious with those who condemned them for belonging to that school of courtly divinity which had coloured so much of the seventeenth-century Anglicanism.¹¹⁷ The true heirs to that school of flattery, according to a livid George Hickes, were those conforming churchmen, such as Burnet, Tillotson and Sherlock, who grovelled before their hero raised up by Providence. Certainly subjects must be taught obedience to the prince, he wrote, but not because of his heroic virtues but rather because of his office. Men's duty to the prince results from "their relation to him as Subjects, independent of his Moral Qualities"

The Sandersons and Hammonds of former times, who guarded the Pulpit from all suspicion of Flattery, would never have Preached so much in commendation of their Royal Masters, as you have Preached in praise of their Majesties before their Faces, without any regard to their Modesty, which is undoubtedly as great as any of their other Virtues.¹¹⁸

117. The general view of many anti-nonjuring and anti-jacobite writers was that William's opponents were descended from those divines who had infiltrated the courts of James I and Charles I through excessive flattery of those monarchs, and by that means had been able to secure power for themselves over the church of England. See, for example, [Peter Allix], Reflections Upon the Opinions of Some Modern Divines Concerning The Nature of Government in General, and That of England in Particular (London, 1689); and Anon., Passive Obedience in Actual Resistance. Or, Remarks upon a Paper Fix'd up in the Cathedral Church of Worcester, By Dr. Hicks (London, 1691). A Rowland for an Oliver, 6, praised William III for filling the church with men "of a more generous and Christian Temper".

118. [George Hickes], A Vindication of Some among Our Selves against the False Principles of Dr. Sherlock. . . (London, 1692), 4-5.

It was the corrupting atmosphere at court, that seminary of ambitious climbers, and the temper of the preceding age, rather than the doctrines of the church of England, which had produced such exaggerated claims for the power of princes, encouraging them to exceed their bounds. It had been the mistaken belief of earlier generations that the regale was "the characteristick against Popery and Fanaticism". Erastianism had "run down like a torrent from the Reformation"; the nonjurors believed that the spiritual governors must retrieve those rights which many of their contemporaries and predecessors had been satisfied to see protected by a godly prince. "He that would set up divine rights", Leslie urged, "is no friend to prerogative!"¹¹⁹ In their self-conscious reaction against the erastianism of the post-reformation church of England, the nonjurors were framing a new apology for that church. Their inquiry into the nature of the royal supremacy, their general suspicion of the motives of those who sought to justify the king's authority in ecclesiastical affairs, and their conviction that the church was a societas perfecta which does not require union with secular society in order to fulfill its end indicated their disillusionment with the most widely-accepted defences of their church. No single theme is more funda-

119. Leslie, Regale and Pontificate, L.T.W., 1:677-78.

mental in nonjuring literature than that the principles of erastianism had all but destroyed the church of England and had to be defeated if that church was to be saved from complete disintegration.¹²⁰

The state can never be secure unless the people are taught obedience for conscience sake, "which the Church cannot inculcate into them, farther than her credit reaches with them." It is the wise state, then, which recognises that the erastian principle is deadly. If the people see that the church is "deposable" by the state it is easy for them to be influenced by deists and atheists, who "resolve all into Priestcraft, managed by a superior State-craft."

This looses all Bonds sacred and civil; dissolves all relations, as well natural as political; and gives full reins to all lewdness, immoralities, rebellion, and whatever wickedness, where there is prospect of success, or that can be acted Impune.¹²¹

Erastianism has had two visible effects in England, Leslie believed; it has "turn'd the Gentry, Deists; and the common people, Dissenters".

Where erastianism has prevailed and the rights of the priesthood have been suppressed, Leslie insisted, there can be no proper notion of the church. This was, in fact, the condition of western Christianity, not simply of its English

120. See above, n.31.

121. Leslie, Regale and Pontificate, L.T.W., 1:611.

and protestant branches. For the pontificate has undermined the priesthood at least as much as has the regale, and popery is the mother of erastianism. He summed up the fundamental theme of his attack with a striking metaphor: ". . . the western Church was (like her Master) crucify'd betwixt the usurpations of the Pontificate on one side, and the Regale on the other."¹²²

The pontificate had undermined the Christian priesthood in order to enhance its own power. The primitive western church had recognised the primacy of Rome for the better regulation of the affairs of the episcopal college. Not satisfied with that patriarchal dignity, "which was granted to him only *jure ecclesiastico*", the pope

. . . did set up for an universal and unlimited Supremacy, and that *jure divino*, over all his Colleagues, the Bishops of the whole catholick Church; making all their authority depend upon him alone, and thereby resolving the power of the whole episcopal College into the single see of Rome.¹²³

That supremacy had been unknown until John of Constantinople had claimed it after the seat of the empire had been transferred to the east; against which Gregory the Great had inveighed in the name of all bishops.¹²⁴

122. Ibid., 1:657.

123. Ibid., 1:656.

124. Leslie rejected as mere playing with words the claim that Gregory denounced John of Constantinople because of his insistence that he was not simply the universal bishop but the only bishop. See ibid., 1:645-47. Leslie concluded: "There

Leslie contended that popes had "arriv'd at their full height" by scheming with secular princes. They had betrayed the rights and authorities of the other members of the episcopal college in return for an enlarged share of the spoils of the church. They "settled the Regale into an ecclesiastical Establishment"--that is, they had allowed emperors to choose bishops--from the time of Charlemagne until the regale extended over Rome itself. The subjection of the papacy lasted for three hundred years, until pope Hildebrand set about to free himself. From that time, popes "have bent the bow as much the contrary way, and assum'd the power of deposing Kings to beat down the pretence to the investiture of Bishops, when they found that it stretch'd itself even to the Bishops of Rome themselves."¹²⁵ But that had been merely a freeing of the papacy. The other bishops had been left in subjection because popes realised that a restored and properly functioning episcopate would be the greatest threat to their overweening ambitions. After Hildebrand, then, there had

is nothing now left to the Church of Rome, but to give us up St. Gregory too among the Protestant Popes, before there was any Popery in the World!"

125. See Leslie's discussion of the papacy in ibid., 1:645-56.

He expanded upon his anti-Roman opinions after he went into exile: see The Case Stated, between the Church of Rome and the Church of England . . . (1713), ibid., 1:462-568. This work will be considered in more detail below, chap. 8.

been "a new dividend of the spoil". Kings had been allowed rights of presentation to many of the church's preferments, while the pope had despatched "vast swarms of regulars in all countries" who were exempt from the jurisdiction of the bishop in whose diocese they happened to reside and who were "ultimately" accountable only to the pope. However much the regale and the pontificate might quarrel over the spoils of the church, they were agreed in the necessity of suppressing the rights of the episcopate.

Leslie believed that there was a remedy for this usurpation of the church's authority:

. . . if the King's Supremacy, and power of the State over the Church were reduc'd to what our Laws . . . have limited and explain'd viz. To extend only to a civil power, tho' in ecclesiastical Causes and over ecclesiastical Persons:

And if the Pope's Supremacy were brought back to the limits of his first Patriarchat, Jure only Ecclesiastico, for the better regulation of the episcopal College, and exerting of its authority:

Then the primitive Episcopacy wou'd again flourish and shine forth in full vigor.¹²⁶

Not until then would religion be restored to its "ancient lustre" and "recover its force and influence upon the minds of Men". Many in the church of Rome desired a reformation, but were afraid of abandoning the pope "for fear of falling in with the Regale Erastianism". Those especially in need of assistance were the clergy of France, whose declaration of

126. Leslie, Regale and Pontificate, ibid., 1:657.

their liberties in 1682, Leslie believed, was the first blast of their revolt from Rome. Not the least criminal aspect of the wars against France was England's alliance with Habsburg bigots against a glorious monarch and people struggling to throw off papal tyranny; and all in the name of the protestant interest.¹²⁷

The obvious conclusion to Leslie's argument about the nature of the church and its relationship with the state was that the reformation would not be completed until the church of England had been dis-established. Because he was writing primarily for the clergy of that church it is not surprising that he did not place great emphasis upon that natural result; for if dis-establishment has become a desirable goal for many nineteenth- and twentieth-century high churchmen, it most assuredly was not the cause for which the high church party fought after 1689.¹²⁸ In an age of

127. Leslie appended the declaration of Gallican liberties to the Regale and Pontificate and later to the Case Stated between the Church of Rome and the Church of England. See his discussion in Regale and Pontificate, *ibid.*, 1:686ff., and see below, pp. 276-77. In 1712 Leslie complained that the French reformation "would have been by this time as far advanced . . . as it was in England during the Reign of our Hen. VIII" if protestant Europe had not been lured into the papal confederacy against it: see Natural Reflections upon the Present Debates about Peace and War, 50-7.

128. At this point it is appropriate to note that modern interest in Leslie's writings on church and state relations dates from the beginning of the Oxford movement, when, in 1832, his theological works were re-published in seven volumes. Twentieth-century interest in those works

advancing dissent and clerical poverty, those highfliers cherished the establishment; Leslie and the nonjurors saw it as part of their task to educate the clergy of England out of their dependence upon the state. It was the need to re-educate the clergy as to the true nature of their calling which led Leslie to place such emphasis upon the utter distinction between the two societies. Establishments may collapse, "as of Episcopacy in Scotland", but priests are priests still, for the church received its constitution from "her Founder".¹²⁹ Perhaps, Leslie warned his readers, it is of the nature of establishments to fade away, for they are human contrivances. "All the World knows, That the Regale was not the Primitive Frame of the Church. It cou'd not be before there were Christian Kings." Since the reformation, the regale has altered greatly: the title of the head of the church has changed, bishops no longer hold office during the king's pleasure, the ecclesiastical commission has been

began when L. M. Hawkins included a chapter on Leslie's writings in her Allegiance in Church and State, a work which was sparked in part by the embarrassment felt in some Anglican quarters when parliament, encouraged by evangelical members, refused to accept the 'Revised' Prayer Book in 1927. Interestingly enough, evangelical ire was raised over the new communion office, which accepted the revisions to Cranmer's liturgy which the nonjurors had offered in their communion office of 1718. See below, chap. 8.

129. Leslie, Second Part of the Wolf Stript, 27.

removed, "And several other things, then set up, and Highly in Vogue, are now Dead and Gone, and Exploded by every body. These are Reformations from the Reformation." ¹³⁰ Christian kings have made bishops lords of parliament, "But the Highest Honours were Pay'd them when no Legal Titles were Confer'd upon them" ¹³¹ "Glare not upon legal establishments", Leslie urged, "(though make your best use of them) till your eyes are dazled, that you cannot see the Sun; it will have more power than that Glow-Worm." ¹³²

By the early years of queen Anne's reign the nonjuring campaign had achieved part of its desired end. Because of their refusal to accept lay deprivation, the doctrine of the church's independence of the state had been re-asserted and had been recognised as an essential principle for the existence of the church as a spiritual society. Henry Dodwell noted that only a few years before that doctrine had been completely strange to his contemporaries; but

God has brought that good out of our present Evils, that the Rights of the Church have never been better understood, nor more universally received, than since the Violation of them. And that even among the Violators themselves. Even they, who have appeared against us in this Dispute, who could pretend to any skill in Divinity,

130. Leslie, Bishop of Salisbury's Proper Defence, 18-9.

131. Rehearsal, 2, no. 16 (3 Dec. 1707).

132. Leslie, Regale and Pontificate, L.T.W., 1:598.

have not directly defended the Right of the Magistrate to dispose of the Spirituals of our Holy Fathers.¹³³

Leslie agreed that that principle had been accepted.¹³⁴ But he could discern no reason to rest satisfied and accept Dodwell's plan to return to the establishment after the immediate question of the rights of the deprived fathers ceased to be an issue because of their deaths or resignations. Indeed Leslie thought there was every reason to suppose that churchmen were still too willing to depend upon the state for their protection. Early in 1709 rumours circulated that the Irish test act was to be repealed and Leslie devoted one of his later Rehearsals to that question. He was certainly not opposed to the repeal, for the "Park-keeper" "might Defend his Park better without Pales when he is Awake, than with them when he is Asleep." The church loves to be bullied, he wrote, and the dissenters have "enchanted" her to believe that they will be satisfied to be on an equal footing. "I writ not against Them now, I write against the Church."¹³⁵

The apparent advance of dissent since the passing of the toleration act offered Leslie the greatest proof that

133. Henry Dodwell, A Case in View Considered . . . (London, 1705), 62-5.

134. See above, pp. 226-29.

135. Rehearsal, 4, no. 30 (22 Jan. 1709). For the rumours about the repeal of the Irish test and the fears aroused in English church circles, see Bennett, Tory Crisis, 101-2.

the church's authority was neither understood by Englishmen nor properly executed. Dissenters, he had no doubt, would be satisfied only with complete power for themselves and the total destruction of the episcopal church.¹³⁶ What was most galling was the respectability which dissenters were gaining. He deplored the attempt made to place them within the national protestant tradition and, more specifically, within the national church, from which, it was being written, they had been forced through no fault of their own. Their apologists were saying that the moderate dissenters were not rebels against the church and the crown; rather, they had laboured in their interest, for which pains they had been outlawed. "There were a few or none of the Presbyterian Dissenters, that had any Hand in cutting off King Charles's Head", Daniel Defoe wrote against Leslie, "and not a great many that voluntarily engag'd in (what he calls) the Rebellion against him, but were generally those that restor'd his Son. And though he knows the Presbyterians were chiefly those that brought in the King; yet he blackens all alike" ¹³⁷

136. Leslie to Arthur Charlett, 14 April 1707: Bodl. MS. Ballard 34, fol. 84.

137. [Daniel Defoe], The Protestant Jesuite Unmask'd . . . (London, 1704), 33. A petition denouncing the execution of Charles I, signed by fifty-seven presbyterian ministers, was re-published in 1704: The Dissenting Ministers Vindication of Themselves From the Horrid and Detestable Murder of King CHARLES the First, of Glorious Memory. With their NAMES Subscribed, about the 20th of January, 1648[9] (London, "Printed in the Year 1648 [9], and now reprinted for the use of Dissenters. 1704").

Those who defended the dissenters pointed out that there have been nonconformists in England since the reformation, and that those highfliers who railed against them ought to consider the sorry state of the church, with its inadequately supplied benefices and its incompetent clerics, when they sought to explain their persistence.¹³⁸ Some writers boldly declared that the dissenting ministers, in fact, were the true sons of the church of England, for ". . . they are either the Ministers ejected in 1662, or else the Sons, or Successors at least, of such." There had always been a group within the church of England which had worked to rid it of its last vestiges of popery, and it was simple misrepresentation on the part of some writers to treat them "as if they were some strange sort of Creatures brought from Africa; as if they were Mushrooms, sprung up of a sudden, and as easily crushed".¹³⁹ If there was any new group in the English church these writers believed, it was the violent highfliers.¹⁴⁰

138. Anon., Mr. Sacheverell's Assize-Sermon. . . (London, 1704), 12-3.

139. Anon., A Treatise of Divine Worship; Tending to prove, That the Ceremonies imposed upon the Ministers of the Gospel in England, in present Controversie, are in their Use unlawful. . . (London, 1703), Preface:iv-viii. The Treatise which is the main body of this work had originally been published in 1604 after the Hampton Court conference.

140. That is, these court divines referred to above, n.117.

The conference at the Savoy had succeeded where the conference at Hampton Court had failed in expelling the reforming element from the established church. The act of uniformity (1662) came to be viewed as the dividing line between the old dissenters, who had been able to pursue reformation from within the church, and the modern dissenters, who were forced to gather separately. They had remained loyal subjects, however, and despite their betrayal by some episcopal clergymen in the years after the restoration, dissenters had exhibited their charity and tender regard for the established church by joining with it in occasional communion; their regard for the national church had even led them to join in its defence when it had been threatened by James II.¹⁴¹

The high churchmen were hardly to be expected to assent to this interpretation of dissent's place in the history of protestant England. James Drake feared that the nonconformists were pretending a noble lineage so that they could gain power and turn those "Discriminating Acts" of the

141. See [Daniel Defoe], The Dissenters Answer to the High-Church Challenge (London, 1704), 17; Anon., A Letter to a Member of Parliament, Relating to the Bill Against Occasional Conformity in the Last Parliament (London, 1703), 6-7, 13, 17-22; Anon., Persecution Anatomized . . . (London, 1705), 7; Treatise of Divine Worship, Preface:xii-xiv. This view of the history of dissent is urged by some modern historians: see, for example, Christopher Hill, "Occasional Conformity", in Reformation, Conformity and Dissent, Essays in honour of Geoffrey Nuttall, ed. R. Buick Knox (London, 1977), 199-220.

restoration against the church.¹⁴² Thomas Wagstaffe agreed that there had always been a party seeking to change the established church; it had pursued its mischief through two reigns and had brought it to perfection in the third with the complete destruction of church and state. Those who were now claiming an honourable descent were those "who have devoured our Fathers". The church of England had not changed its position as regarded those rebels and schismatics, and the example of the episcopal church in Scotland should explode that insidious notion that "moderate" presbyterians ought not to be classed with the more violent sectaries. "The Spirit of Mr. Calamy, the Grand-Father, is doubled upon the Grand-Son; and if any Man has a mind to make the Comparison, he may find in the present Age a parallel for all the renowned Heroes of Sedition that went before, and that the Church of England stands exactly on the same Terms with them, [as] it did with their Fathers."¹⁴³

142. [James Drake], The Memorial of the Church of England, Humbly Offer'd to the Consideration of all True Lovers of our Church and Constitution (London, 1705), 14. Some contemporaries believed that Leslie had written this pamphlet: see H.M.C., Downshire MSS., 1:840; and Daniel Defoe to Robert Harley, 16 July 1705: The Letters of Daniel Defoe, ed. George Harris Healy (Oxford, 1955), 92.

143. [Thomas Wagstaffe], The Case of Moderation and Occasional Communion Represented by way of Caution to the True Sons of the Church of England (London, 1705), 4-5. Wagstaffe here alludes to the recent publication of Edmund Calamy's Abridgement of Mr. Baxter's History of his Life and Times. Leslie urged the house of commons to take action against this work "Wherein that Blessed Martyr [Charles I] is Represented as the most

There was more than a little truth, then, in Defoe's complaint that Leslie and his supporters blackened "all alike" for the simple reason that, to Leslie, the dissenters were indeed all alike. Distinctions between moderate, loyal dissenters and violent fanatics were false because all who lived out of communion with the church and denied the authority of her governors were derived from the same root. The nature of all things, Leslie believed, can be judged by looking to its source; those things which have base beginnings cannot become legitimate over time simply because they persist. The original of dissent was the rebellion raised in heaven by Lucifer, and ". . . the War that is now upon Earth 'twixt the Devil and the Church, is but the continuance of the same quarrel which he fought in Heaven against St. Michael and his Angels."¹⁴⁴ Properly understood, it is not the followers

Unnatural and Bloody Monster, and most Harden'd Hypocrite that ever the Earth bore." See [Charles Leslie], A Case of Present Concern, In a Letter to a Member of the House of Commons (London, 1703). A third edition of this pamphlet appeared in 1704 under the title: A Vindication of the Royal Martyr King Charles I. from the Irish Massacre in the year 1641, cast upon him in the Life of Richard Baxter, wrote by himself. And since in the Abridgement by E. Calamy. Being a case of present concern

144. Charles Leslie, The History of Sin and Heresy Attempted from the First War that they rais'd in Heaven . . . (1698), E.T.W., 1:779. Leslie saw this work as a corrective to Milton's heretical account in the fifth book of Paradise Lost. The true story of the revolt of the angels, he wrote in his "Preface", would have been "much more poetical, in the severe and just measure of Poetry, which ought not to exceed the bounds of probability, not to expatiate into effeminate romance, but to express Truth in an exalted and manly improvement of thought."

of Lucifer who continue his rebellion, but rather Lucifer himself. For there has not been a series of rebellions throughout history any more than there has been a succession of authorities rebelled against. There has been onerebellion against one authority. Leslie did not perceive the history of sin and heresy as a process evolving through time; heaven and earth are reflections of each other, and all creation is eternally present in the mind of God.¹⁴⁵

The sin of the devil is the sin of pride. The angels who rebelled in heaven were those who would not believe literally the revelation of the incarnation. Their notion of God "consisted chiefly in power and greatness, as they belong to haughtiness". It was unworthy of God, they believed, "to empty himself into the basest of the order of Spirits, and mingle infinite with Flesh and Blood." They were incapable of understanding the nature of love, "which only is almighty, and conquers in its condescending". The nature of pride and of love is fundamental to a proper understanding of God and the rebellion against Him.¹⁴⁶

145. For Leslie's understanding of time and its relation to God and man, see his discussion of predestination in History of Sin and Heresy, L.T.W., 1:802-5. See also his New Association. Part II., 17-20; and Rehearsal, 1, no. 233 (9 Aug. 1707).

146. Leslie, History of Sin and Heresy, L.T.W., 1:780-85.

Lucifer rebelled because he aspired to be the equal of God. "Thus did he exalt himself in his Pride, and thought his Arms invincible!" But love conquers pride as light defeats darkness, "without noise, but irresistibly". As the greatest extent of love is the incarnation, so it is the greatest blow to pride. "Infinite love" expressed itself in the "infinite condescension", that is, God's condescending to take upon Himself the nature of the lowest of rational beings; and in "this wonderful oeconomy of the Incarnation" heaven and earth are united into one family.

So that Glory of the almighty Love shines alone in the many members of this great Body; that an Angel cannot say to a Man or a Worm, there is no need of you, more than the Hand can despise the Foot, or the Eye reject the assistance of the Ear: That therefore it is no dishonour for the greatest creature to serve the least, since they are all Members of one Body, and united in the Incarnation of God.¹⁴⁷

A mis-apprehension of the godhead is at the root of the sin of pride, which leads to rebellion and heresy. The refusal to accept the fact that God took upon Himself the nature of man and suffered death for his redemption stems from the ignorance of proud men who pretend to rise to God's level --either through immediate inspirations or through the light within themselves--rather than submitting "in the contemplation of that stupendous infinite excess of Love" by which God has condescended to the level of man. The best guard

147. Ibid., 1:785.

against falling into heresy is "to watch carefully against all the inroads and temptations of Pride":

. . . therefore you should justly abhor the Pride of this World, to see a Man despise not only his Inferiors, (which was the Sin of Angels) but his Equals and Superiors! To think himself beyond every Man he meets! And that it is below his greatness (forsooth) to receive any injury from any! This is the character of a Hero, so much courted in Romances and Plays, (the Gospel of this World's honour;) a fool swell'd with pride even to Blasphemy! Is it not nauseous to see him brave Thunder, whose scull is not proof against the sliding of a Tyle from a house-top!

Rather ought men "to follow the advice and example of God, which is, that you would think it your greatest honour to become innocent and harmless, loving and free from pride as little Children are" ¹⁴⁸

In writing at length against fanatics, Leslie was attacking all those who dissented from the church. They all shared perverted notions of the nature of God, which stemmed from a rejection of the orthodox conception of the trinity. The calvinist view of predestination was as much a misunderstanding of the infinite love of the incarnation as was the more blatant socinian denial of Christ's divinity or the quaker notion of the light within. ¹⁴⁹ All of these ideas

148. Ibid., 1:808-9. Cf. Jeremy Collier, A Short View of the Immorality and Profaneness of the English Stage (London, 1698).

149. Leslie would not have been surprised at the growing strength of unitarianism among dissenters, especially presbyterians, as the eighteenth century progressed. See Roland N. Stromberg, Religious Liberalism in Eighteenth-Century England (Oxford, 1954). For Leslie's discussion of predestination, see Rehearsal, 1, nos. 232-37 (6 Aug.-23 Aug. 1707).

fill men with pride, encouraging them to look with contempt upon other men and reject the church and their superiors.

The strength of whig principles, Leslie insisted, could not be separated from the persistence of heresy. The spirit of pride had manifested itself in the body politic through rebellion against princes and the claim that governments require the consent of the governed, who are naturally free and equal. That single enemy expressed itself most clearly in the writings of John Locke. The man who had confounded the doctrine of substance,¹⁵⁰ which was necessary for a true understanding of the trinity, had also advocated the toleration of dissent and had justified rebellion. This great whig had done much to contribute to the spread of anti-trinitarianism in the sixteen-nineties;¹⁵¹ the whig party would be strengthened with his promotion of heresy, for the spirit of pride was at the root of their politics.

The destruction of the church, Leslie believed, was essential to the whig cause. The church was the guardian of orthodoxy, and its government had been divinely ordained to

150. See above, chap. 4.

151. See H. J. McLachlan, Socinianism in Seventeenth-Century England (London, 1951), 294ff.; and J. G. Barnish, "Orthodoxy and Heterodoxy, The Trinitarian Dispute in the Church of England, 1710-1730"; B. D. (Oxon.) thesis, 1966, p. 13. Locke was a friend of Thomas Firmin, a London merchant who financed a series of anti-trinitarian tracts which appeared between 1687 and 1690. Firmin was also on close terms with Tillotson.

promote love and to destroy the spirit of pride. Leslie developed Dodwell's plea that the divine spirit descends through the church; it is derived from God by the spiritual governors of the Peculium, who administer it to their flocks by means of sacraments.¹⁵² Only through the sacraments--celebrated perpetually in heaven by Christ, the arch-priest, and on earth by His representatives--can men, through submission to their spiritual governors, participate in the divine love of the incarnation. An acceptance of the sacraments is an acceptance of the manhood in the Godhead, that manhood which is a manifestation of infinite love, and which intercedes on man's behalf with the Father.

Unity under the governors of the church is, therefore, essential. And we cannot be members of the church until we are incorporated into it by the baptismal spirit. Faith may "dispose" men to membership, Dodwell informed the dissenters, "but does not actually make them so, so as to supercede the use of the Sacraments. He that believes therefore is not qualify'd for Salvation except he be baptiz'd also" Members must remain in communion with the church, "and that Communion does not consist in a common belief in Doctrinals, but a Participation in Sacraments, and other Holy Offices."¹⁵³

152. See Dodwell to Francis Lee, 15 Jan. 1697/8: Bodl. MS. Cherry 22, fols. 51-5.

153. Henry Dodwell, Occasional Communion Fundamentally Destructive of the Discipline of the Primitive Catholic Church . . . (London, 1705), 188.

The quarrel with the dissenters was not over their different opinions, but rather over the rebellion against the church and their establishment of congregations in opposition to it. Many within the church differ on questions of habits, ceremonies and liturgies, Leslie reminded the nonconformists, but these differences may arise and continue

. . . without any Breach of Charity, or of the Unity of the Church; which Requires not that all Men shou'd be Exactly of the same Opinion, in Matters of Discipline, and not of Faith; but of one Communion. This preserves the Unity of the Church.¹⁵⁴

To cloak their designs against the church the whigs preached the cause of moderation. They excluded those churchmen who appreciated the high dignity which God has placed upon His church and His priests; and they encouraged low churchmen, who considered episcopacy to be a thing indifferent, who had no proper notion of the Christian priesthood, and who schemed to bring in measures of comprehension, which would "ipso facto, Dissolve the Church of England, and Melt her down into all the various Sects in the Nation."¹⁵⁵ In the

154. Leslie, Wolf Stript, 3. See also Leslie's discussion of 1 Corinthians 13:13: "And now abideth faith, hope, charity, these three; but the greatest of these is charity." Charity here means love, and St. Paul uses this notion of love to exemplify the unity of the church; as in the preceding chapter he urged the unity of the church by referring to the unity of the natural body. So all members of the church ought to have love and charity for one another to preserve the unity of the church as a natural body. Rehearsal, 1, no. 238 (27 Aug. 1707).

155. Leslie, Wolf Stript, Preface:5-6; and 29.

name of comprehension these low churchmen would loosen the reins of discipline, mangle the liturgy of the church and sacrifice those things which it grants are indifferent. They would "Disgust the Members of our own Church, merely to Gratify the Petulant humour of the Dissenters", and their methods would bring "Us to Them, not Them to Us."¹⁵⁶

There was nothing moderate about that "New Association we see now made against the Church". Whigs, dissenters and low churchmen had formed thier "Tripple Alliance . . . to keep King William's bishops in countenance, and for their common Security against the Church and Crown."¹⁵⁷ Against this association Leslie appealed to the clergy of the church of England to be assertive of their rights and urgently to teach a nation rapidly sinking into irretrievable sin the necessity of submission to the sacerdotal powers.

That appeal fell upon eager, which is not to say itching, ears. Since the revolution the clergy had been amassing grievances. The toleration act had undermined their position in their parishes and encouraged defiance of their authority among a population not renowned for its devotion to them. The abolition of episcopacy in Scotland shook their confidence in the government's willingness or ability to stand

156. Ibid., Preface:4: and 48-9.

157. Charles Leslie, Salt for the Leach, or Reflections upon Reflections (London, 1712), 16.

by the established church. Poverty, not affluence, was the state with which they were most familiar. With various taxes levied upon them, especially the land tax to pay for the war, it has been noted that by 1697 many clerics were paying between one quarter and one third of their inadequate incomes to the government.¹⁵⁸

Leslie studied the grievances of the clergy and calculated the effects of their poverty upon the church and kingdom. It was scandalous, he wrote, "that this office, which was counted a glory to Christ, was now fallen so low with us, as to be thought beneath a Gentleman!" Part of the explanation for that contempt was the flourishing of dissent, which was ignorant of the proper office of the priesthood.¹⁵⁹ Leslie comforted the clergy who felt themselves being undermined in their own parishes with the reminder that the position of dissenters was precarious. There was no act of toleration in England; there was only an act of grace to relieve them of some legal penalties, "But there is not a Word of Toleration in the Act."¹⁶⁰

158. For a description of the social position and grievances of the clergy after the revolution, see Bennett, Tory Crisis, chap. 1; and Geoffrey Holmes, The Trial of Dr. Sacheverell (London, 1973), chap. 2.

159. Leslie, Regale and Pontificate, L.T.W., 1:662.

160. Rehearsal, 1, no. 239 (30 Aug. 1707).

Leslie believed that there were too few priests, especially in London and the other large centres, and that it was impossible for them to administer effectively to their flocks. At the same time, dioceses were too large for bishops to become acquainted with the condition of their priests. But there was no remedy possible under the existing ecclesiastical organisation, where there were more than two thousand parishes in England worth less than £20. a year, "and many not worth ten."

This makes pluralities necessary; and reduces the poor Clergy to such contempt, as to render their Labours wholly ineffectual; unless to those very few who can distinguish their Character from their Circumstances: And withal betrays them unavoidably to such ignorance, having neither time to study, nor Money to buy a Book, unless a Dutch System; nor opportunity for good Conversation; that nothing less than the Power of Miracles, as the Apostles had, can reconcile respect to them, or authority to their Doctrine.¹⁶¹

But the church could support "twenty times" as many clergymen if it was "restor'd to her right". Under both the regale and the pontificate the church has been plundered of its wealth. Leslie cited many examples from Sir Henry Spelman's History of Sacrilege to show the fate that befell the many families whose wealth was derived from tithes and lands dedicated to God.¹⁶² Of course, the greatest plunder

161. Charles Leslie, An Essay Concerning the Divine Right of Tithes (1700), L.T.W., 2:876.

162. Ibid., 2:850ff.

had taken place under Henry VIII, whose children had died childless. His great acquisition had soon melted away, and England has been burdened with heavy taxes ever since.

So much has the Crown gain'd by the access of sacrilegious wealth, as from the imperial Dignity and a propriety paramount in all the lands of England, to become an honourable Beggar for its daily Bread.

God instituted tithes for the payment of his priests, and in paying them we worship God with our substance as well as with our tongues. Because vows bind posterity, lands and wealth dedicated to the church cannot be alienated from it. To atone for the sins of the nation and to restore the priesthood to a position of respect, Leslie proposed that all the church's wealth be returned. To counter objections from the impropiators, he recommended that all the poor in the kingdom be supported from the restored tithes. The clergy had been responsible for the maintenance of the poor before the reformation, and Leslie suggested a scheme whereby the impropiators would be partially eased out of their sacrilege by paying them for three years the money which normally would have gone to the poor rates. The end result would be the abolition of the poor rates paid by laymen and the restoration to the church of its wealth.¹⁶³ The church then would be able to reduce the numbers of the poor by putting them to work on its lands, and with its wealth would be able to improve the livings and the quality of the clergy.

163. Ibid., 2:873-74.

White Kennett described Leslie's scheme as "a most unmerciful Project for the Parochial Clergy's maintaining all the Power of the Nation" He announced, in a deliberate misrepresentation of Leslie's argument, that the scheme was little more than an attempt to lure the clergy of the church of England into a renunciation of the reformation and a submission to the tyranny of France and Rome.¹⁶⁴ Leslie's purpose, rather, was to convince the clergy that there was a king "who wou'd begin to set the Church free, and give up his Regale"¹⁶⁵ He wanted to encourage the clergy to support a restoration of the Stuarts in return for a promise from the exiled royal family that, once restored, they would renounce the English crown's usurpation of ecclesiastical rights. To that end, Leslie travelled to Saint Germain in February 1702 and persuaded the pretender to declare:

. . . we are willing to remit (but only during our reign) the tenths and first fruits due to the Crown to those of the bishops and clergy who shall return to their duty, and make amends for their former faults by trying to reclaim their flocks, but this favour is not extended to those who persist in their error, and who by renouncing the principles of the English Church cease to have any claim to this favour, and this concession is not to establish any right against our legitimate successors.¹⁶⁶

164. Kennett, History of the Convocation, xxxi-xxxii.

165. Leslie, Regale and Pontificate, L.T.W., 1:688-89.

166. H.M.C. Stuart MSS., 4:3-4 ("Instructions sent by Mr. Leslie"). The original "Instructions", in French, are

Back in England, Leslie circulated the pretender's promise to the clergy during the general election. Years later, the earl of Egmont was told that the ministry, fearing ". . . that the clergy would bestir themselves in elections in favour of disaffected persons to her Government, advised her Majesty to do the thing herself."¹⁶⁷ The result was the establishment of Queen Anne's Bounty.

Leslie wanted not only to convince the clergy that the best hope for the security of their interests lay with a Stuart restoration. He wanted also to convince the Stuarts that their greatest hope for a restoration lay in encouraging the clergy of the church of England. To reconcile a popish prince and the church of England seemed an impossible task, but it was one Leslie pursued doggedly throughout his career. He saw a possible solution to this problem in the recent developments within the Gallican church. As a result of the Gallican declaration of 1682, he believed that the pope's supremacy had been so reduced in France that "I am sure the English and Gallican Churches are nearer one another upon

found in R.A. Stuart MSS., 2/18. The pretender also promised to guarantee the legal privileges and immunities of the English church and to allow the archbishop of Canterbury and four bishops to nominate candidates for all ecclesiastical positions at the disposal of the crown.

167. H.M.C. Egmont MSS. Diary of the First Earl of Egmont (Viscount Perceval), 2:49-50.

this point than the Churches of France and Rome."¹⁶⁸ Since that supremacy had been the chief point of contention between England and Rome, Leslie urged that all haste be made to restore peace to the western church "by opening our Communion to one another" before the pope had a chance to re-impose his power in France.¹⁶⁹ In a footnote he added that at the time of the Gallican declaration the English convocation had not been allowed to sit and so had missed the opportunity to prepare a treaty.¹⁷⁰ For that reason Leslie responded enthusiastically to Atterbury's campaign in favour of convocation. A treaty with the Gallican church would be a demonstration to the Stuarts that the church of their kingdom was not fundamentally different from the church of their exile. And a Stuart restoration, encouraged by the clergy, could be the means by which the church of England could finally rid itself of the regale and be restored to its divine original rights.¹⁷¹

Leslie's writings on the relationship of church and state were intended to awaken the clergy of the church of England to the dangers which threatened them from all sides. He described in considerable detail the nature and high

168. Leslie, Regale and Pontificate, L.T.W., 1:687.

169. Ibid., 1:686.

170. Ibid., 1:688.

171. Cf. Every, High Church Party, 70.

dignity of the sacerdotal office, and he reminded the clergy that they were a distinct order with peculiar privileges within English society. At the same time he identified the enemies who were interfering with the priestly office and making it impossible for them to fulfill their calling. Leslie did not manufacture clerical grievances, but by giving expression to them he hoped that they might be organised for a particular advantage--the restoration of legitimate authority in both church and state.

CHAPTER 6

LESLIE'S APPEAL TO THE TORY PARTY, 1702-1710

Jest. It cannot be deny'd, that while We stand up by the Rights of the Monarchs of England, We Assert the Prerogatives of Queen Ann; but I am afraid some People will be apt to say, We call in Question the late Revolution by so doing.

Earnest. Let 'em make what Remarks they please, We must be Safe under the Wings of a Government we Write in Defence of¹

Alas! Let them [the nonjurors] Dye in their Holes. They are Trod under foot, and Crush'd to Nothing. They Trouble no Body now.²

When Charles Leslie returned to England from Saint Germain in the spring of 1702, he fully expected that king James III would soon be enjoying his own. He realised the restoration would not take place inevitably. There had to be a careful assessment both of the forces which would hinder it and, more importantly, which would promote it. Leslie had begun to cultivate the latter in his appeal to the clergy during William's reign. From the beginning of Anne's reign Leslie attempted to extend that appeal by encouraging the tory party to reaffirm its belief in the doctrines of hereditary right and passive obedience.

Leslie's appeal to the tories was based upon the

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1. Heraclitus Ridens, 1, no. 13 (11 Sept. 1703).
 2. Leslie, Wolf Stript of His Shepherd's Cloathing, 17.

conviction that a successful restoration required the assistance of a domestic party. That conviction had become a part of jacobite strategy once the campaign against the oaths imposed by the new regime had failed. The ability of the tory party to pledge an equivocal allegiance had ensured the success of the revolutionary settlement in the early sixteen-nineties. At the same time it had created a party of furious jacobites whose hatred, momentarily, had been concentrated primarily upon those tories who had salvaged their places by betraying the principles for which the party had stood since its inception under Charles II.

Jacobites, however, were quick to recognise that the tory insistence upon the distinction between de facto and de jure rule could work to their advantage as well as to their enemies'. If some tories convinced themselves that they could subscribe to the Association, which the whigs framed in 1696 after the revelation of a jacobite plot against William's life and which recognised his "rightful and lawful" status, it was only because of the growing acceptance of the notion that conditions imposed by force could not bind the conscience of the subscriber; and notwithstanding that possible solution to the tory dilemma resulting from the trap laid by the whigs, ninety-three members of the house of commons and fifteen of the house of lords refused their assent.³ The vehemence with which the tories insisted

3. See Feiling, Tory Party, 310, 318-21. B.W. Hill, The Growth of Parliamentary Parties, 1689-1742 (London, 1976), 68.

upon their de facto allegiance to William encouraged the royal family in exile to urge supporters in England to seek recruits, especially among office holders under the prince of Orange. James II did not specify in which members of "the court party" he had confidence; instead, he recommended that his followers do as much as they could without endangering their own safety and judge for themselves whom they might trust "in such nise matters".⁴

The jacobite strategy of attempting to secure a footing within the English government in order to promote the restoration was continued and even intensified after the death of William III. James II had died six months before William and the young James III was only fourteen years old. Certain jacobites, including Leslie, believed that the best way to secure a restoration would be to use Anne's reign as a period of preparation for the return of the legitimate king.⁵ This tactic had much to recommend it, especially after the death of Anne's only surviving child in 1700. After her reign, and perhaps with her blessing, the crown might peacefully return to the rightful claimant.

4. Bodl. MS. Carte 256, fol. 48. James II was answering a series of questions put to him by a jacobite agent on behalf of his supporters in England. The index to this volume indicates that the advice was given "about Aug^t" 1694.

5. See Jones, Mainstream of Jacobitism, 54-55.

Jacobites firmly believed that Anne had promised to restore her brother, and at the time of her accession it was rumoured in Amsterdam that she had accepted the crown only as a regent for James III.⁶ Several jacobites emphasised that James III offered no threat to his sister.⁷ Her possession of the throne would not be endangered if she accepted her duty to "our antient Royal family". The pretender himself draughted a letter to Anne urging a closer union and understanding between them, which would be a benefit "to our selves, to our Family, & to our Bleeding Country". Insisting upon his own right "by the most fundamental Laws of the Land", he added immediately: ". . . yet I am most desirous rather to ow to you then to any living the recovering of it. It is for your self that a work so just & glorious is reserv'd".⁸

6. David Green, Queen Anne (New York, 1970), 114. See Edward Gregg, "Was Queen Anne a Jacobite?" History, 57, (1972), 358-75, and his Queen Anne (London, Boston, Henley, 1980), 121-22. Marlborough had certainly led the jacobite agent St. Amand to believe that Stuart interests would be secured under Anne. Gregg's discussion emphasises that Anne was not a jacobite, and whatever promises were made on her behalf to Saint Germain were simply an attempt to secure her own peaceful accession. In the present context, the essential point is not Anne's perception of the jacobites, but rather the jacobites' perception of Anne.

7. "Memoire du Sieur Lamb", April 1711: Bodl. MS. Carte 180, fols. 289-96; "Letter to a Friend", 1711: ibid., fols. 286-88; "Account of a politick conversation between a Cath. and a Whig upon the hanover succession. . . 7 August 1712. . .": Bodl. MS. Carte 210, fols. 411-14.

8. "Project of a letter to the p^{nc} of D[enmark]", May 1711: Bodl. MS. Carte 180, fols. 305-307v. See also James III to the earl of Oxford, 3 March 1714: L. G. Wickham Legg, "Extracts

The great obstacle to this plan for a peaceful restoration was the act of settlement of 1701, which declared that the crown must pass to the nearest protestant branch of the royal family, that is, to the electress of Hanover and her heirs. An increasingly important element of jacobite plans was the cultivation of the interests of those high church tories who might be induced to declare against that act. The jacobite sentiments of that group had dwindled late in William's reign.⁹ They were satisfied to wait for Anne's accession and, at least until 1700, were content in the knowledge that she would be succeeded by her son. His death did not cause a sudden reversal of tory opinion in favour of the exiled king and prince of Wales' but it did ensure that the question of Anne's successor would become central to the politics of her reign. The guarantees offered to the church of England which Leslie brought from Saint Germain in 1702 were intended to mollify the high churchmen's only grievance against their legitimate king.¹⁰ Throughout Anne's reign Leslie's writings were directed at promoting the interests of

from Jacobite Correspondence, 1712-1714", English Historical Review, 30, no. 69 (July 1915), 515-16.

9. Jones, Mainstream of Jacobitism, 54-55. Feiling (Tory Party, 345) refers to "the Tories' singular freedom at this time from Jacobite tendencies".

10. See Jones, Mainstream of Jacobitism, 64-66.

that group. A high church ministry and parliament must recognise that the principle of hereditary right had more claim to authority than any piece of legislation which defied the fundamental law of the realm.

Leslie's semi-weekly newsheet, The Rehearsal, was the most important organ of high-church opinion during the first decade of the eighteenth century. Leslie claimed that he began to publish it in order to refute principles which were being broadcast by Daniel Defoe's Review and John Tutchin's Observator. Although most people were illiterate, he wrote,

. . . they will Gather together about one that can Read, and Listen to an Observator or Review (as I have seen them in the Streets) where all the Principles of Rebellion are Instill'd into them, and they are Taught the Doctrin of Priest-Craft, to Banter Religion, and the Holy Scriptures; and are told the most villainous Lies and Stories of the Clergy, which they suck in Greedily, and are Prejudic'd past Expression.¹¹

The task of writing The Rehearsal fell entirely to Leslie, although he may have had the occasional assistance of

11. Rehearsal, 1:Preface. When the Rehearsal ceased publication in 1709, Leslie had the entire run of the newsheet bound in four volumes and sold under the title A View of the Times, Their Principles and Practices: in the First [Second, Third, Fourth] Volume of the Rehearsals. A "Preface" was added to each volume. Until issue no. 51 the title of the newsheet varied. No. 1 appeared as The Observator, but thereafter it was either The Rehearsal or The Rehearsal of Observator. The single exception was no. 14, which celebrated Tutchin's trial for libel: that issue was published with the title The Observator's Tryal and Defence this Good Day. For the sake of consistency I have adopted the title Rehearsal for all references.

his son Robert.¹² Whether or not he had any previous experience in the production of a regular newsheet is difficult to determine. John Tutchin believed he had helped William Pittis with Heraclitus Ridens, the high-church newsheet which had ceased publication shortly before The Rehearsal began.¹³

The Rehearsal offered a regular dialogue between the "Rehearser" and his "Country-man". The form had become popular among the party journalists and hacks of the day, especially after Charles Davenant used it so successfully to ridicule the whigs.¹⁴ Leslie seems to have been consciously imitating Davenant in the first fifty issues, where the dialogue is between two whigs--"Observator" and "Country-man"--who expose their party as a vehicle for office-seeking, irreligious rebels. In the fifty-first issue, "Rehearser" enters and expels "Observator" from the paper, declaring that he and "Country-man" will now speak seriously; whereupon Leslie begins his

12. R.J. Leslie, Charles Leslie, 335. The son was as furious and hot-headed a jacobite as the father, and accompanied him into exile after 1710: see below, chap. 8.

13. Observator, 3, no. 31 (8 July 1704). Tutchin often published inaccurate information about Leslie, but this charge seems plausible. On Pittis, see Theodore F.M. Newton, "William Pittis and Queen Anne Journalism", Modern Philology, 33, no. 2. (Nov. 1935), 169-86, and no. 3 (Feb. 1936), 279-302.

14. See Charles Davenant, The True Picture of a Modern Whig. . . (1701), and its sequel Tom Double Returned out of the Country . . . (1702), in The Political and Commercial Works of that celebrated Writer Charles D'Avenant, LL.D., ed. Sir Charles Whitworth, 5 vols. (London, 1771), 4:125-80 and 180-226.

famous inquiry "into this Great Matter of Government".

Leslie resorted to satire and ridicule, he claimed, in order to expose his pernicious competitors, who attracted their readers with "Pleasantry or Fooling". For that reason, Leslie said, he borrowed the title of his newsheet from

. . . that most Humorous and Ingenious of our Plays call'd, The Rehearsal, which is indeed a Satyr upon the other Plays and Lew'd Poems of those Times, and Exposes the Blasphemous BOUNCE of their Heroes, and their Madrical LOVE Scenes, as very Ridiculous, and the WIT Frothy and Lean.¹⁵

When The Rehearsal was silenced in 1709, Leslie claimed that he had succeeded in his chosen task and had utterly routed the whigs. He had made, he said, the ridiculous principles of the independent state of nature and the power of the people "a Spectacle to the World", so that no one dared use them. The whig idea of government had become "the Jest of the Town, and every Boy can Laugh it to Death, and see through the senseless Blunders of Milton, Lock, Sidney, and all their celebrated Heroes upon this Argument."¹⁶

To speak of the success or failure of The Rehearsal is to raise the question of its circulation, and that question cannot be answered with any certainty. Statistics relating to

15. Rehearsal, 1:Preface. The Rehearsal, by George Villiers, duke of Buckingham, with the assistance of Thomas Sprat, Martin Clifford, Samuel Butler, and possibly others, had been written in 1671.

16. Rehearsal, 4:Preface.

the circulation of newspapers during the reign of queen Anne are derived from the proposal in 1704 for a stamp duty upon the paper bought by printers. At that time a list of existing newspapers was drawn up, along with estimates of their circulation. The tax, in fact, was not imposed until 1712. By comparing the estimates of 1704 with the figures available once the tax was levied, historians have attempted to make fairly precise calculations of the total circulation of newspapers during the reign, along with the circulation of individual papers.¹⁷ Unfortunately, The Rehearsal began publication after the estimates of 1704 were made and ceased before the tax was collected.

The total daily circulation of all newspapers in 1704 was approxiamtely 44,000. That number increased to about 70,000 in 1712, after which the figures dropped to an average of 46,000 as a result of the tax.¹⁸ The largest and most consistently successful papers were those which featured news--such as the

17. See Henry L. Snyder, "The Circulation of Newspapers in the Reign of Queen Anne", Library, 5th ser., 23 (Sept. 1968), 206-35, which improves upon the calculations in James Sutherland, "The Circulation of Newspapers and Literary Periodicals, 1700-1730", ibid., 4th ser., 15 (June 1934), 110-24. See also J.M. Price, "A Note on the Circulation of the London Press, 1704-1714", Bulletin of the Institute of Historical Research, 31, no. 84 (Nov. 1958), 215-24, and J.A. Downie, Robert Harley and the press, Propaganda and public opinion in the age of Swift and Defoe (Cambridge, London, New York, Melbourne, 1979), 6-11.

18. All figures cited in this paragraph are from Snyder, "Circulation of Newspapers".

whig Daily Courant and Flying Post and the tory Post Boy¹⁹-- rather than opinion. The Rehearsal belonged in the latter category, as did Defoe's Review, which appears to have circulated between 400 and 500 copies of each number.²⁰ The ample support and encouragement which Defoe received from Harley and the government would suggest that The Rehearsal was not able to attain that large a circulation. But it probably came close to those figures in 1705 during the election campaign which followed the failure of the high-church attempt to have provisions against occasional conformity tacked to a money bill.²¹ The newsheet apparently was most popular with the clergy, who, "in many Places", according to Burnet, "met at a Coffee-House on Saturdays, to Read the Rehearsals of the Week, which had very ill Effects in most Places". Burnet blamed The Rehearsal

19. The daily circulation of these papers has been calculated as follows: Daily Courant, 800 (1704) and 900-1000 (1712); Flying Post, 400 (1704) and 1400-1650 (1712); Post Boy, 3000+ (1704) and 3000+ (1712).

20. Sutherland had calculated the 1704 circulation of the Review at about 400 per number and suggested that circulation must have increased after the paper became established. Snyder indicates that the tax records dating from the last months of the Review, which ended on 11 June 1713, show the daily average circulation at between 425 and 500: see Snyder, "Circulation of Newspapers", 209. J. A. Downie, "Mr. Review and His Scribbling Friends": Defoe and the Critics, 1705-1706", Huntington Library Quarterly, 41, no. 4 (1977-1978), 345-66, believes the Review had a much higher circulation during its peak years, and gradually declined to about 500 issues by the time of the tax.

21. R. J. Leslie (Charles Leslie, 334), writes that by the end of 1705, The Rehearsal "had a circulation equal to any of its contemporaries". No evidence is cited for this claim.

for the national revival of divine right and non-resistance theories. The clergy, he claimed, had been "drawn in to Subscriptions for this Paper" which was "Spread over the nation". To Leslie, Burnet seemed to be suggesting that most of the Sunday sermons throughout the land had been culled from The Rehearsal.²²

There was a general suspicion among Leslie's enemies that he had the support and backing of high tory politicians. Bishop Burnet referred to Leslie's political propaganda, and added: "the ministers connived at this, with what intention God knows."²³ The London Post denounced "Lesley, the Church-Hireling, that writes the Rehearsal by High-Church Contribution"²⁴ That newsheet had earlier hinted that Leslie was printing information sent to him by the tory member of parliament Sir Robert Davers, who in turn was informed by his brother-in-law the jacobite lord Dover, "and other Families of Papists in Suffolk".²⁵

22. See [Charles Leslie], The Good Old Cause or Lying in Truth . . . (London, 1710), 28. Leslie quotes extensively from Burnet's speech against Sacherverell in the house of lords.

23. Burnet's History, 5:437.

24. London Post, no. 42 (4 June 1705).

25. Ibid., no. 29 (4 May 1705). Davers had been a member of parliament for Bury St. Edmund's and had opposed the offer of the crown to William and Mary in 1689: see Feiling, Tory Party, 498. After 1705 he sat as a county member for Suffolk. Although he appears to have been a friend of Harley's, he became

Leslie's ability to operate publicly for a five year period might suggest that he did, in fact, have influential supporters. Daniel Defoe thought it "very strange and confident" that "a profess'd Jacobite" who was "every day hatching Mischief and Libelling the Government" and who made "no Bones of Writing, Talking and Acting against the Hannover Succession" could pose as a champion of "the furious Church Party".²⁶

Leslie undoubtedly did have contacts with influential politicians: for example, in 1711 he informed the court at Saint Germain that he had spoken with the duke of Leeds about Anne's doubts about the succession.²⁷ But it is important to establish what kind of relationship he had with the leaders of the tory party. Evidence that Leslie was a hired writer for a group of ministers in the government comes entirely from his political enemies, such as Burnet and Defoe. Defoe, indeed, wrote that Leslie was one of a society of writers

a member of the October Club; in 1721 his name was included on a list of prominent jacobites sent to the pretender: see The House of Commons, 1715-1754, ed. Romney Sedgwick, 2 vols. (New York, 1970), 1:606 (art. "Davens, Sir Robert"). Leslie publicised Davens' electoral victory: Rehearsal, 1, no. 42 (12 May 1705).

26. Defoe, Protestant Jesuite Unmask'd, 31-2. See also London Post, no. 42 (4 June 1705). Defoe was writing for the London Post in 1705.

27. "The Memorial of the Sieur Lamb [Leslie]", April 1711: Macpherson, Original Papers, 2:212-13. A copy of this memoir ("Memoire du Sieur Lamb") is found in Bodl. MS. Carte 180, fols. 289-96v.

broadcasting the lies of their party. He said that

. . . a certain Weekly Paper now in Course is Publickly own'd to be so wrote; and I know Personally, that the wretched Performance has occasion'd some Considerations among People of greater Capacities, to provide a Set of Men to do it better, and to gratifie them for the Service.²⁸

This would seem to refer to the beginning of The Rehearsal in mid-summer 1704 after the demise of its high-tory predecessor, Heraclitus Ridens.

Yet if Leslie acted more openly between 1704 and 1709 than he had been able to under William III or than he would be able to after The Rehearsal was silenced, he got into enough trouble with the government to suggest that he was not writing to order for men in authority. In the autumn of 1705 he was taken into custody because it was widely believed that he had written the libellous pamphlet The Memorial of the Church of England and because The Rehearsal was considered offensive.²⁹ The printer and seller of The Rehearsal were taken up in 1707.³⁰ The Rehearsal finally ceased publication in March 1709 after the

28. [Daniel Defoe], The Dissenters Answer to the High-Church Challenge (London, 1704), 8-9. This pamphlet was a reply to Leslie's Wolf Stript, which had accused the dissenters of maintaining a society of writers.

29. See above, chap. 5, n.142. See also Hearne, Remarks and Collections, 1:40, 43. Luttrell, Historical Relation. 5:602.

30. Calendar of Treasury Books, 212, 1706-07, 316. I should like to thank Mr. T.F.M. Newton of Ottawa for this reference.

printer and seller were again arrested and Leslie was bound over for prosecution. In none of these cases, however, was Leslie fined or imprisoned. Although he complained of "this shameful way they [the whigs] have taken of stopping my Mouth when Argument fail'd",³¹ when he came to trial, according to Luttrell, he "pleaded her majesties pardon, and had his bail discharged."³²

This method of dealing with The Rehearsal suggests a desire to curb its excesses without offending those high tories for whom it was written. It suggests, in short, the work of Robert Harley, who appreciated the value of the press and tried to use it to promote his own scheme of political and religious moderation.³³ Fundamental to Harley's politics was a new tory party which had been weaned away from jacobitism and high-church extremism.

At the time of the revolution Harley had been a severe country whig. During the sixteen-nineties, however, he had formed a parliamentary alliance with the tories in opposition to the growing predominance of the whig junto. His distrust of the junto grew out of the conviction of the country party that the central government had a corrupting influence. Harley and many of the leading members of his group had dissenting backgrounds;

31. Rehearsal, 4:Preface.

32. Luttrell, Historial Relation, 6:440.

33. See Downie, Robert Harley and the press, passim.

in addition to their belief that corruption emanated from the court, they were deeply suspicious of the irreligious tendencies of the junto whigs.³⁴ Harley's alliance with the tories after 1696 taught that group to act in a more or less organised fashion as a party in opposition to the government. Harley was teaching the tories to oppose the government of William III in the same way that an earlier country party under the first earl of Shaftesbury had opposed the government of Charles II. Such opposition was an unnatural act for a party which traditionally had adhered to the doctrine of passive obedience and which had difficulty in separating the idea of opposition from the idea of treason. Harley's alliance with the tories, however, coincided almost exactly with the beginning of the convocation controversy; and that sustained campaign for the defence of the church of England was of fundamental importance for the strengthening of the tory party at the time of its transformation into a country opposition.

Defending the church may have helped to unite the tories against the ministry, but it did not unite them behind Harley. The leaders of the high-church tories were the earl of Nottingham and the earl of Rochester, who had encouraged the frustrated clerics.³⁵ It was precisely that wing of the tory party which

34. See Feiling, Tory Party, chap. 12; Angus McInnes, Robert Harley, Puritan Politician (London, 1970), passim; and Robert Walcott, Jr., English Politics in the Early Eighteenth Century (Cambridge, Mass., 1956), 67-9.

35. See above, chap. 2.

Harley most feared and which he would spend the rest of his career trying to undermine. The history of the tory party during the first decade of the eighteenth century is largely the story of the contest for control of it. On the one hand, its high-church leaders had enjoyed office earlier and wanted to exercise power again; they distrusted the whigs and insisted that they could not share office with them. On the other hand, there were the moderate or "trimming" tories who were as wary of high-church extremism as they were of whig radicalism. If both wings of the party usually voted as one during parliamentary divisions, their suspicions of each other was a factor which always had to be considered by party managers.³⁶

By the summer of 1704 the high-church cause, which had seemed so hopeful when Rochester and his allies were received into the ministry in 1700 and which had expected even greater things with the accession of Anne in 1702, was in complete disarray. Rochester had wanted the lord treasurership under his niece. He was dismissed from office when he refused to take up distant duties in Ireland as its lord lieutenant. In May 1704 Nottingham quit his post as secretary of state after the failure of the bill against occasional conformity. He was succeeded by Harley, who, as a speaker of the house of commons,

36. See Bennett, Tory Crisis, chaps. 4-5; Feiling, Tory Party, chaps. 13-14; Hill, Growth of Parliamentary Parties, chaps. 5-6; Geoffrey Holmes, British Politics in the Age of Anne (London, Melbourne, Toronto, New York, 1967).

had been working closely with lord treasurer Godolphin to sustain a moderate ministry, which would manage the war against France.³⁷ In his new public role as a member of the ministry Harley was expected to lure many of the young high church members away from their fractious leaders; so successful was he during the summer of 1704 that one historian has referred to his ". . . truly remarkable feat in breaking the unity of the Tory leadership and confusing the party rank and file."³⁸

Nor was Harley's interference restricted to the tory party in parliament. For several years there had been a division in the ranks of the highflying clergymen between the older, largely pre-revolutionary churchmen who remained loyal to Rochester and Nottingham, and the younger clerics who were impatient with them and who wanted to use the revived convocation to strengthen the church of England and to confirm its predominance in a country which now tolerated dissent from it.³⁹ Rochester had disappointed Atterbury. The old politician appeared interested only in using clerical unrest to gain office for himself and his

37. See Henry L. Snyder, "Godolphin and Harley: A Study of Their Partnership in Politics", Huntington Library Quarterly, 30, no. 3 (May 1967), 241-71; and Angus McInnes, "The Appointment of Harley in 1704", Historical Journal, 11 (1968), 255-71. Nottingham, apparently, expected that his proffered resignation would not be accepted.

38. Bennett, Tory Crisis, 74.

39. See Snyder, "Godolphin and Harley", 255-56; Bennett, Tory Crisis, 60-1, 73-4.

parliamentary supporters. He certainly was not interested in addressing clerical grievances, and his rejection of Atterbury's approaches had encouraged the latter to seek out younger tory allies. Harley had been on friendly terms with Atterbury for several years. Godolphin now urged him to secure Atterbury's support in winning the younger clergy away from the influence of churchmen such as dean Aldrich and bishop Hooper, who remained loyal to Rochester. Atterbury, welcoming the opportunity to influence the ecclesiastical policy and patronage of the ministry, responded eagerly to Harley's approaches.

By 1704 the followers of Robert Harley were approaching in numbers and in importance the traditional high-church tories who looked to Rochester and Nottingham.⁴⁰ And it was in mid-summer of that year--precisely at the time of Harley's most threatening advances towards the high churchmen--that Leslie began The Rehearsal. Leslie's newsheet was undertaken with the specific aim of rallying the disintegrating high church faction and limiting the dangerous influence of Robert Harley. If, as has been maintained above, Leslie was not simply a hired propagandist for the high church faction, it is far from certain that he did not have advice and encouragement from some quarter.⁴¹

40. Holmes, British Politics, 259-60.

41. Downie, Robert Harley and the press, 96, agrees that Leslie was no hired propagandist for the tories. But Downie is apparently unaware of Leslie's longstanding connection with the Hyde family; which knowledge must temper his assertion that Leslie

Rochester especially was in a position to be at least acquainted with Leslie, who continued to visit the jacobite earl of Clarendon, Rochester's brother, at his Oxfordshire seat.⁴² Rochester was no jacobite, and he would not have appreciated Leslie's occasional flaunting of the cause in The Rehearsal.⁴³ Rochester had been on close terms with the court at Hanover, where he was held in high regard by the electress Sophia; and his motion in the house of lords in 1705 to invite the electress to England succeeded only in embarrassing queen Anne, destroying his own reputation and encouraging Leslie to preserve a distance between himself and the parliamentary antics of the high churchmen.⁴⁴ Rochester's jacobite

was "independent" of any patron. Nor does Downie acknowledge the numerous contemporary accusations against Leslie when he declares that he has been unable to find any proof that there were connections "other than of the most tenuous sort" between tory leaders and propagandists. Leslie's connection with Rochester undoubtedly can be described as "tenuous", but his connection with Clarendon was real and probably influential. The point is that there were influences upon the press during these years which transcended the quest for power between whigs and tories.

42. For Leslie's continuing friendship with Clarendon, see R.J. Leslie, Charles Leslie, 432-33. Clarendon had congratulated his niece upon her accession and had wished her a "long and glorious" reign; but as he still refused the oaths she was not received by her: see Green, Queen Anne, 90-1.

43. E.g., Rehearsal, 1, no. 123 (20 July 1706), which emphasises whig hatred of Anne Stuart ("But the Torment of Torments is, That they see the Crown Flourish upon the Head of a Stuart"). The issue ends with a toast "to the Glorious Name and Race of the Stuarts, May they Ever Triumph over their Enemies!"

44. See Bennett, Tory Crisis, 82-3; Adolphus William Ward, The Electress Sophia and the Hanoverian Succession, 2nd ed. (London, New York, Bombay, Calcutta, 1909), 380-88. In late 1705 The Rehearsal stopped supporting the parliamentary tactics

brother, on the other hand, would have found nothing offensive in The Rehearsal.

The Rehearsal's first task was to encourage the highfliers to remain united and resistant to Harley's overtures. The cause which had given the party momentum since Anne's accession had been the campaign against occasional conformity, that is, the practice whereby protestant dissenters qualified themselves for public office by occasionally receiving the sacrament in the church of England while continuing to attend dissenting chapels. High church pamphleteers denounced the practice as hypocritical and blasphemous,⁴⁵ while the party in parliament was intent upon having legislation enacted against it. Bills for that purpose had passed through the house of commons in 1703 and 1704, but on both occasions they had been rejected by the house of lords.⁴⁶

of the high churchmen; instead, it concentrated upon questions of political theory and the more theoretical problems of government. Leslie had already warned the church of England against those who "keep good Correspondence with the House of Hanover" and had denounced "Trafficking at that Court": New Association, 7. See also Rehearsal, 1, no. 11 (7 Oct. 1704).

45. Some of this literature is reviewed in John Flaningham, "The Occasional Conformity Controversy: Ideology and Party Politics, 1697-1711", The Journal of British Studies, 17, no. 1 (Fall 1977), 38-62. The Wolf Stript and New Association, two of Leslie's most famous works, were contributions to this controversy. New Association has sometimes been ascribed to Dr. Sacheverell--most recently by Geoffrey Holmes, The Trial of Dr. Sacheverell and James O. Richards, Party Propaganda Under Queen Anne, The General Elections of 1702-1713 (Athens, Ga., 1972)--but it was definitely Leslie's.

46. See G.M. Trevelyan, England Under Queen Anne, 3 vols., 1. Blenheim (London, 1965), 287-90, 339-42.

In hopes of forcing the measure through the lords, it was decided to "tack" such a clause to the bill providing the land tax for the following year. The constitutional convention which held that the upper house could not interfere with money bills seemed to guarantee that, unless the lords wanted to threaten the supplies for the war against France, occasional conformity would be outlawed. It required no small amount of canvassing and behind-the-scenes influence on Harley's part to have the tack defeated in the commons on 28 November 1704.⁴⁷

During the weeks leading up to the vote on the tack, enthusiasm among its supporters was maintained through a series of meetings at the Fountain Tavern. At the same time, The Rehearsal lectured its readers upon the necessity of protecting the established church if all religion was not to be rendered precarious, and upon the proper notion of the church as a society with the power to exclude those who do not accept its rules and governors. Only the church of England is urged to observe moderation, Leslie warned; whereas the dissenters have been waging aggressive war against her since the introduction of toleration.⁴⁸

47. See Patricia M. Ansell, "Harley's Parliamentary Management", Bulletin of the Institute of Historical Research, 36, no. 89 (May 1961), 92-7; Henry L. Snyder, "The Defeat of the Occasional Conformity Bill and the Tack: A Study in the Techniques of Parliamentary Management in the Reign of Queen Anne", ibid., 41, no. 104 (Nov. 1968), 172-92; and McInnes, Robert Harley, 72-3.

48. Rehearsal, 1, no. 17 (18 Nov. 1704); no. 18 (25 Nov. 1704).

The defeat of the tack brought an angry response from The Rehearsal. The whigs and dissenters had succeeded, Leslie's whiggish Observator claimed, because ". . . we make SOME believe, That WE are most in Number, because We make most Noise!" Even though tacking had been used in the last reign,⁴⁹ and even though "the TACKERS are above 130 of the most Considerable Men in the House", their opponents are justly confident because the members of the church party will not exert themselves, regardless of their majority:

They Exert themselves! They know not How. They are not Us'd to That. They are not yet got out of their Non-Resistance LAZINESS. If they wou'd but show, that it were Possible for them to be Angry or Disoblig'd, then they wou'd be Regarded. And they who cannot be Disoblig'd are not Worth Obliging.⁵⁰

The threat that the high churchmen might be so frustrated as to abandon their professed principles coloured the political warfare of the next few months and made the general election of the following spring one of the angriest of the later Stuart years.⁵¹ James Drake, a prominent high-church writer, warned

49. Leslie singled out the cases of the East India Company and the Irish Forfeitures bill. The plan to set up the new East India Company had been presented to the lords tacked to a money bill in 1698. In 1700 the bill granting control of Irish crown property to an appointed board of trustees had been tacked to the land tax. See Feiling, Tory Party, 328, 337-38, and David Ogg, England in the Reigns of James II and William III (Oxford, 1955), 442-43, 451-52. Earlier examples of tacking were also noted by the author of A Letter from a Dissenter in the City to his Country-Friend . . . (London, 1705), 11-3.

50. Rehearsal, 1, no. 21 (16 Dec. 1704).

51. For the election of 1705, see W.A. Speck, Tory and Whig, The

Godolphin not to think himself "Secure in the Passive Principles of the Ch--ch", for

The Principles of the Ch--ch of E----- will dispose Men to bear a great deal; but he's a Madman that tries how much. For when Men are very much provok'd, Nature is apt to Rebel against Principle, and then the Odds are Vast on Nature's side. Whether the Provocations given to the Ch--ch of E----- may not, if continued, be strong enough to rouse Nature, some of our statesmen would do well to Consider in time.⁵²

The virulent campaign of 1705 was really the culmination of the high church revival which had been encouraged with Anne's accession, and which had as one of its fundamental themes the demand for a ministry of high Tories. At the very beginning of the reign Dr. Sacheverell had urged all those who were concerned for the welfare of the church ". . . to hang out the bloody flag and banner of defiance."⁵³ Leslie had elaborated upon that theme in his pamphlets denouncing the new association of Whigs, dissenters and moderate churchmen, and exposing the dissenters as the unrepentant heirs of the seventeenth-century

Struggle in the Constituencies, 1701-1715 (London, 1970), chap. 7; Trevelyan, Queen Anne, 2. Ramillies and the Union with Scotland, 39-44. Hill, Growth of Parliamentary Parties, 103, refers to a Scottish observer who wrote that the parties in 1705 were angrier than he had ever seen them, "even in Exclusion time".

52. Drake, Memorial of the Church of England, 12. It was perhaps sentiments such as these which caused Thomas Hearne to note that the Memorial "plainly appears to have been done by a Whigg, from ye odd Scheme of Government there laid down, w^{ch} savours of Hobbism or something worse". Remarks and Collections, 1:234-35. Hearne himself, however, appears to have accepted the earlier rumours of Leslie's authorship: ibid., 1:40, 93.

53. Henry Sacheverell, The Political Union: A Discourse Showing the Dependence of Government on Religion . . . (Oxford, 1702), 59.

revolutionaries.⁵⁴ The campaign claiming that the church was in danger under the ministry of Godolphin, Marlborough and, latterly, Harley, became so hysterical in 1705 partly because of the successive frustrations suffered by the high churchmen and partly because the anger of that year was the anger of a declining cause reacting against the government's attempt to have its supporters finally defeated.

The Rehearsal devoted itself entirely to the cause of the tackers during the late winter and spring of 1705. Leslie described a "very Observable" difference "twixt those that are For or Against the Tackers and High-Church":

The Former are Attended to their Election by the Body of the Principal Gentry, both for Estates and Reputation. The Other, by the Tag, Rag, and Long-Tayl, the Refuse and Scum, the Beasts of the People.⁵⁵

Because the tackers included the men of the best estates in the kingdom, they had the greatest interest in preserving their country from arbitrary power. They want nothing to do with the commonwealth planned by the whigs and dissenters, Leslie emphasised, because they remember ". . . the Sequestrations, Compositions, Decimations, and Forfeitures in Forty-One times; And will never Run the Hazard of having their Estates Divided among all the

54. In addition to the two parts of New Association (1703) and Wolf Stript (1704), Leslie's Case of Present Concern (1703), Cassandra. (But I Hope not) . . . (London, 1704) and the early issues of Rehearsal all dwelt upon this theme.

55. Rehearsal, 1, no. 44 (26 May 1705).

Rascality of the Kingdom." They are staunch defenders of the church "not only as Christians but English-Men"; for they know that, in addition to the spiritual authority committed to the church by Christ, it has in England a legal tenure and establishment ". . . which stands upon the same Foundation as their own Honors or Estates. And which Cannot be Shaken, but by the same Means as must Destroy in Natural Consequence all the Property in England, and as they found it, in Effect in the Times of Forty-One."⁵⁶

Leslie urged the church party not to remain silent while the whigs and dissenters were deluging the nation with "Legions of Pamphlets, Characters, Sing-Songs, &c." These kept the "Mobile" agitated by assuring them that the tackers "are all of them Papishes and Jacobites, and have already Sold their Country to the French" Leslie reminded the churchmen that Thurlow, a counsellor of state under the protectorate, had told Clarendon that the people, who had set up the revolutionaries, later turned against them because of the writings of the cavaliers; "Which tho' much Fewer in Number than those on Our side (said Thurlo) yet were far Superior in strength of Reason, and the Spirit with which they were Wrote, Above our Cant and Railing and Scolding." The people "Turn'd, like the Tide, to their former Constitution and Government" once it became clear to them that everything the royalists had written about the anarchy

56. Ibid., 1, no. 34 (17 March 1705) and no. 35 (24 March 1705).

of popular government was true.⁵⁷

The ministry's aim during the election of 1705 was to separate the moderate tories--both those who had voted against the tack and those who had abstained--from the tackers, and to secure the defeat of as many as possible of the latter. While whig propaganda tried to portray the entire tory party as supporters of the tack and as agents of jacobitism and French power, ministerial writers, especially Defoe, warned moderate tories not to be deluded by the defenders of the tackers, who were "the Rank Part of the Church of England" and jacobites indeed.⁵⁸ Moderation was the key to Harley's politics and religion. His agent Daniel Defoe wrote at length stressing its virtues and preached that message during his numerous missions throughout the country. These missions, undertaken to measure the political temper on Harley's behalf, were a preliminary step towards the desired end of a house of commons with a sufficiently large number of moderate members to prevent the ministry from having to rely entirely upon either party.⁵⁹

57. Ibid., 1, no. 34 (17 March 1705) and no. 36 (31 March 1705).

The first earl of Clarendon's History of the Rebellion, which was being published at this time by his son Rochester, was one of the most popular sources in the tory canon. Leslie described the History as "perhaps the best Human, in any Age": New Association, 21.

58. See Defoe, Protestant Jesuite Unmask'd, 31-51, and the issues of his Review for the late winter and spring 1705. See also Speck, Tory and Whig, 98-100, and Downie, "Mr. Review and His Scribbling Friends".

59. See Downie, Robert Harley and the press, esp. chap. 3, and

"MODERATION is a Thaw of ZEAL", Leslie wrote, "And will Leave no ICEACLE of Consistency."⁶⁰ God had denounced that "LAODICEAN Latitude and Indifferency in Religion", declaring that He will spew such a lukewarm church out of His mouth.⁶¹ Indeed, the word "moderation" is found only once in the Bible, "... and there it is Mis-translated." In the context of the chapter in which it appears, the moderation referred to in "Let your moderation be known unto all men" (Philippians 4:5) clearly means "a Patient and Chearful Suffering of Afflictions, with full Relyance and Trust in God in all Distresses." It certainly does not imply latitude or indifference; and if moderation is to be considered a virtue, it must not be taken in any sense which is inconsistent with zeal, which is "a most Necessary and Heroical Christian Virtue."⁶² A more equivocal high churchman insisted that, although the church of England had been "founded upon" moderation, "it is Zeal now that must defend and maintain it"; for "at present" zeal is a "more excellent Vertue" than moderation: "It is our Happiness to belong to a Church that

McInnes, Robert Harley, 77. In addition to the Protestant Jesuite and the Review, see Defoe's Dissenters Answer to the High-Church Challenge. For Defoe's travels on Harley's behalf, see Letters of Daniel Defoe, ed. Healy, 57-62.

60. Rehearsal, 1, no. 28 (3 Feb. 1705).

61. Revelation 3:14-6.

62. Leslie, Wolf Stript, 1-2.

deserves it, as 'tis our Unhappiness to live in Times that need it" ⁶³ James Drake believed that these truly were unhappy times. Almost the entire episcopal bench was occupied by "moderate" men, whose heads were "vainly filled with Chimerical Notions of an Impracticable Comprehension. . . ." ⁶⁴ Leslie agreed. Occasional conformity and moderation would advance the cause of comprehension, and comprehension would destroy the church of England. ⁶⁵ High churchmen feared that a scheme of comprehension, which would enable many dissenters to be included within the established church, could be obtained only by relaxing the discipline and destroying the doctrine and liturgy of the church of England. Its chief advantage appeared to be that it would help secure the protestant succession; but that was not a price most high churchmen were willing to pay. ⁶⁶

The plea for moderation in government was just as

63. Anon., The Distinction of High-Church and Low-Church . . . With some Reflections upon The Popular PLEA of Moderation (London, 1705), 33-49.

64. Drake, Memorial of the Church of England, 27.

65. Leslie, Wolf Stript, 29. Cf. Drake, Memorial of the Church of England, 27, who complains that the distinction between a church of England man and a fanatic is being lost "under the common Negative Idea of Protestants".

66. A scheme for comprehension had caused an uproar in convocation in 1689: see above, chap. 2. In the years following, rumours, which were not unfounded, continued to circulate that another attempt was to be made: see H.G. Horwitz, "Comprehension in the later Seventeenth Century: A Postscript", Church History, 34, no. 3 (Sept. 1965), 342-48.

insidious as the plea for moderation in religion. Every atheist, deist, socinian, Jew, blasphemer and evil-liver had enlisted under the banner of the whigs to defeat the tackers.⁶⁷ And just as the ultimate aim of the dissenters was to destroy the church of England, so the ultimate aim of the whigs was to destroy the monarchy and set up a republic. Leslie never allowed the spectre of "forty-one" to fade from his caricature of the whigs and dissenters. John Tutchin decried that "shibboleth of the High Church" which had recently been "trumped up by the Scots Levite": "it blackens revolution, and blanches Ethiopian negroes, it answers books, and knocks down parties Take his forty-one from his book, and you won't have forty-one words of sense left in it."⁶⁸

The whigs and the dissenters, according to The Rehearsal, had three grand designs. First of all, they wanted to monopolise the ministry. To that end they blackened the names of all the ministers who were not whigs and they denied Anne's hereditary right, making her dependent upon a party which insisted she owed her throne to the deposition of her father. They also wanted to

67. Rehearsal, 1, no. 44 (26 May 1705).

68. Observer, 3, no. 31 (5 July 1704). In this and many other passages, Tutchin refers to Leslie as a "Scots priest" or "Scots Levite". He later apologised to the Scottish nation when he discovered that Leslie, in fact, had been "born in a Potato Garden": Ibid., 3, no. 43 (14 Aug. 1704), and Ibid., 5, no. 1 (16 March 1706). London Post (20 Dec. 1704) noted that Leslie could not be Scottish because he drank too much!

destroy the church; as long as it stood and supported the crown, they could never achieve ultimate power. Finally, they wanted to bring over the Hanoverians to head their party; it was a maxim to the whigs that he who has the worst title is the best king.⁶⁹

While Leslie assumed an alliance between the whigs and dissenters--one based upon a mutual hatred of the church and the crown--he insisted that it was merely an alliance of convenience. The whigs were really irreligious libertines who encouraged "these Snivling Dissenters" when it appeared that the entire ministry would be favourable to the church of England. At the time of Anne's accession the dissenters had been in a precarious position, according to The Rehearsal; and if they had been left alone they soon would have been "at Church . . . without Occasional Conformity." They would have been "Content, and Thankful too, to be Permitted to Live Peaceably, without Grasping after Power."⁷⁰ A useful lesson could have been learned by recalling the last years of Charles II's reign, "for we never had more Halcyon days than in his Time." Charles's resolution not to be intimidated by the whigs and dissenters at the time of the popish plot and exclusion crisis had exposed their party as merely "a Company of little BARKING Curs". Simply by pursuing a policy of "Steddy"

69. Rehearsal, 1, no. 11 (7 Oct. 1704).

70. Ibid., 1, no. 5 (26 Aug. 1704) and no. 41 (5 May 1705).

and enforcing the law of the land, he dispersed the leaders who had fomented the hysteria: some "Fled beyond Sea" while others were "Run into Holes, and Dy'd like Rats behind the Hangings. Others Submitted, and were Pardon'd; And some Few Receiv'd their Deserts."⁷¹

That view was shared by most high churchmen. In general, they considered the history of England since the restoration to be the story of the degeneration of a happy, prosperous and peaceful land into a squabbling, overtaxed nation fighting endless wars. Charles II had been a strong and just king who had defeated the whigs; he

Drove back each Mischief to its evil Source,
And stop'd their Current by a lawful Force.⁷²

That "evil Source",

That Hell, where the rebellious Worm ne'er dies;
That Sink, from whence all Europe's Plagues arise;

was Holland, "Europe's Dunghil".⁷³ The victory of the whigs at the revolution had enabled them finally to set up their "crooked Microcosm": a country governed, not by the law executed by a strong king, but by a party of rebels who cemented their victory

71. Leslie, Wolf Stript, 67, and Rehearsal, 1, no. 22 (23 Dec. 1704). See also New Association, 16; Cassandra, 36-8; Rehearsal, 2, no. 12 (19 Nov. 1707) and no. 13 (22 Nov. 1707).

72. Anon., A Fair Shell, but a Rotten Kernel: or, A Bitter Nut for A Factious Monkey (London, 1705), 29.

73. Ibid., 22-3.

and ensured their rule by money, corruption and war.⁷⁴

Leslie's support for the extreme highfliers was unqualified from the first issue of The Rehearsal until well after the election of 1705. He believed that the smaller number of tackers returned to parliament that year was the result of whig corruption. "By Dividing Estates into Free-holds of 40s. only for the Time of Elections", the whigs had created enough new voters to ensure the election of numerous candidates.⁷⁵ But if the election returned fewer tackers than had been hoped for, the next parliamentary session revealed that the tory party was once again united. Most of the moderate tories supported William Bromley, the leader of the tackers, for the speakership of the commons.⁷⁶ Harley's plan to draw the moderates away from the extremists had been largely undone during the election campaign.

From late 1705 until its demise in 1709 The Rehearsal was much less a party newsheet than it had been during its first year of publication. Tutchin even went so far as to note that Leslie had had a falling out with Mercurius Politicus, a new

74. Cf. Rehearsal, 1, no. 13 (12 Oct. 1704).

75. Ibid., 1, no. 44 (26 May 1705). On the creation of voters during election campaigns, see Speck, Tory and Whig, 15-6. Leslie believed the qualification ought to be raised from 40s. to £10.

76. See W.A. Speck, "The Choice of a Speaker in 1705", Bulletin of the Institute of Historical Research, 34 (1964), 20-46.

high church paper which James Drake had begun in order to promote Bromley's election as speaker.⁷⁷ The change in The Rehearsal is most clearly revealed in Leslie's treatment of the election of 1708. Unlike the campaign of 1705, when The Rehearsal spent several months promoting the tackers, only three issues dealt with the election.

My Talent is not in Politicks [the Rehearser informed his Country-man]. I am for plain Sense and Reason, and to Discover the Truth where I can find it. But when you come Intrigues, the Designs and Interest and Parties, a Man who is not let into the Secret shoots his Bolt in the Dark, and knows not whether he hits Friend or Foe.⁷⁸

There was no specific tacking interest in 1708 and Leslie's comments suggest a distance from the tory party. He repeated all of his standard arguments against the whigs and dissenters, and he hoped that only the true friends of the church and the crown would be returned. But it was a lacklustre performance, especially since all signs pointed to a whig triumph.

The whigs owed their success primarily to the jacobite scare which had gripped the country shortly before the election. The jacobites had been encouraged to attempt an invasion of Scotland because of the general dissatisfaction with the union with England, which had been concluded the previous year. While the treaty of union was under negotiation, Leslie had expressed the general tory concern that England would be threatened if it

77. Observer, 4, no. 59 (24 Oct. 1705).

78. Rehearsal, 3, no. 14 (19 May 1708).

united with the northern presbyterian kingdom.⁷⁹ He also drew attention to Charles II's recognition of the inherent rights of the episcopal church of Scotland, which were the same as those enjoyed by the primitive church of the first three centuries.⁸⁰ Late in 1707 Leslie devoted more attention to Scottish affairs. While the jacobite rising was being planned in France, a series of Rehearsals provided a detailed account of how the episcopal clergy had been "Rabbl'd out of their Churches by the Mobb" in 1688 and 1689, after which a "Convention or Parliament" had declared their places vacant.⁸¹ The entire body of the Scottish episcopal clergy had refused the oaths to the new regime and had been deprived. Leslie lamented that the English clergy were not more generous in contributing to a fund which had been set up to

79. See ibid., 1, no. 82 (19 Jan. 1706), and New Association, Pt. II, 3. For charges that presbyterianism was "conceiv'd in the Womb of Erastianism, has suck'd its Milk, and is still nourish'd by it", see Second Part of the Wolf Stript, 23-4, 27.

80. Leslie was referring to the assertory act of 1669, which had claimed extensive rights for the crown over the Scottish church; it had been followed by a test upon the clergy, which required them to agree not to convene upon any occasion, without a royal license. The clergy had refused the test until the crown explained that it was not encroaching upon any of the church's inherent rights. See Rehearsal, 1, nos. 106-108 (22 May-29 May 1706). Leslie had earlier discussed this question in Regale and Pontificate, L.T.W., 1:678. He later reminded the pretender of episcopacy's claims in Scotland: Leslie to Mar, 29 & 31 Oct. 1717: H.M.C. Stuart MSS., 5:169-70, and see below chap. 8.

81. Rehearsal, 2, nos. 8-13 (5 Nov.-22 Nov. 1707). He resumed the discussion after a couple of weeks: nos. 18-26 (10 Dec. 1707-7 Jan. 1708); see also no. 39 (25 Feb. 1708).

relieve their impoverished northern brethren, who happened to be jacobites to a man. The series began on 5 November--"This is a Day wherein Treasons were Discover'd"--the anniversary not only of the gunpowder plot of 1605 but also of the prince of Orange's landing at Torbay in 1688.

The Rehearsal indeed was becoming more provocatively jacobite. At the height of the invasion scare Defoe advertised Leslie's nonjuring status and charged that all the "Encouragers" of The Rehearsal were jacobites. Leslie, of course, did not offer a public confession; but his sanguine reply was that Defoe ought to reason with him rather than substitute accusations for arguments. "Suppose the Author of this Paper were a Jacobite (for you know if a man be Born to be a Jacobite, he cannot Help it)",⁸² Leslie wrote during the same week that the young pretender was on board a ship off the Scottish coast. The implication clearly was that all Britons were born the political children of their exiled political father, whether or not they would admit it.

Leslie's jacobitism, it must be emphasised, did not require a repudiation of queen Anne. The political theory which he presented in The Rehearsal and in his various tracts emphasised that she possessed the crown because of her hereditary, rather than her parliamentary, right. Underlying his emphasis upon hereditary right and the sinfulness

82. Rehearsal, 2, no. 45 (13 March 1708).

of resisting a lawful ruler was the belief that James III would be acknowledged as Anne's heir. Leslie believed the queen was a usurper but would not refer to her as such because, according to bishop Burnet, he thought she should keep the throne, "till she could deliver it up to the Righteous Heir".⁸³ This hope eventually took more concrete form. The jacobites proposed that James be invited to England, where Anne could make a public recognition of him. Even though they urged that his arrival should come as a complete surprise during a parliamentary recess, they also believed that, once Anne's wishes were known, she could present him to the lords and commons, who could then declare his right to be incontestible. If, on the other hand, Anne and her ministers could not be persuaded to invite James to England, jacobites thought his presence in Scotland would force the English to treat with him. Leslie was always convinced that the true spirit of the nation was favourable to the claims of James III and that that spirit was prevented from asserting itself by the minority of whigs, who had conspired to keep all power in their own hands. Such a crisis as the pretender's sudden appearance in either London or Scotland would throw his enemies into confusion and encourage his friends to declare themselves.⁸⁴

83. See Charles Leslie, Good Old Cause, 31-32. Not suprisingly, Leslie denied having expressed this view; but he did not deny holding it.

84. For jacobite hopes that Anne would acknowledge the pretender

This scheme did not demand a confession from the English people or their parliament that the revolution had been illegal and that the crown had been held by usurpers since 1689. When discussing the revolution, Leslie adhered rigidly to the tory view of it. The tories emphatically denied that it had been an act of resistance against their divinely-sanctioned monarch. They appealed to the authority of the convention parliament, which had proceeded upon the assumption that James II had abdicated. The essential point was that the revolution did not rest upon the "Conquest or Deposing Point", which was unacceptable to the English constitution and the doctrine of the church of England. William had made it plain in his declaration that he had come to England to restore the ancient constitution. Hereditary monarchy was the centre-piece of that constitution, and it was threatened because of the rumours surrounding the birth of the prince of Wales. William wanted

and receive him in England, see "Letter to a Friend": Bodl. MS. Carte 180, fols. 286-88; Duke of Berwick to James III, 18 Aug. 1713: H.M.C. Stuart MSS., 1:273; James III to Torcy, 18 April 1713: Wickham Legg, "Extracts from Jacobite Correspondence", 503-04. Cf. Jones, Mainstream of Jacobitism, 91. Leslie recommended the pretender appear suddenly in Scotland ("Memoir du Sieur Lamb", Original Papers, ed. Macpherson, 2:212-13); the author of "Letter to a Friend" clearly thought that was not as good a plan as his appearance in London. In any case, the envisioned result would be the same: the pretender's unexpected arrival in the United Kingdom would force parliament to deal with him. Leslie's memoir was written in 1711, before the hopes for an invitation from Anne began seriously to affect jacobite planning in 1713.

only to protect his wife's claim against a possible imposter and had promised an inquiry into the birth. That inquiry had never taken place, but when William and Mary were presented to the lords and commons, the houses declared--as an earlier assembly had declared in the case of Richard II--that their titles could not be defeated. The convention parliament, in other words, had taken care to preserve the succession in the undoubted line.⁸⁵

The chief attraction of this interpretation was that it re-confirmed the doctrine of hereditary right, making it essential to the revolution. High-church Tories rejoiced at the accession of their hereditary queen in 1702. It was only after the accession that Leslie abandoned the angry Jacobite position he had maintained under William III and wrote at length about hereditary succession and passive obedience as doctrines fundamental to the English constitution. He never attacked Anne as a usurper--nor, for that matter, did he attack William and Mary after 1702--but in emphasising that no particular act of parliament could be interpreted in such a way as to violate the fundamental law of the realm, he hoped

85. For Leslie's discussion of the revolution, see: Rehearsal, 1, no. 80 (5 Jan. 1706), no. 90 (16 March 1706); vol. 2, no. 34 (4 Feb. 1708); vol. 3, no. 23 (19 June 1708), no. 47 (18 Sept. 1708); vol. 4, no. 5 (20 Oct. 1708), no. 12 (13 Nov. 1708); Cassandra, 38; The Best Answer Ever was Made. . . (London, 1709), 1-4; Best of All, 12-16.

to undermine confidence in the legitimacy of the act of succession among those who vehemently insisted that Anne had an hereditary, not a parliamentary, title. The jacobites could not undo the revolution. But at least they could hope to prevent the act of succession from taking effect. If the pretender's legitimacy was recognised publicly, he must be king. Even then he would not be a threat to Anne, for he was ". . . willing she remain in quiet possession during her life provided she secure to me the succession after her death. . .".⁸⁶ Anne's successor, not Anne herself, was the object of jacobite concerns. In a significant reply to Tutchin, who had asserted that the queen must be viewed as a rebel against her father and a usurper unless the revolution was justified by the subjects' right of resistance, Leslie wrote:

. . . he must own himself a Blockhead, to say the Queen did Usurp upon her Father after he was Dead Or else, he must tell upon whom She did Usurp--And he must support his Pretender (whoever it is) against our Act of Succession.⁸⁷

Leslie did not urge Tutchin to support "his Pretender" against the usurper now in possession. She happened to be the idol of those tories who were being encouraged to declare themselves in

86. James III to the earl of Oxford, 3 March 1714: Wickham Legg, "Extracts from Jacobite Correspondence", 515-16. Wickham Legg notes that similar letters were also sent to queen Anne and Bolingbroke.

87. Rehearsal, 4, no. 12 (13 Nov. 1708).

favour of James III. A repudiation of queen Anne would have meant abandoning any hope for assistance from the tory party in securing the restoration.

Leslie's political writings were offered as an encouragement to the ideas of divine right monarchy and non-resistance which tory politicians and divines preached after 1702. He discussed at length questions of political theory and constitutional principles, which he illustrated by referring to English history. He claimed that he deliberately avoided the present age--"Remembering the saying, That he who follows Truth too near at the Heels, may happen to have his Teeth beat out"⁸⁸--but in fact his readers were led to draw jacobite conclusions from his discussions. England had been subjected to anarchy and bloodshed whenever a usurper came into possession of the throne, Leslie emphasised throughout his political tracts, and on each occasion peace had been restored only by recognising the claims of the legitimate family.

Earl Godwin had encouraged "that Silly Man Edward call'd the Confessor" to usurp his nephew's crown. Edward later invited William of Normandy to visit England: "And William made good use of his Time, and Established an Interest in England, whereby

88. Ibid., 4, no. 9 (3 Nov. 1708). Cf. Sir Walter Raleigh, History of the World (1614), Preface: "Whosoever, in writing a modern history, shall follow truth too near the heels, it may haply strike out his teeth."

he found means to Succeed to the Crown, before his Turn came." Henry I usurped the throne of his brother Robert, just as John "Usurp'd the Crown from his Nephew his Elder Brother's Son." ⁸⁹ The contest between the Yorkists and the Lancastrians had resulted in war because each of the claimants insisted upon his own "Proximity of Blood" to the throne. No king was ever satisfied to rest his claim upon the fact of possession; the possessors' recognition of the weakness of such a claim was confirmation that mere possession must give way to a better right, that "de Jure" must "pull down de Facto". ⁹⁰

Leslie's defense of hereditary succession as fundamental to the English constitution was accompanied by lengthy discussions of passive obedience and non-resistance as doctrines equally undeniable. By constitution Leslie meant "something Standing and Perpetual, which is not to be Chopp'd, or Chang'd, or Alter'd; but to Remain Firm and Intire it self, tho' it can Change all other things, all our Laws, Customs, and Inferior Constitutions." ⁹¹ That constitution is the fountain of all laws and subordinate

89. Rehearsal, 4, nos. 7-8 (27 Oct.-30 Oct. 1708).

90. [Charles Leslie], The Constitution, Law and Government of England, Vindicated . . . (London, 1709), 25-32. This was a reply to the work of the lapsed nonjuror William Higden, A View of the English Constitution, with respect to the Sovereign Authority of the Prince, And the Allegiance of the Subject . . . (London, 1709).

91. Leslie, Constitution, Laws and Government, 6.

authority; it is the legislative authority, which is restrained by no law but may enact and repeal at pleasure, "For the Law is nothing else but the Declar'd Will and Pleasure of the Legislature." Now in England that legislative authority is generally understood to reside in the king and the three estates, but that was frankly irrelevant to Leslie's purpose. The myth of an ancient constitution which included the estates of the realm and which guaranteed the fundamental liberties of freeborn Englishmen was highly dangerous and plainly false; it prevented men from recognising that all their liberty and property was derived from the crown. It was a known historical fact that kings made lords and that the commons had had nothing to do with parliament before 49 Henry III.⁹² The lords and commons are not "the Fountain Constitution". They have a legitimate and important role to play because the king has conceded such a role to them. The king has agreed to limit himself, but such a limitation in no way takes away his own power and authority. "Limitations of Concession", then, are the only limitations which the constitution recognises. "Limitations of Coercion" are in their nature void, even if they are embodied in an act of parliament, for such limitations would be destructive of the prerogative and contradictory to the authority which enacts law.

Therefore any Act contrary to the Original and Fountain Constitution is Void. The Constitution stands, but the

92. Ibid., 9-17. Leslie acknowledged Robert Brady's researches throughout this work. For Brady, see above, chap. 1.

Act falls. And while the Constitution is Preserv'd free from Coercion, it is Supreme and Intire. And this Supremacy we Swear to be in the King, his Heirs and Lawful Successors.⁹³

The most fundamental aspect of the constitution, according to Leslie, was hereditary monarchy free from all coercion. The very nature of government requires that there must be an absolute and arbitrary judge of all questions against which there can be no appeal. "Ther is no Avoiding it. And ther cou'd be no Government without it."⁹⁴ Leslie was aware that his Bodinian and Filmerian understanding of the nature of sovereignty was intensely disliked by most of his contemporaries; he acknowledged that Tutchin's caricature of a company of a tyrant's red coats "coercing . . . the Beef and Pudding out of thy Pot" "go's no small way with an English Man."⁹⁵ But he insisted that "All my Arguments have been to Preserve your Beef and Pudding, if you Rightly Understand them." For the choice was not between an arbitrary king with the power to coerce his subjects and a king limited by his subjects. Rather it was between the power of coercion resting in one man or in many: ". . . he that can Coerce a King, may surely Coerce a

93. Leslie, Constitution, Laws and Government, 17-9. Cf. Regale and Pontificate, L.T.W., 1:599; Essay Concerning the Divine Right of Tithes, ibid., 2:853-54; Cassandra, 25-30.

94. Rehearsal, 3, no. 28 (7 July 1708).

95. Ibid., 1, no. 158 (20 Nov. 1706), referring to Observer, 6, no. 69.

Lesser Man. And the End of Government is chiefly to save us from the Coercion of one another." The people's security can only be undermined if the king's prerogative is reduced, for he must have sufficient authority to prevent them from coercing each other.

The freedom of the crown from coercion was so essential to the fundamental law of the realm that Leslie believed not even the king in parliament could repeal it, "for if it were Repealed, that Repeal wou'd be Disputed, as being contrary to the Undoubted and Fundamental Law of the Realm." The maxim had been recognised in 12 Car. 2. cap.30, a statute essential to Leslie's case:

King and Parliament may Repeal any Law of their own making, or of any former Parliament. And so they might this of 12 Car. II. if it had only Enacted against Coercion, but it did not Enact but Recognize and Declare what was the Undoubted and Fundamental Law of England from the Beginning. And if another Parliament shou'd Declare Contrary to this, then where shou'd we find out our Undoubted and Fundamental Law? We shou'd be all in Confusion, and our Constitution wou'd be Utterly Lost.⁹⁶

Leslie concluded that it was reasonable to suppose that no parliament would "venture upon such a Stroke as this. For it wou'd Undermine and Destroy their own Authority." The assumption that the fundamental law consisted of certain moral and rational principles which no legal authority would want to endanger and to which all other laws must be held to conform belonged firmly within the tradition of seventeenth-century royalist thought.⁹⁷

96. Rehearsal, 4, no. 4 (13 Oct. 1708).

97. See Gough, Fundamental Law, 22-3, 141-45. Cf. Daly, Sir Robert Filmer, 41-3, and Daly, "Origins and Shaping of English Royalist Thought", 23.

While he was confident that the laws of the land supported his position, he was more concerned to emphasise that

They are not the Foundation when we are to Begin, nor the Last Resort neither, by which we ought to be Determin'd, as to the Nature of Government, and the Right of Crowns. That is Reserv'd to the Laws of God, Whence all Governments Derive their Authority, and from which only Kings do Hold.⁹⁸

The notion of fundamental law was central to Leslie's political thought. Fundamental law provided the moral context in which the laws of the land were to be interpreted. The concept went to the heart of the jacobite cause for it referred back directly to the controversies over de jure and de facto monarchy and the providential justifications of William III's regime. Jacobites resented the use of arguments by Dr. William Sherlock and bishop William Lloyd which, according to Dodwell, would make "all considerations of Religion give way so manifestly to reasons of state."⁹⁹

98. Leslie, Constitution, Laws and Government, 110; and see Rehearsal, 1, no. 138 (14 Sept. 1706). For some of the statutes often cited by Leslie which declared hereditary monarchy free from coercion as a fundamental law of the constitution, see ibid., 2, no. 44 (10 March 1707).

99. Dodwell to Lloyd, 1 Nov. 1695: Bodl. MS. Cherry 22, fols. 37-40. See also Dodwell's letters to Sherlock, n.d.: ibid., fols. 4-7, and Bodl. MS. Tanner 27, fols. 218-21. William Sherlock, The Case of Allegiance Due to Sovereign Powers . . . (London, 1691); [William Lloyd], Bishop of St. Asaph, A Discourse of God's ways of Disposing of Kingdoms (London, 1691). See Charles F. Mullett, "A Case of Allegiance: William Sherlock and the Revolution of 1688", Huntington Library Quarterly, 10, no. 1 (1946-47), 83-103; A. Tindal Hart, William Lloyd, 1627-1717 (London, 1952); and Gerald M. Straka, Anglican Reaction to the Revolution of 1688 (Madison, Wisc., 1962), chaps. 5-6.

Dr. Sherlock had been one of the most prominent nonjurors until, it was rumoured, his wife forced him to submit to the revolutionary government.¹⁰⁰ On the advice of archbishop Sancroft, Sherlock read bishop Overall's Convocation Book of 1606. But instead of having his doubts removed, as Sancroft had expected, Sherlock declared that his thoughts were "all on fire".¹⁰¹ Canon 28 affirmed that "new forms of government, even those "begun by rebellion", derive their authority from God after they have become "thoroughly settled".¹⁰² That canon, Sherlock insisted to Sancroft, reconciled "the doctrine of passive obedience and non-resistance with submission and allegiance to Usurped Powers,

100. The story that Sherlock's wife had badgered him to take the oaths provided jacobites with an opportunity to exercise their comedic skills. Leslie advertised an auction of books to be held at a whig coffee house "at the Sign of the Jackanapes in Prating-Alley near the Deanery of St. Paul's"--the deanery with which Sherlock was rewarded after his submission--at which the following title would be available: "Dux foemina facti: Conquest the best Title to Body and Conscience, by Dr. Sh--k's Wife, dedicated to her Humble Servant her Husband; wherein these two Points are proved at large: First, That no Man is a good Husband who will not sacrifice his Conscience to the importunity of a Wife: And Secondly, That the Doctor was visibly under her Power, and therefore he was forced to submit, and might do so according to his Hypothesis of Force, which dissolves all Obligation, especially since the Female Usurpation had been for a long time, and thoroughly settled." [Charles Leslie], A Catalogue of BOOKS of the Newest Fashion . . . (London, 1694).

101. Sherlock to Sancroft, 20 Aug. 1690: Bodl. MS. Add. c.188, fols. 81-7.

102. The canons from Overall's Convocation Book are reprinted in Synodalia . . ., 2 vols., ed. Edward Cardwell (Oxford, 1842), 1:330-78 (canon 28 at pp. 345-46).

when their government is thoroughly settled". Because God is not restrained by human law, he explained in The Case of Allegiance, the ends of His providence may be served by setting up a king who has no legal right. It is not the duty of subjects to inquire into questions of legal right, but rather to submit to the government which has been placed over them by God's authority. They know a government has God's authority when it becomes thoroughly settled in the administration of government; and thorough settlement is achieved, Sherlock argued in a somewhat circular manner, when there has been a general submission of the people.¹⁰³

Bishop Lloyd also appealed to an inscrutable providence when he urged subjects to submit to a conquering prince. God is the judge of kings and He punishes those who abuse the trust placed in them by transferring their right to another. A just war between sovereign princes is an appeal to God, Who pronounces sentence by granting victory and bestowing upon the victor all rights to the dominions of the conquered.¹⁰⁴

The effect of such justifications of William's claim to the allegiance of Englishmen was to destroy any real distinction

103. Sherlock, Case of Allegiance, 2-3, 9.

104. Lloyd, Discourse of God's ways, 4, 19-20, 27, 33-6. The Discourse, which was "Publish'd by Authority", was an expansion of a sermon preached before William and Mary on 5 November 1690.

between a de jure and a de facto monarch. That distinction, jacobites replied in unison, was the difference between the rightful exercise of authority, which was conferred by divine and human law, and the mere possession of power by force.¹⁰⁵ The submission of the people to a usurper cannot bring about a thorough settlement as long as there is another prince who has a better claim to their allegiance, insisted the author of one of the most exhaustive replies to Sherlock.¹⁰⁶ That better claim is the one grounded upon the moral authority which attends a legal right.

An appeal to the awful methods of providence, jacobites claimed, was simply to argue that possession confers right. Once that principle was admitted, Leslie wrote, "ther Remain's no other Principle in the World, no Right or Wrong, no Just or Unjust, no Proof, no Examination, no Tryal!"¹⁰⁷ It is false to argue that the workings of providence offer us a sufficient rule because everything that happens is the result of providence. Events considered as "Natural actions"--such as adultery and conjugal copulation, the beheading of the duke of Monmouth and the beheading of Charles I--may be indistinguishable as physical acts; "but, I hope," wrote Theophilus Downes, "it is easy to

105. See, for example, [John Kettlewell], The Duty of Allegiance settled upon its True Grounds . . . (London, 1691).

106. [Robert Jenkin], The Title of a Thorough Settlement Examined . . . (London, 1691).

107. Leslie, Constitution, Laws and Government, 24.

distinguish in these Cases between Lawful and Unlawful, Permission and Appointment." We are to be guided, Downes wrote, not by the unfolding of "bare Events", but rather by the "moral Circumstances which denominate them good or evil."¹⁰⁸

We are to be guided, in short, by law--"either Positive, Divine, Natural, or Humane"--which is God's "preceptive Will", Whatever His providence permits, we are bound to follow "that Will which God has signified to us, either in written or unwritten Laws." Subjects must inquire into questions of legal right precisely because God has not prescribed the dispensations of His "Unsearchable" providence as a rule to them. It is the moral context in which an event takes place which allows men to determine whether it is the result of God's permission or appointment; "so Providence it self must be measured by the rules of good and evil, and therefore these must be the ultimate rules of our Practice."¹⁰⁹ Scripture requires us "to render to Sovereign Powers their due, and not to resist them"; and if it does not determine who has legitimate authority over us, that is because "it supposes us rational Creatures, and embodied in Civil Societies, and under the Direction of Laws sufficient to determine them."¹¹⁰ To determine if authority has been properly

108. [Theophilus Downes], An Examination of the Arguments Drawn from Scripture and Reason, In Dr. Sherlock's Case of Allegiance . . . (London, 1691), 11.

109. Ibid.

110. Ibid., 37.

conveyed, Downes insisted, it must be brought to the rule of law. There is no duty of obedience when a claim to authority has not been sanctioned by the rule of law; and, he specified, if no law conveys authority, "Disobedience is no transgression."¹¹¹

Leslie believed in a fundamental law which transcended the laws of the land and which in a real sense defined the constitution. Hereditary monarchy free from coercion was not simply prescribed by the law of England; it was itself the constitution or fundamental law of the realm. When Leslie wrote about the constitution in precise terms, he equated it with the law of God. He habitually distinguished between the "root" or "fountain" constitution--monarchy instituted by God--and the "inferior" or "subordinate" constitutions--the lords and commons--which grew out of the root, and which could be removed without destroying the original. During the rebellion against Charles I, the constitution was not broken when the lords temporal and spiritual were turned out of parliament or when rightful members of the commons were excluded: "the Tree still stood, tho' Mangl'd, and Stript of its Fruit and Branches". The

111. Theophilus Downes, An Answer to y^e Bishop D^r Loyd's of S^t Asaph's Discourse of God's ways of Disposing of Kingdoms, In which the Case of Conquest is consider'd: Bodl. MS. Eng. th. e.20, fol. 67. This unpublished work is included in the collection of Leslie's papers referred to above, chap. 1, p. 35 n. 58. In all quotations from this work, I have expanded abbreviated forms.

tree might have recovered if the ax had not finally been laid to its root when the crown was coerced by setting above it the voice of the people and trying and condemning the king in their name: "Then, and not till then, the Government Quite Expir'd, for the Root Constitution was Broken. That Constitution [out of which] the other Constitution of Parliament did Grow."¹¹²

The king, and only the king, must be free from any coercion because he is supreme and is the source of all subordinate authority in the kingdom. It would be " a Contradiction to the Nature of Government" to assert that the supreme power may be coerced, for whoever had the power to coerce the king would be himself king. All authority is derived from a superior to an inferior, and all authority is subject to those who give it. There must be a "Dernier Resort" or there can be no government, because "all Power is one and Indivisible, whether in the Hands of One or Many." For that reason, the sovereign authority cannot be limited; "all Governments must be Absolute and Arbitrary. Which makes a Dreadful Sound to English Ears!"¹¹³

Leslie spent more time denouncing the notion of coercion of the crown than he spent on any other point. The notion was embodied, he believed, in the increasingly accepted principle

112. Rehearsal, 1, no. 139 (14 Sept. 1706). Cf. Constitution, Laws and Government, 6-9.

113. Leslie, Cassandra, 25-7. He immediately observed that although sovereignty could reside in an assembly, that was forbidden by the English consitution.

that the king of England was one of the three estates of the realm and that the "centre" of government consists of the agreement of king, lords and commons. That the English government consisted of a delicate balance or coordination of its constituent parts and that sovereignty was shared among them was not necessarily a revolutionary idea in the late seventeenth century. No less an authority than Charles I himself could be cited in favour of the principle that the king was one of the estates and that the legislative authority resided in the three.¹¹⁴

Despite Charles I's martyrdom for the cause of England's mixed government, a significant, if small, group during Anne's reign rejected the concept. They chose instead to emphasise the traditional notion of the three estates, as the lords spiritual, the lords temporal and the commons, all of which were subject to the king.¹¹⁵ In 1703 Heraclitus Ridens devoted a series of issues

114. See above, chap. 1.

115. The reaction under queen Anne against the position put forward in His Majesty's Answer to the Nineteen Propositions is not analysed by Weston in her works cited above, chap. 1 n.18. Although she adds essential background material to her earlier works, she confines her analysis to the years before 1688 in her "Concepts of Estates in Stuart Political Thought", Studies presented to the International Commission for the History of Representative and Parliamentary Institutions, 39: Representative Institutions in Theory and Practice, Historical Papers read at Bryn Maur College, April 1968 (Brussels, 1970), 87-130. More significantly, this later reaction is not noticed by J.G.A. Pocock, who places so much emphasis upon the Answer and who sees the years after 1688 as crucial for the development of "the Atlantic Republican Tradition", either in his Machiavellian Moment or in his introduction to his edition of The Political Works of James Harrington (Cambridge, London, New York, Melbourne, 1977).

to the question. The author noted "that Slip of King Charles I. his Pen in a Declaration from York, June 17.42. where after the Bishops being Expelled the House, he seems to account himself one of the Three Estates".¹¹⁶ Another author announced that "we do not prescribe" to the "Parliament of 41, that overturn'd our Constitution"; he dismissed Charles I's "Lapse" in admitting himself to be one of the estates: "Let the King be one of the Three Estates, every one of the Three Estates will be alike Kings!"¹¹⁷ According to the old law of England, this author insisted, "the True Legislative, the Executive Sanction of a Law is so plainly lodg'd in the Regal Power" that the king is "the Head and Tail of it, and that I take to be as good as the other parts of it, call'd the Whole."¹¹⁸

Leslie argued that the principle of the coordinate exercise of sovereign power by king, lords and commons was incompatible with the English constitution and proceeded from a fundamental misapprehension of the nature of sovereignty. His prolonged controversy with Benjamin Hoadly, a prominent whig propagandist under queen Anne and Hanoverian bishop of, successively, Bangor, Hereford, Salisbury and Winchester, began

116. Heraclitus Ridens, 1, no. 12 (7 Sept. 1703).

117. Anon., Saul and Samuel, or, The Common Interest of our King and Country (London, 1702), 53. The British Library catalogue attributes this to Charles Davenant, but that seems unlikely.

118. Ibid., 52-6.

with a lengthy consideration of this subject.¹¹⁹ Hoadly's sermon at the Hertford assizes in 1708,¹²⁰ Leslie charged, had revived the principles of '41, for his assertion of the "co-ordinate power of Parliaments" is "utterly inconsistent" with the ends of civil government. That end is "to put an End to Debates. And without a last Resort ther can be no End, and Consequently no Government." Instead, "we must go by the Ears-- Three Co-Ordinate Powers are three Kings in the same Kingdom."¹²¹ A government depending upon a balance of coordinate powers provides no "Dernier Resort", and so the final judge must be the sword, "which cannot be Sheath'd till One Conquers the other Two."¹²²

119. The best discussion of Hoadly is still that by Norman Sykes, "Benjamin Hoadly, Bishop of Bangor", The Social and Political Ideas of some English Thinkers of the Augustan Age, A.D. 1650-1750, ed. F.J.C. Hearnshaw (London, 1928), 112-55. See also H.T. Dickinson, "Benjamin Hoadly", History Today, 25, no. 5 (May 1975), 348-55. Edwin R. Bingham, "The Political Apprenticeship of Benjamin Hoadly", Church History, 16, no. 3 (Sept. 1947), 154-65, is both superficial and misleading, especially in the present context, for Bingham attributes Leslie's arguments to Atterbury. It should be noted, however, that Sykes also makes no mention of Leslie, who was Hoadly's primary target in his most substantial work, The Original and Institution of Civil Government Discuss'd . . . (London, 1710).

120. Benjamin Hoadly, St. Paul's Behaviour towards the Civil Magistrate (London, 1708).

121. Rehearsal, 3, no. 12 (12 May 1708) and no. 17 (29 May 1708).

122. [Charles Leslie], Best of All (London, 1709) 29-30. Cf. Rehearsal, 3, no. 17.

The history of the last generation provided a sufficient refutation of the concept of the coordinate power of parliaments. Parliamentarians had used Charles I's fateful "lapse" to justify their rebellion. After he had been reduced to an equal status with the two houses, coercion and eventual deposition were inevitable; "they advanced from Co-ordinate to Inordinate Power, making the King sub-ordinate to themselves" ¹²³

That, surely, was the design of the whigs. It was essential to defend the superiority of the crown and to insist upon its just prerogatives because after the revolution of 1688 that defense became a conscious means of preserving the concept of a fundamental law of the constitution which not even the sovereign could abrogate. The defense of the crown's prerogative was partly a reaction against the developing doctrine of parliamentary sovereignty, that is, the doctrine which holds any act to be legal which has been passed by the king in parliament. By resorting to the traditional notion of the king's "two bodies", and by affirming that his political body resided in parliament regardless of the wishes and location of his personal body, the members of the long parliament had justified their war against the man Charles Stuart. ¹²⁴ The combination of this fiction with

123. Heraclitus Ridens, 1, no. 12 (7 Sept. 1703). Cf. Cassandra, 8-9, where Leslie recommends this issue of Hercalitus Ridens.

124. See Ernst Kantorowicz, The King's Two Bodies (Princeton, 1957), Introduction and chap. 1.

the king's recognition of the participation of the estates in the legislative process provided the means by which unlimited sovereignty came to be viewed as residing in parliament.¹²⁵

Leslie denounced Defoe for arguing in favour of the distinction between the king's political and personal body. "If David had understood this Piece of Divinity, he might have slain Saul, without Touching the Lord's Anointed!" All right in the world is personal, he emphasised:

. . . it is the Person [of the king which] is Anointed, and Consequently which is Sacred. And if the Right of Government be not Inherent in the Persons of the Governors, ther is no such thing as Government on Earth, or ever can be.¹²⁶

It is the king who enacts legislation, while the lords may advise and the commons may petition. The notion of the king's two bodies, which made the political body the prisoner of the two houses, turned the royal prerogative of assenting to legislation into an empty form and made the monarch himself into a mere "Cypher".¹²⁷ Parliament, according to Leslie, was not a legislative body; it was the king's "Great Council" which declared, but did not make, law.¹²⁸

125. See Weston, "Concepts of Estates", 97-103. Cf. Gough, Fundamental Law, 84-5.

126. Rehearsal, 1, no. 132 (21 Aug. 1706).

127. Ibid., 3, no. 21 (12 June 1708) and no. 28 (7 July 1708). See Cassandra, 26-7.

128. Leslie, Constitution, Laws and Government, 7-17.

The opposition to the doctrine of parliamentary sovereignty was not restricted to jacobites after 1688, for there was, as Leslie recognised, a general suspicion of the notion that a last resort resided anywhere in the English government.¹²⁹ The author of Saul and Samuel probably summed up contemporary opinion best when he declared that neither parliament nor king "has a Power to do any thing it cannot Justly and Religiously do; . . . the Law of God, Nature, and Nations will or ought at any time to Limit the whole Legislative of any People of Christendom" If Englishmen are to acknowledge an absolute and arbitrary power of the legislature, "then, in God's Name, what have we all been doing for these many years, the last ten or twelve . . .", he asked impatiently.¹³⁰ This author defended the king's supremacy over the estates because he could not accept the danger implicit in "this Unlimited Power of the Legislative": radical writers such as Samuel Johnson and Henry Neville insisted that the king was bound to sanction all bills presented to him by the two houses; according to such reasoning, the sovereign legislature could take away, not only the hereditary succession, but monarchy itself.¹³¹

129. See, for example, Hoadly, Original and Institution of Civil Government, x, 26-30.

130. Saul and Samuel, 81-2.

131. Ibid., 31. He was referring to Samuel Johnson, An Argument

Leslie and other jacobites were one step ahead of those fears. "For our Constitution is not only Monarchy but Hereditary too, and we are Sworn to Both."¹³² The act of settlement of 1701, which presumed to settle the succession in the house of Hanover, could have no legal or moral authority simply because it was the handiwork of the king in parliament. Leslie evaded discussing the act by noting simply that it affirmed that monarchy is hereditary, not elective, and that all the laws against coercion of the crown still stand. Parliament had no power to do anything beyond declaring who was king according to the fundamental law. It could not create a king, anymore than it had in 1689, when it had recognised as sovereign the eldest daughter of the king who had abdicated.¹³³ Hereditary monarchy could not be removed, even with the (assumed) consent of king, lords and commons, without dissolving political society. Government and subordination are essential to the very being of political society, because all power, except God's,

proving, That the Abrogation of King James . . . and the Promotion of the Prince of Orange . . . was according to the Constitution of the English Government, and Prescribed by it (London, 1692), and [Henry Neville], Plato Redivivus: or, A Dialogue concerning Government . . . (London, 1681), reprinted in Two English Republican Tracts, ed. Caroline Robbins (Cambridge, 1969).

132. Leslie, Constitution, Laws and Government, 20.

133. Rehearsal, 1, no. 146 (9 Oct. 1706); and see Heraclitus Ridens, 1, no. 17 (25 Sept. 1703).

is derivative. Sovereign authority, derived from God according to the law of nature and of nations, transforms a multitude into a political body, for all laws, rights and privileges proceed from the will of the sovereign. The relationship between sovereignty and the body politic, as Leslie conceived it, was precisely analagous to the relationship between the soul and the human body: it is the soul which transforms brute matter into a person, making "Me to be My Self". Like the plastic nature described by Ralph Cudworth, sovereignty "doth drudgingly execute that Part of [God's] Providence which consists in the Regular and Ordinary Motion of Matter"134

For that reason Leslie agreed with Theophilus Downes, who criticised bishop Lloyd for arguing that a prince may be conquered without conquering his subjects. Because the king and his subjects form one political body--a sovereign enlivening a multitude--the head cannot be taken away without harming the dependent members: "their good and safety are wrap't up together; and their very being is inseparable".135 Downes believed that "the Fundamental Distinction in the Science of Rebellion" was the distinction between the sovereign and the subject. Leslie agreed that that distinction enabled "our

134. See the discussion of the soul and Leslie's platonism: above, chap. 4.

135. Downes, Answer to Lloyd, fol. 119.

Modern Ballancers of Power" to suppose that the body politic could be discussed in terms of its individual parts and that it could be manipulated and controlled by imposing harmony upon it. By dividing the body politic into its constituent parts and balancing them against one another, certain political thinkers believed they could achieve a perfect, self-regulating commonwealth which would not be subject to the abuses which resulted from sovereign power residing in any one of them. Among these thinkers were religious radicals, such as John Toland, who believed that motion was inherent in matter, which exists in an infinite and eternal universe.¹³⁶ Their idea of a mixed and balanced constitution free from the inevitable failings of the pure forms of government--that is, in the Aristotelian tradition, monarchy, which tended to degenerate into tyranny, aristocracy, whose degenerate form was oligarchy, and democracy, which degenerated into mob rule--was a reflection of their pantheistic and materialistic conception of the universe. The perfect commonwealth would be set in motion by the people, while the balance and operation of it would be maintained by the popular will. The whole mechanism rested upon the sovereign and independent people, which deadly principle Leslie detected

136. Toland, Letters to Serena, Fifth Letter. See Jacob, "John Toland and the Newtonian Ideology" and her Newtonians and the English Revolution, chap. 6. See also Pocock, Political Works of James Harrington, 142-43.

behind the idea of the coordinate power of parliament.

The principle of the three independent estates of the realm checking and balancing each other was at least firmly entrenched within the tradition of the country opposition to the later-Stuart court. That opposition was suspicious of the court's ability to corrupt the independent country gentlemen who sat in parliament. The offer of places, pensions or mere bribery could undermine parliament's proper role, which was to scrutinise expenditures and offer advice to the crown. Through corruption, the court could form a party of dependents in parliament who would support any policy presented to it, thereby upsetting the balance between the crown and parliament and causing the government to degenerate into an absolute monarchy. That country opposition has been characterised as "neo-Harringtonian" because it derived its Polybian and Machiavellian notion of a mixed and balanced constitution and Roman virtue from the commonwealth author of Oceana, James Harrington, whose ideas were transformed in the years after the restoration so that England's perfectly balanced constitution came to be associated with the ancient constitution.¹³⁷

137. See J.G.A. Pocock, "Machiavelli, Harrington and English Political Ideologies in the Eighteenth Century", in Politics, Language and Time, Essays on Political Thought and History (New York, 1973); Machiavellian Moment, esp. chap. 12; and Political Works of James Harrington, esp. 128-47. On the myth of the ancient constitution, see above, chap. 1.

The country opposition during the reign of William III included radical freethinkers such as Toland, Mathew Tindal, Robert Molesworth, Andrew Fletcher, John Trenchard and the third earl of Shaftesbury. Meeting at the Grecian Coffee-house, where they discussed their ideas and from where they circulated their pamphlets, they were often joined by Robert Harley who, as a country whig, shared many of their basic beliefs.¹³⁸ After the peace of Ryswick in 1697, country whigs joined the tories in denouncing the junto ministry for maintaining a standing army, which would provide ample opportunity for patronage and corruption.¹³⁹ As the leader of the new country party, Harley, as was discussed earlier, was providing a quick lesson in the principles of opposition to his tory allies. Leslie tried to expose the radical basis of those principles. He chose his words carefully when he denounced those who were threatening the constitution: "They are Harrington's Rota, perfect Babel and Confusion!"¹⁴⁰ He expressed his revulsion against the flood

138. For the churchmen's reaction to "republicarians" gathering in coffee houses, see above, chap. 3. J.P. Kenyon (Revolution Principles, 76-7) is perhaps too literal and quick to dismiss high-church fears of secret societies and meetings of radical freethinkers: see Jacob, Newtonians, 219-26; see also Caroline Robbins, The Eighteenth-Century Commonwealthman (Cambridge, Mass., 1969), 16-20.

139. See Lois G. Schwoerer, "No Standing Armies!" The Antiarmy Ideology in Seventeenth-Century England (Baltimore, London, 1974), 180-82.

140. Leslie, New Association, Pt. II, 53.

of "a Stanch, Thorough, WHIGGISM, that proceeds upon True WHIGG Principles of Power in the People, not only to DEPOSE Kings or Queens but to DE-COLLAT and DE-TRUNCAT them, let their Necks be never so White! A Marston-Moor or Edge-Hill WHIGGISM, . . . a 30th of January WHIGGISM, a Rye House WHIGGISM . . .";¹⁴¹ and it is inconceivable that he was referring to the junto whigs, however detestable they might be.¹⁴² Rather, he was referring to the "old" whigs of the country tradition. It was that group which was such a threat to the traditional tory doctrines of divine right monarchy and passive obedience. Harley, who had helped to secure passage of the act of settlement, was becoming leader of those tories who accepted the revolution. His background and his associates, however, made him suspect to high churchmen. It was Harley who sponsored Toland's edition of Harrington's works in 1700;¹⁴³ just as in the year of Sacheverell's trial

141. Rehearsal, 1, no. 110 (5 June 1706).

142. The distinction between "old" whigs, who represented the country tradition, and "new" or "junto" whigs, who wanted to monopolise positions of power and who became a court party favouring the growth of the central government, was widely noted in pamphlets of the time; the most famous discussion was Davenant, True Picture of a Modern Whig, Davenant's Works, 4:125-80. See Robbins, Eighteenth-Century Commonwealthman, esp. chaps. 3 & 4; Feiling, Tory Party, chaps. 11 & 12.

143. Pocock, Political Works of James Harrington, 141-42. In addition to Harrington's works, Toland published the works of such other notables as Holles, Sidney, Neville, Milton and Ludlow between 1697 and 1701. Although Pocock (p. 141) testifies that Toland performed his editorial duties of Harrington's works "in a scholarly and responsible manner" (but cf. pp. xii-xiii), it has been discovered that he tampered considerably with Ludlow's

he preferred to be described as "much more a patriot and a true whig than his adversaries" and who affirmed his devotion to "the true whig principle, that is, to be heartily affected to the court and ministry when they act uprightly for the public good, and as heartily to oppose them when they act otherwise."¹⁴⁴

Leslie's tirade against whiggism was an appeal to the tory party to be aware of the false principles which would endanger its traditional doctrines if it continued to be influenced by the country opposition. The myth of the ancient constitution, the concept of three independent estates and the coordinate power of parliament were essential to the country ideology, while they were being jettisoned or re-interpreted by the court whigs.¹⁴⁵ Yet Leslie chose to attack all whiggism by means of an extended criticism of the country platform. If it was naive to believe that the tories would abandon country-inspired concepts once they were shown to be inconsistent with their original principles, at the same time it was a simple truth that a

Memoirs: see Blair Worden, "Edmund Ludlow: the Puritan and the Whig", Times Literary Supplement (7 Jan. 1977), 15-6.

144. [Simon Clement], Faults on Both Sides: Or, An Essay upon the Original Cause, Progress, and Mischevious Consequences of the Factions in this Nation (London, 1710). Downie (Robert Harley and the press, 119-22) says that Clement was "writing to order", and describes Faults as "the nearest thing we have, in print, to a full-scale exposition of the Harleian ideology".

145. See Isaac Kramnick, Bolingbroke and His Circle, The Politics of Nostalgia in the Age of Walpole (Cambridge, Mass., 1968), chap. 5, and Kenyon, Revolution Principles, chap. 10.

Stuart restoration was not going to be encouraged by a tory party educated out of those principles by Robert Harley. High-church tories never trusted Harley. When he became first minister in the tory administration which took office after the trial of Dr. Sacheverell in 1710 they saw him as merely "a necessary ladder" which would be taken away as "part of the scaffolding" once "the building had got its foundation".¹⁴⁶ But Leslie feared that the "whig" Harley had such a firm grip on the tory party that he "cramps all, and makes each man afraid to appear inclined to the interest their [sic] inclinations would lead them to."¹⁴⁷

Through his political writings in the years before Sacheverell's trial, Leslie encouraged the tories to adhere to their traditional doctrines of hereditary monarchy and passive obedience. For the purposes of public debate he adopted the tory view of the revolution, which enabled him to write openly about these subjects and to vindicate queen Anne. But regardless of his professed devotion to Anne, Daniel Defoe, who was writing in the service of Harley during these years,

146. Robert Moncton to Harley, 23 Aug. 1710: H.M.C. Portland MSS., 4:574-75: quoted in Downie, Robert Harley and the press, 118.

147. " Copy of the first three pages of Mrs. White's letter . . .", Macpherson, Original Papers, 2:296. "White" was one of Leslie's aliases, although it was an open secret: Defoe wondered "whether Mr. White be an honest Man than Mr. Lesley?" Protestant Jesuite Unmask'd, 51. See also Observator, 3, no. 31 (8 July 1704).

warned that Leslie's numerous discourses explaining these doctrines must really be seen as a threat to the queen and so to the tory party:

His Books are but as many Doors to a Labrynth, wherein the Party enter and are lost. There they wander all their Lives in Ignorance of the very Cause they are so assiduous to maintain; yet are oblig'd to encourage and believe, that what he writes infinitely strengthens the Faction; and that his Arguments are both sound and legal.¹⁴⁸

Defoe asked Leslie two questions. First, whether his so-called vindication of queen Anne "be out of Love to Her, or Hatred to the Whigs?" Second, "whether that which drops from his Pen, for the sake of Argument, comes from his Heart for the sake of Conscience?" There was more than a little truth in Defoe's charge that Leslie adopted a public position that was hardly consistent with his own beliefs; just as there was truth in Defoe's accusation that Leslie was promoting the high tories so that the act of settlement could be changed.¹⁴⁹

However useful it was to interpret the revolution as a legal process of abdication and succession according to law, it could no longer be viewed credibly as such after Sacheverell's trial. At that time the pretender's legitimacy was admitted publicly "in order", Leslie wrote soon after for the benefit of the court at Saint Germain, "to destroy hereditary right by that means, and to convince the princess of Denmark, that she has no

148. Defoe, Protestant Jesuite Unmask'd, 1-2.

149. Ibid., 41.

other title to the crown, but the settlement which has been made for the succession since the Revolution . . ."¹⁵⁰

Leslie's declaration of his jacobitism in 1710 brought a warning from Benjamin Hoadly. The whole drift of Leslie's arguments, Hoadly wrote, was to prove that submission to the queen's government was not possible for those who insisted upon hereditary monarchy and passive obedience. The purpose of Leslie's tracts, continued this low churchman, was to force Englishmen to acknowledge that they had either to embrace completely revolution principles or submit to James III.¹⁵¹ Hoadly, as was his wont, had overstated the case. Englishmen could submit to Anne while acknowledging James III: he asked only that she recognise his legitimate claim and help to secure the restoration after her death.¹⁵² But more importantly,

150. "Memorial of the Sieur Lamb", Macpherson, Original Papers, 2:214. (Bodl. MS. Carte 180, fol. 293.) The question of the pretender's legitimacy was a grave question for some of the most intelligent men of the time and should not be dismissed as simply a convenient fiction which nobody took seriously: see the correspondence between George Hickes and Dr. Brady: Bodl. MS. Eng. Hist. b.2, fols. 121-34, 187-93. The prominent Hanoverian nonjuror Thomas Brett had sworn the oaths of allegiance to William and Anne, but refused them in 1715 when he was informed that James III's legitimacy was undeniable: see Henry Broxap, The Later Non-Jurors (Cambridge, 1924), 24-5. Leslie had ridiculed the rumour of the pretender's warming-pan origins in his first publication: Answer to a Book, 22-3.

151. Hoadly, Original and Institution of Civil Government, 127-28.

152. It was at this time that the letter referred to above, n.8., was draughted.

Hoadly did not seem to recognise that Leslie's arguments before 1710 could not possibly vindicate the claims of James III, for the pretender's illegitimacy was fundamental to his writings. That Leslie was a jacobite his contemporaries knew perfectly well; bishop Burnet had even called him "the furiosest Jacobite in England".¹⁵³ But it was external circumstances--the recognition of the pretender's legitimacy--rather than the internal logic of his argument which made Leslie's writings support James III. Leslie's tracts were anti-whig and anti-Hanoverian, but they were not jacobite. Anne had a legitimate hereditary claim to the throne and the whig view of the revolution was treasonous. Whoever her successor was, Leslie's argument implied, according to the principle of hereditary right it could not be the electress of Hanover or her heir. Leslie claimed that his greatest achievement was to instruct Englishmen in the true nature of government and the constitution and their obligations to them.¹⁵⁴ As long as political debate during Anne's reign revolved around these general issues he enjoyed great success as his generation's leading critic of whig ideas. Once the question of to whom obedience was due replaced the more theoretical issues of earlier years, Leslie's contribution to the political debate of his age ceased almost immediately.

153. T. E. S. Clarke and H. C. Foxcroft, A Life of Gilbert Burnet, Bishop of Salisbury (Cambridge, 1907), 406.

154. Rehearsal, 4:Preface.

Leslie had spent the first half of Anne's reign affirming the principles of hereditary right and passive obedience and writing furiously against the ideas which threatened the old English constitution. The English monarch is superior to the estates of his realm and is the sole possessor of legislative authority, which is an expression of his will. He is subject only to God, Whose will constitutes the fundamental law of governed societies. Fundamental law, then, must be superior to earthly legislative authority for it had created that authority. The act of settlement was binding only in so far as it was consistent with fundamental law, that is, in its affirmation that the English monarchy was hereditary. Its specific provisions in favour of a non-hereditary successor could be accepted only by denying the principle which the act itself recognised.

The official fiction concerning the birth of the pretender had been exposed publicly and enthusiasm for the doctrines of hereditary right and non-resistance were plain to all who cared to see.¹⁵⁵ Leslie now urged the tories, who had defended these doctrines of the church, to acknowledge the right of James III in defiance of the act of settlement, which "will Stand no longer than the Revolution": "For Hereditary Right and the Natural Allegiance due to it is a Stubborn thing, and will not Bend even to an Act of Parliament, nor to a Thousand

155. See Holmes, Trial of Dr. Sacheverell.

Usurpations!"¹⁵⁶ The highfliers, however, were not yet prepared to admit the consequences of their favourite doctrines. After Sacheverell's trial, they eagerly anticipated a ministry which would be devoted to high-church concerns about the security of the church of England and the advance of dissent. Sacheverell and several "Heads of Houses in Oxford" were furious with Leslie for pushing the question of the succession to the fore just at the time of their greatest triumph. Thomas Hearne thought high-church denunciations of Leslie were "a great Piece of Ingratitude"; he had "in several of his Rehearsals defended those call'd high-Church much better than they can or durst do themselves, as having spoken with boldness, & discover'd some truths w^{ch} their Compliance would not permit them to do." Leslie had angered the Oxford Tories, Hearne believed, because his arguments exposed "the generality of the High-Church" as "men of no Principles but such as will act backwards & forwards as Interest & Passion drive them";

. . . but hinc illae lacrymae, M^r. Lesley has asserted Passive Obedience without any Reserve or Limitation, & shewn that those that maintain Non-Resistance with Exceptions are Rascalls & disingenuous, not to be rely'd on but rejected as Men of Rebellious, antimonarchical Republican Spirits, and consequently rather worse than profess'd Whigs, who stand to Principles, whereas the others (& D^r. Sacheverell must by these reasons be included amongst them) are Men of No Principles, but wavering and do not know what they would be at.¹⁵⁷

156. [Charles Leslie], Good Old Cause, 35.

157. Hearne, Remarks and Collections, 3:35-7.

Leslie's enemies tried to silence his denunciations of those who were not "stark mad for y^e doctrines of non-resistance & passive obedience" by pointing to his own questionable activities in Ireland during the revolution.¹⁵⁸ Archbishop King urged Dodwell to convince Leslie "to manage himself with tenderness & modesty" and to point out to him that most protestants would abandon the church of England if, "by representing her principles as inconsistent with the revolution", he proved his case.¹⁵⁹ But pleas for moderation never moved Leslie. If the ostensible reason for ordering his arrest was his libelling of bishop Burnet in The Good Old Cause,¹⁶⁰ it was more significant that the warrant was issued by the new tory administration which took office after the election of 1710.¹⁶¹

The arresting officers could not locate Leslie and his disappearance caused considerable speculation.¹⁶² In fact, he had gone into hiding at Francis Cherry's residence at White

158. See above, chap. 2. Bishop Lloyd to archbishop King, 30 June 1710: H.M.C. Second Report, Appendix 15, pp. 245-46.

159. King to Dodwell, 30 Aug. 1710: reprinted in Evelyn Philip Shirley, The History of the County Monaghan (London, 1879), 150-51.

160. For Leslie's provocative taunting of Burnet, see below, chap. 8.

161. P.R.O. Entry Book 78, 21 Sept. 1710. (I should like to thank Mr. T.F.M. Newton for this reference.) See Luttrell, Historical Relation, 6:609, 615, 627.

162. Ibid. and Hearne, Remarks and Collections, 3:44.

Waltham.¹⁶³ There, disguised in regimentals, he wrote a final and lengthy summation of the political philosophy he had been preaching since The Rehearsal began.

163. Secretan, Memoirs of . . . Robert Nelson, 71.

CHAPTER 7

LESLIE AND PATRIARCHAL THEORY

In 1711 Charles Leslie published The Finishing Stroke. The work was the last and longest statement of the political theory for which he was famous in his own day and for which he is remembered by historians of political thought. For all its length, however, The Finishing Stroke added nothing new to Leslie's version of the patriarchal scheme of government. It was, rather, a final vindication of the theory which he had offered numerous times since his first statement of it in The Case of the Regale and of the Pontificate in 1700. With the appearance of Leslie's final statement of patriarchalism, we are now in a position to present a detailed analysis of that theory as it had been developed since 1700. Such a discussion must consider the religious and political context in which the theory was revived and the reasons for the revival. Why Leslie insisted upon defending a theory which other jacobite writers avoided, which had not been relied upon by earlier defenders of the Stuart monarchy and which, moreover, had been subjected to a generation of scrutiny and refutation by whig writers are questions which can be answered only after it is understood what it was that he was defending when he used patriarchalism. It certainly was not the Stuarts, although he was a jacobite and he was convinced that the patriarchal scheme did, in fact,

vindicate their claim. Leslie was primarily concerned to defend revealed religion and the church from attacks by deists and whigs. His fundamental argument was that government had been revealed by God, not created by man.

Leslie always wanted to attack the "Jugulum Causae" of his opponents' argument. Once their fundamental assumptions were demonstrated to be faulty, he believed, their entire case must be given up. It has been suggested that Leslie refuted Locke because the attack on Filmer had to be faced before he constructed his own patriarchal theory.¹ While there is truth in that suggestion, it is also true that Leslie adopted patriarchal theory as a means of refuting Locke. It is now generally recognised that Locke's Two Treatises made little impression upon its first readers, and it would seem that Leslie's concentration upon him was to some extent responsible for elevating the work and its author into the whig pantheon.² Leslie drew attention to Locke because he wanted to draw attention to the radical principles which some men used to justify the revolution. In the previous chapter Leslie's devotion to the ideas of hereditary

1. Martyn P. Thompson, "The Reception of Locke's Two Treatises of Government 1690-1705", Political Studies, 24, no. 2 (June 1976), 190.

2. Ibid., 184-91; John Dunn, "The Politics of Locke in England and America in the Eighteenth Century", in John Locke: Problems and Perspectives, ed. Yolton, 45-80; Mark Goldie, "Tory Political Thought", 1688-1714, Ph.D. (Cantab.) thesis, 1977, chap. 11.

monarchy and passive obedience was examined. His patriarchal theory was part of the high-church campaign which emphasised these concepts, and he used it to suggest that whig ideas were essentially a denial of God's revelation. Patriarchal theory, in other words, helped Leslie to cast the constitutional ideas discussed in chapter six in a theological mould. Such an approach had the advantage of emphasising their immutability as well as linking them to the campaign to strengthen the church against a rising tide of heresy.

Fundamental assumptions of patriarchal theory were commonplace in Stuart England.³ Leslie repeated Filmer's and Sir William Temple's observation that "A Family is a little Kingdom, and a Kingdom is nothing but a Great Family."⁴ There was substantial agreement among almost all writers that kingship had originally been derived from fatherhood, that states had grown out of families, and that familial and political relationships and obligations were in some way connected and could be discussed

3. See Gordon J. Schochet, "Patriarchalism, Politics and Mass Attitudes in Stuart England", Historical Journal, 12, no. 3 (1969), 413-41, and his Patriarchalism and Political Thought. See also Peter Laslett, The World We Have Lost, 2nd ed. (London, 1971), chap. 8, and Christopher Hill, Society and Puritanism in Pre-Revolutionary England (London, 1969), chap. 13. Also of interest is Edmund S. Morgan, The Puritan Family, Religion & Domestic Relations in Seventeenth-Century New England, revised ed. (New York, 1966).

4. [Charles Leslie], The Finishing Stroke. Being a Vindication of the Patriarchal Scheme of Government . . . (London, 1711), 128.

together in a precise fashion. The family, or household, which included servants and apprentices as well as parents and children, was the basic unit of society, as indeed it was a microcosm of that society.

The correspondence of kingly and fatherly power was taught by the church of England. The fifth commandment, it held, was an injunction to obey all those placed in authority, not simply one's natural father and mother. The Whole Duty of Man, one of the period's most popular manuals of devotion, explained that the fifth commandment refers to "several sorts of Parents, . . . the Civil, the Spiritual, the Natural", and went on to note that the civil parent, who is the supreme magistrate with "a just right to possess the Throne of a nation", is "the common father of all those that are under his authority."⁵ Convocation in 1606 affirmed that Christ had obeyed the fifth commandment "touching honour due to parents and princes": His obedience of the emperor was part of His "fulfilling of all the law, (and consequently of the fifth commandment,). . . ." ⁶ One of the primary aims of whig propagandists in the later seventeenth century was to ridicule the accepted correspondence of paternal and kingly power, but they were attacking what was an undeniable truth to most of their

5. For this and many other contemporary explanations of the fifth commandment, see Schochet, "Patriarchalism, Politics and Mass Attitudes", esp. 428-35.

6. Synodalia, ed. Cardwell, 1:352-55.

contemporaries. At the time of the revolution one Irish jacobite insisted that William had taken pains to have "the hot spurs of the nation" elected to the convention parliament because he could not rely upon "the thinking and sollid men" who had not "learnt the Knack of distinguishing the different capacitys of Kings and fathers."

Wee are borne English men & nature seems to have inspired every one of Us wth. the love of his Country to that degree that wee can not brooke the least hard word agt. it. but if wee are Men of that Country Wee are children of the father of it, the Aire wee breath ought to inspire us with Duty for him & a man can not be a Rebells without being a Parracide.⁷

As scurrilous a hack as Ned Ward was not being merely flippant, then, when he referred to the execution of Charles I as "this natural Parracide".⁸

To recognise a correspondence between the authority of a king and the authority of a father was not necessarily to insist that the two were identical. Indeed, such an identification was not intended by most who emphasised the correspondence. Sir Robert Filmer spoke only for himself when he constructed an entire political theory around his conviction that paternal and civil authority were indistinguishable.⁹ Yet it was Filmer's

7. Mr. Tempest to his brother in England, Dublin, 29 March 1689: Bodl. MS. Carte 181, fols. 185-189. Leslie administered to Tempest on his death bed in June 1690: see Clar. Corr., 2:317, and above, chap. 2.

8. [Edward Ward], The Secret History of the Calves-Head Club, 4th ed. (London, 1704), 5.

9. See above, chap. 1, and Daly, Sir Robert Filmer, passim.

patriarchalism which Leslie adopted and refined, not simply the vaguer and generally accepted patriarchal analogies which permeate so much of the literature of the seventeenth century.¹⁰ Leslie, in fact, has been described as "the only Tory writer to show a sustained and thoughtful communion with Filmerism."¹¹

Leslie could have become familiar with Filmer's writings from the several editions which appeared before the revolution.¹² But his answer to William King's justification of the revolution contains no evidence of familiarity with them.¹³ Leslie decided to use patriarchal theory, it seems, only after the demand for convocation was raised and the high-church campaign began in earnest.

The nature of political government, Leslie believed, was part of God's revelation. He intended his patriarchal theory to be a vindication of revealed religion and an argument against deism and other manifestations of unorthodox natural theology. Leslie developed his patriarchalism not only in response to a

10. Historians have discussed several types of patriarchalism. See Schochet, Patriarchalism, 11-15, and Daly, Sir Robert Filmer, 71 n.49.

11. Ibid., 133.

12. See Gordon J. Schochet, "Sir Robert Filmer: Some New Bibliographical Discoveries", The Library, 5th ser., 26, no. 2 (June 1971), 154ff.

13. See above, chap. 2.

revolution within the state, but also to a revolution within the church. His political theory, no less than his theology, was a product of the high-church revival of William III's and Anne's reigns.

Leslie was not alone in believing that patriarchalism provided a suitable response to modern heresy. Whether in the form of whig political thought or rationalistic theology, seventeenth-century freethinking often emphasised a natural, pre-Adamic state of man which had preceded his subjection to moral and political laws; it had been a time, according to Spinoza, "without either religion or law, and consequently without sin or wrong".¹⁴ Richard Baxter believed that Spinoza had attacked patriarchal government in both families and states, and that the state of nature he described could only be a state in which children were in rebellion against their parents.¹⁵ Mathias Earbery began his polemical career with an attack on Spinoza.¹⁶ Years later he was to offer one of the last important statements of patriarchal theory in England.¹⁷ Speculation about the origins of mankind linked

14. Spinoza, Theologico-Political Treatise, Works, 1:210. See above, chap. 3.

15. See Colie, "Spinoza in England, 1665-1730", 191.

16. See Colie, "Spinoza and the Early English Deists", 38-9. His refutation of the Tractatus in 1697 appeared under two titles: Deism Examin'd and Confuted . . . and An Answer to a Book Intituled, Tractatus Theologico Politicus.

17. Mathias Earbery, Elements of Policy, Civil and Ecclesiastical in a Mathematical Model (London, 1716), and The Old English Constitution Vindicated, and set in a True Light . . . (London, 1718).

radical political and religious thought. Humphrey Prideaux was not the only churchman who noticed that republicans relied upon ideas such as Thomas Burnet's theory of creation.¹⁸

Patriarchal theory appealed to certain writers after the revolution who wanted to frame an adequate response to current theories of religion and psychology, which they believed had found expression in whig political thought. The force of Leslie's argument cannot be appreciated if he is seen as offering, however enthusiastically, only a belated statement of Filmer's ideas.¹⁹ In an atmosphere of religious libertinism, Leslie was encouraged to transform Filmer's patriarchal theory into a modern theory capable of responding to modern heresy. Leslie had agreed to debate the deists "without running to authorities, and the intricate mazes of Learning";²⁰ he intended patriarchal theory to be his short and easy method with the whigs.

Many nonjurors perceived that whig political ideas were essentially linked to faulty notions of how the human mind acquires knowledge and exercises its rational capacities. John Locke believed that the mind is "white paper . . . without any

18. See above, chap. 3, for Prideaux's fears. On Thomas Burnet's "sacred theory", see Basil Willey, The Eighteenth-Century Background, Studies on the Idea of Nature in the Thought of the Period (Harmondsworth, 1972), 32-9, and Jacob, Newtonians, 107-24

19. This is the impression left by Schochet's discussion of Leslie: Patriarchalism, 220-24.

20. See above, chap. 3.

ideas" and that only experience "furnished" it with "all the materials of reason and knowledge".²¹ His theory of government supposed that men had existed in a state of nature until experience convinced them to subject themselves to political government. That state of nature, Locke emphasised, was governed by the law of nature, which was "Reason"; it taught each equal and independent man to respect and preserve the "Life, Health, Liberty, or Possessions" of other men.²² Leslie and others interpreted Locke as meaning that men could know the precepts of God's law, could fulfill their moral duties, and could form themselves into governed societies without knowing of revelation.

Leslie intended to refute such an account of the law of nature and to demonstrate that God had revealed that law. Patriarchalism was first revived after the revolution within the context of the debate over the law of nature and of nations. Henry Dodwell, according to his friend and biographer, had planned to write a tract on that topic. His central point was that those laws "were not (as is generally supposed) the Results of Reason, tho' highly congruous thereto; but Laws delivered by Almighty God, to Adam, or Noah, the first common Parents of all Mankind,

21. See above, chap. 4. Contemporary critics of Locke were not as certain as some modern scholars (e.g., John Locke, Two Treatises of Government, ed. Peter Laslett, revised ed. [New York and Scarborough, 1965], Introduction, 96-9) that his way of ideas and his theory of government were not connected.

22. Locke, Two Treatises, II, para. 6.

or at least some in those first Ages, wherein God most frequently communicated His Will by immediate Revelations"23 God had "settled" those laws in "express words of divine Oracles"; in order to preserve His revelation among men, "mankind was at first formed into Patriarchall Societyes by God himself"24

Dodwell was impressed by the general agreement found in the earliest writings of all civilised nations concerning the duties required of men and the punishments exacted for disobedience. It was absurd, he believed, to suppose that that uniformity had been the result of the "consent of y^e severall Humane Legislators". Rather, God had exercised His "generall Legislative Right" over His creatures in order to reveal His pleasure by "punctuall execution" of rewards and punishments. His direct interventions in human affairs eventually ceased; but the memory of His private revelations to heads of families was preserved within patriarchal societies and was passed to later generations by means of "unwritten traditions": "And these impressions seem to have been what later ages have called . . . y^e laws of nature & of nations."25 The "Patriarchal Scheme", which held that all

23. Brokesy, Life of Dodwell, 499-500. Newton believed there was "one law for all nations, dictated . . . to all mankind by the light of reason". See Christopher Hill, "Sir Isaac Newton and His Society", Change and Continuity in Seventeenth-Century England (Cambridge, Mass, second printing, 1976), 275.

24. Dodwell to John Falconer, 27 Feb. 1710/11: Bodl. MS. St. Edmund Hall 14, fol. 48. Brokesby's account of Dodwell's views is essentially a summary of this important letter.

25. Bodl. MS. St. Edmund Hall 14, fols. 48-9.

mankind was descended from a common parent, Dodwell was convinced, offered "a rational Account" of the "universal Agreement in those Laws". He was sure that such agreement would have been impossible "if Government had been only founded on accidental Confederacies betwixt People and those they chose for their Governor" ²⁶

Leslie's rules for vindicating the truth of the miraculous events recorded in scripture were similarly intended to account for the general agreement among diverse nations. Although heathen peoples were ignorant of God's revelation, their feasts and ceremonies as well as their knowledge of large parts of the moral law were telling evidence that their ancestors had received that revelation, the obligations of which had become part of the traditions of their societies. ²⁷

Leslie's short and easy method was designed to defend revelation and to vindicate the visible's church's role as its eternal witness. Once the method had been developed he turned to patriarchal theory in order to account for the church's place at the centre of God's creation. By inquiring into the origins of the two societies of church and state Leslie believed that "the nature and tendency of each would better appear, and their dependence or independence upon one another." Essentially he wanted to demonstrate that the visible church was a natural institution, that is, that it was a part of God's creation, that

26. See Brookesby, Life of Dodwell, 501.

27. See above, chap. 3.

"The whole Creation was made for her sake, and partakes with her whether in her adversity or glory" Patriarchalism was adopted in order to refute the charge of such deists as Blount and Toland that the visible church had been created by conspiring priests who wanted to magnify their own power over the laity, and Locke's and, later, Hoadly's plea that the visible church had been created by the consent of its members.²⁸

It is remarkable that Leslie's initial discussion of patriarchal theory was framed as a defense of the priesthood and to support his fundamental tenet that "the Church is not only the chief part of the Creation; but all the whole Creation, as well in Heaven as on Earth seems to be particularly design'd with respect to the Church" ²⁹ The church is the kingdom of God, which is eternal. There is one church, militant on earth and triumphant in heaven, whose head is Christ. The church militant, then, is part of the heavenly hierarchy:

28. Leslie, Regale and Pontificate, L.T.W., 1:669-70. Deist writers recognised that patriarchal theory was intended initially as a defense of the spiritual autonomy of the church. See, most prominently, [Mathew Tindal], The Rights of the Christian Church Asserted . . ., Part 1, 3rd ed. (London, 1707), esp. 1-33 for a denunciation of patriarchalism. The entire work is an attack upon clerical pretensions, and Tindal singled out Leslie and Dodwell for particularly harsh treatment. Leslie replied to it in The Second Part of the Wolf Stript (1707). See also Rehearsal, passim, for various disparaging notices of Tindal's work. The most massive and crushing reply came not from Leslie but from George Hickes, whose Two Treatises, on the Christian Priesthood, and on the Dignity of the Episcopal Order . . . (1707) was the most extreme statement of sacerdotal power to appear during Anne's reign.

29. Leslie, Regale and Pontificate, L.T.W., 1:672.

This is the Ladder which was shown unto Jacob, whose foot stood upon the Earth; but the top reached up to Heaven.

Thus the foot of the Hierarchy stands upon the Earth, exercis'd by Men who are Ministers of Christ's Kingdom here below; but the top reaches to Christ himself, who is the Head of it: And the Angels of God ascend and descend upon it, to execute his supreme commands and to minister to the meanest Member of it.

So that who are not Subjects to this Hierarchy upon Earth, cannot be in Heaven: We must go up the Ladder by degrees, from the lower to the higher steps.³⁰

The church had been instituted before the world began in order to bear eternal witness to the truth of God's revealed word and to admit men to or to exclude them from membership in His heavenly kingdom.

Political government extends only to this world. Yet that government had been arranged for the advantage of the church; God always has "an eye to his Church, his Peculium, in his ordering of the World". Patriarchal monarchy had been imposed by God, Leslie agreed with Dodwell, so that He might communicate directly with His peculium. That was the fundamental point Leslie wanted to emphasise when he first took up the question of the origins of political government among men. Political government is a precise reflection of spiritual government. It was arranged to give men a notion of the divine government of Christ's church.

Political government, Leslie explained, "is distinguished from the paternal or natural Government of Fathers over their Families, and means that of Nations, under Kings or States, as

30. Ibid., 1:671.

the word political is now understood."³¹ He did not intend by this to draw attention to the different natures of political and paternal power--for in their natures they were indistinguishable--but rather to speculate as to how nations under their own political fathers had come into existence. The strict logic of patriarchalism would suggest that there ought to be either one nation or family throughout the world governed by the present possessor of Adam's original power, or a chaos of countless families, each under its own patriarch. Since Leslie insisted that political government was an exact reflection of spiritual government, it may be observed that he approached this question in such a way as to justify the high-church concept of particular churches under independent bishops³² against the rival claims of Roman supremacy on the one hand and congregational autonomy on the other.

Leslie noted that several theories of the origins of political government had been offered. Some men argued that it had been unknown until after the flood, "and that it had its beginnings by very wicked means, by the usurpation and tyranny of Nimrod" Others, preferring not to make despotism the original form of government, believed its beginnings could be found in the consent of the people; "And tho' they cannot find the original contract, yet they take it for granted that there

31. Ibid., 1:669.

32. See above, chap. 5.

is no other just foundation of political Government amongst Men, whom they think were all born equal." Still others, who thought the contractual account to be "precarious" and "plainly against matter of fact", "took to Sir Rob. Filmer's way of the Patriarchat". Yet there were dangers in Filmer's account as well. For if Filmer had correctly placed the origins of monarchy in Adam's right over his family "(which was the whole World)", he had not adequately discussed the subsequent development of "distinct and independent Kingdoms and Nations".

Leslie believed that Filmer's account was as "precarious" as that of those who argued in favour of a popular contract. After the flood, according to Filmer, Noah divided the world among his sons, whose families were then "scattered abroad" after the confusion of tongues: "In this dispersion we must certainly find the establishment of regal power throughout the kingdoms of the world."³³ But Leslie believed that Noah could not have done that without an immediate command from God "(which does not appear)", for in doing so he would have disinherited his eldest son from his right to succeed to his father's universal monarchy. That would have been "an alteration of the right of the Patriarchat; which it is suppos'd [had been] instituted at first by God, and to have obtain'd without interruption from the beginning of the world"³⁴ This was perhaps Leslie's most significant

33. Filmer, Patriarcha, Filmer's Works, ed. Laslett, 58.

34. Leslie, Regale and Pontificate, L.T.W., 1:669.

revision of Filmer's patriarchal theory. Filmer had denied the possibility of any law binding the sovereign, whose will was law. Fathers have an uninhibited right to their families and dominions and must therefore have the right to exercise their sovereignty, or to transfer it, in any way they pleased. Leslie subjected the rights of fathers and kings to the law of God. All authority is derived from a superior to an inferior and all authority is subject to those who give it. As children are subject to the laws of their fathers, so fathers are subject to the laws of God.

Leslie argued that the division of the world into nations "must have been the immediate act of God himself, and was perform'd by a great and stupendious Miracle, the division of Tongues; whereby it was determin'd who and who should go to compose each Nation, all they of the same Language sorting together, and God appointing a Governor over each of them: . . . in all seventy: Into so many Languages and Nations was the World then divided." Leslie corrected Filmer, who had noted the erection of seventy-two nations, for this was a prime example of the way in which God had ordered the world as a reflection of His peculium. When God "separated the sons of Adam" He did so "according to the number of the Children of Israel", seventy of which later went down into Egypt.³⁵ Later, Christ gave a commission to seventy men who were subject to His apostles and who were the original of the Christian priesthood.

35. Ibid., 1:670. On the division of tongues, see also Rehearsal, I, no. 64 (11 Oct. 1705); New Association, Pt. II, 45-7; Best Answer Ever was Made, 15; Finishing Stroke, 40-57.

Modern kings derive their authority from those seventy kings set up immediately by God. In the case of Nimrod's kingdom of Babylon, "every King's name and their [sic] succession stand upon record thro' the Assyrian, Persian, Grecian, and Roman Monarchies; and from the division of the last into the East and Western Empires, to the present Emperor of Germany, and Sultan at Constantinople." Such a succession exists for every kingdom, although in the "less famous, the Records may not be kept, nor their Memory preserved in History."

Leslie's point was that an unbroken succession can be assumed for all kingdoms, and he made it in order to correct another dangerous feature of Filmer's patriarchalism. Filmer had argued that if the heir to the crown was unknown "the Kingly power escheats . . . to the prime and independent heads of families, for every kingdom is resolved into those principles whereof at first it was made."³⁶ That could never happen, Leslie insisted. He agreed with Filmer that all kingdoms had been subjected to "many convulsions and revolutions". In no instance had the regal power fallen "so low as the free and equal vote of the People"; that was an unexceptionable point, but he immediately added: "no, nor of all the fathers of families; to which no conqueror ever did submit his title."³⁷ Leslie assumed that any time the question of the succession had been

36. Filmer, Patriarcha, Filmer's Works, 61.

37. Leslie, Regale and Pontificate, L.T.W., 1:670.

in dispute, "the power was always taken up by the strongest of the contending Parties", who would acquire a right to it if the legitimate possessor was not known, but who could never become the lawful sovereign if there was a rightful heir.

Leslie revised patriarchal theory in such a way as to make an unbroken succession rather than an arbitrary sovereignty its most fundamental feature. Even though many contemporaries seemed to assume that Filmer had been primarily concerned to defend hereditary monarchy,³⁸ it did not require the perception of a Leslie or a Locke to discover that Filmer's works did not provide the most appropriate material for a jacobite in search of justification. To understand the way in which patriarchal theory was revived and transformed into a jacobite argument it is necessary to examine the way in which Filmer's writings were used at the time of the revolution.

Filmer's most important defender before the revolution had been Edmund Bohun,³⁹ who did not hesitate to submit to William's government. He believed that the subjects' duties of passive obedience and non-resistance were "in no way concerned

38. See, for example, [Collier], Dr. Sherlock's Case of Allegiance considered . . ., 91; and Anon., The Scrupler's Case Considered . . . (London, 1691), 5-8.

39. [Edmund Bohun], A Defence of Sir Robert Filmer, Against the Mistakes and Misrepresentations of Algernon Sidney, Esq. (London, 1684); the next year he published an edition of Patriarcha (London, 1685). For an assessment of Bohun's understanding of Filmer, see Daly, Sir Robert Filmer, 128-33; cf., Schochet, Patriarchalism, 202-4.

in the controversies now depending between Williamites and Jacobites".⁴⁰ In his popular History of the Desertion⁴¹ and in subsequent tracts he urged that William had conquered James in a just war and had thereby acquired the right to his throne. This version of conquest theory was taken up by such writers as bishops Burnet⁴² and Lloyd⁴³ as well as by the "execrable" deist Charles Blount.⁴⁴ It emphasised that sovereign princes may appeal to God for a judgement of their differences and specified that in such a war the king only, and not his subjects, was conquered. The theory was eventually condemned in parliament,⁴⁵ but not before it had served its purpose in helping some men to accept the revolution as God's judgement against James II.

This controversy is of immediate concern for a study of

40. See Mark Goldie, "Edmund Bohun and Jus Gentium in the Revolution Debate, 1689-1693", Historical Journal, 20, no. 3 (1977), 576.

41. London, 1689.

42. Gilbert Burnet, A Pastoral Letter . . . (London, 1689).

43. Lloyd, Discourse of God's ways.

44. [Charles Blount], King William and Queen Mary Conquerors . . . (London, 1693).

45. The occasion for the condemnation in January 1693 was the licensing of Blount's tract by Bohun, who had become licenser of the press. Blount's and Burnet's works were condemned to be burnt, while Lloyd's narrowly escaped. Bohun was dismissed from his post. See The Parliamentary Diary of Narcissus Luttrell, 1691-1693, ed. Henry Horwitz (Oxford, 1972), 376-83. For Burnet's "mortification", see Supplement to Burnet's History, ed. Foxcroft, 387-88. The most famous account of this incident is found in Macaulay, History of England, 3:633-44.

Charles Leslie, for it helps to explain the way in which he became interested in Filmer. The first favourable jacobite response to Filmer is found in Theophilus Downes's unpublished treatise against bishop Lloyd's defense of William's right by conquest. That treatise, as well as questioning the concept of jus gentium, appeals to fundamental aspects of patriarchal theory in order to lay the foundations for a more complicated argument.

Downes's few political tracts are devoted to the question of allegiance and are intended particularly to deny justifications of the revolution which depend upon the workings of an "unsearchable" providence to dissolve the relation of king and subject. Subjects are bound to rulers, Downes wrote, because rulers possess a moral power, which is conferred by God and which is transmitted by law. Men have the ability to determine right and wrong because they are rational creatures with the capacity to measure events against "that Will which God has signified to us, either in written or unwritten Law."⁴⁶ In the works of William Sherlock, who urged obedience to William III because God had allowed his government to become "thoroughly settled", and bishop Lloyd, who argued that God had pronounced judicial sentence against James II, Downes perceived the same tendency: rather than inquiring into the lawfulness of actions, men are to submit to the unfolding of "bare Events". God no longer promotes men to sovereignty by "Revelation", Downes replied. The foundation of

46. See above, chap. 6.

sovereignty is law, which is "the only Rule of Right". Law creates authority, and "the fundamental laws of Succession" in any society are also "the pacts of the people", who are therefore "oblig'd to stand by them by the law of Nature also".⁴⁷ Downes noted that when the government was patriarchal, the moral power of civil authority was the result of that law of nature which obliges children to obey their father.

Downes had a particular purpose in mind when he referred to patriarchal government. He was interested in the law which defines the nature of any relationship, whether of kings and subjects or of fathers and children. Sherlock had argued that the foundation of the relationship between kings and subjects was not legal hereditary right--for there are many kinds and species of kingship, but in all of them the relation of a king and his subjects is the same--but rather the authority of God, "by which Kings reign, and to which Subjects owe obedience" No man can have God's authority who does not possess the actual authority of government, "for God's Authority is the Authority of Government" So a prince who loses possession of the government loses also his claim to the obedience of the people because the relationship between them has been dissolved.⁴⁸

47. Downes, Answer to Lloyd, Bodl. MS. Eng. th. e.20, fols. 6-7.

Cf. Dodwell's argument that primitive Christians never swore allegiance to one whom they perceived did not have a rightful title: Dodwell to C. Hatton, 2 Sept. 1689: Bodl. MS. Cherry 23, fols. 141-48.

48. William Sherlock, A Vindication of the Case of Allegiance . . . (London, 1691), 39.

Sherlock was careful to restrict his argument to the case of civil government and the disposal of sovereign authority. Relationships which are "founded in Nature, or Purchase, or Civil Contracts, under the superior direction and government of the Civil Authority" are clearly different. If the head of a family, for example, is removed the members of his household "do not presently fall to the lot of the next Possessor, but must be disposed of by the Laws of the Country, and by the Authority of the Prince; for such private and particular Interests are subject to publick Laws, and a Superior Authority."⁴⁹ Sherlock earlier had admitted that the first government in the world had been that of parents over children, which is the only natural authority; ". . . for in propriety of speaking, there is no Natural Prince but a Father." Typically, he did not believe it would be worthwhile to inquire into how that patriarchal authority had become limited.⁵⁰ Bishop Lloyd also granted that both Adam and Noah had been, in their turns, the common fathers and governors of mankind. While the old form of patriarchal government had continued in some countries after the confusion of tongues, the ancient great monarchies had been formed by "Fathers or Heads of some of those Nations" conquering others.⁵¹

49. Ibid., 39-40.

50. Sherlock, Case of Allegiance, 11.

51. Lloyd, Discourse of God's ways, 7-8.

Downes objected that the natural result of the argument that patriarchal right may be translated by conquest would be that ". . . Parricide would be so far from being a crime, that it would be an act of duty and loyalty to God and his vicegerant." For if the first government had been patriarchal, the only available conquerors would have been children and subjects.⁵² Certainly providence might have permitted such a rebellion of children against fathers, but surely it would be wrong to conclude that God had sanctioned such a rebellion because it proved to be successful. The duty of obedience can only be paid to one who has a right to be obeyed.

The Foundation of Paternal and Civil Authority may be different, but in both the Duty of Obedience must be founded on a Right to Obedience: nothing can be due to him who has no Right; as an Usurper of paternal Power has no Right, so neither has the Usurper of Civil Power; he has neither a legal nor natural Right; and as for the Right of Providence, both the Usurpers may lay an Equal Claim to it, for they are both advanced by the same way of Providence. There is no more Reason therefore to pay Obedience to a Civil Usurper, than to the Usurpers⁵³ of the Power of Fathers, Husbands, or Masters

Downes framed his discussion of patriarchal government specifically to answer those who offered a providentialist justification of the revolution. He did more than imply an analogy between kingly and fatherly power. He appealed to the "Sense and Reason of Mankind" to reject the artificial distinction

52. Downes, Answer to Lloyd, fol. 5.

53. Downes, Examination of the Arguments, 36.

Sherlock had made between natural and political fathers. If the authority of a natural father is perpetual and inalienable without his consent,

. . . what reason can then be given why Civil Authority in a legal Father, which is the same with that of a Natural, should not be equally Perpetual and Inalienable also? Why should Dispossession extinguish this Authority in one Father, when it does not in the other? If Providence does superinduce a divine Right over a legal Right, upon the same Grounds it will destroy a natural Right, and if it be lawful for Subjects to bind themselves by Oath to act for an Usurper against their political Father, than [sic] may Children in the same Case oppose their natural Father in the Prosecution of his natural Rights⁵⁴

A patriarchal response allowed Downes to associate the different theories of Sherlock and Lloyd and to see the underlying unity of the providentialist case. Both authors paid significant service to the new regime by asserting William's right to the throne. Not satisfied with an acknowledgement of his position as a de facto ruler, they used providence to confer right upon him. Lloyd's argument was the more dangerous for he made a case for William's right even before his conquest of James; whereas Sherlock's claim was that the new government acquired right after it became settled. Lloyd's argument, like Bohun's, was based upon the jus gentium, the law of nations, as that concept had been discussed by Grotius in De jure belli ac pacis (1625). Downes turned to many authors, including Filmer, in order to prove "The Law of Nations not distinct from the Law of Nature",⁵⁵

54. Ibid., 5.

55. Bodl. MS. Eng. th. e.20. fols. 121-31. Downes referred to

and so to undermine a defense of William III which required Englishmen to disobey the law of nature by abjuring their father.

Downe's discussion indicates that he believed the distinction between the law of nature and the law of nations to be as artificial as Sherlock's distinction between natural and political fathers. In both instances, he perceived, the distinction was made in order to justify actions which plainly contravened natural law. The modern notion of the law of nations derives its authority from the consent of nations and is "made up of such customs as are observed among Princes".⁵⁶ But accumulated

fifteen authors in his discussion of the law of nations. His position on the question was the same as Filmer's--whom Downes describes as "an excellent Author" (fol. 122)--and after considering the arguments of such notables as Justinian, Aquinas, Suarez, Vazquez, Hooker, Selden, Hobbes, Grotius and Pufendorf, he was satisfied to conclude with a quotation from Filmer's Observations upon H. Grotius to the effect that the law of nations was not distinct from the law of nature (fols. 130-31). See below Downes' discussion of this question had originally been included in his Answer to Lloyd, but, according to Leslie, he "thought fit" to leave it out. All subsequent references to this section will be distinguished by citing its (abbreviated) title, "Law of Nations".

Downes had been deprived of his fellowship at Balliol College, Oxford, at the time of the revolution. He went into exile and spent some time at Saint Germain. The exact nature of his relationship with Leslie cannot be determined, although Leslie's possession of his unpublished work (see above, chap. 6, n. 111) suggests they were on fairly close terms. When the pretender's advisers decided that a protestant chaplain at the Stuart court would influence opinion in England, it was suggested that either Leslie or "Downs" ought to be sent for: Inese to Middleton, 18 Feb. 1713: Original Papers, ed. Macpherson, 2:384-85. Downes died in 1726.

56. Downes, "Law of Nations", fol. 122, referring to Lloyd, Discourse of God's ways, 3. Downes added that instead of "princes", Lloyd ought to have said "states" or "nations", "for I suppose he does not exclude Republicks from the Law of Nations."

experience cannot have the binding power of law; any law is binding because it is given to an inferior, and sovereign princes, being equals, do not have such a power over one another.⁵⁷ The recorded experience of nations, in any case, includes many impious deeds and numerous breaches of the law of nature: "The constant practice of the world, & the main current of examples, are conducted by Machiavel's Politicks, & not by any Laws of God or Nature or Nations."⁵⁸

Downes argued, referring to the authority of Justinian, Aquinas and Filmer, that the law of nations properly understood "is deriv'd by a necessary inference from the principles of nature, & is therefore comprehended in the Law of Nature" It was not, as Lloyd supposed, distinct from the law of nature, but rather was a mere branch of that law which rational men infer "to prevent the miseries & to promote the welfare of mankind", which is "the very end & design of the Law of Nature".⁵⁹ As Filmer had written, the only law between nations was the moral law:

The same commandment that forbids one private man to rob another, or one Corporation to hurt another corporation, obliges also one king not to rob another King, and one

57. Downes, "Law of Nations", fols. 122-23, referring to and quoting from Filmer, Observations upon Grotius, Filmer's Works, 267.

58. Downes, "Law of Nations", fol. 125.

59. Ibid., fols. 127-28.

Commonwealth not to spoil another; the same Law that enjoyns charity to all men, even to enemies, binds Princes and States to show charity to one another, as well as private persons.⁶⁰

The controversy over the law of nations and the role of providence in the revolution encouraged renewed interest in Filmer, initially as a critic of Grotius and eventually as a theorist of patriarchal government. It was Filmer's refusal to make distinctions--between paternal and civil authority, between the law of nature and the law of nations--which attracted Downes. Downes's emphasis upon the revealed will of God which determined all human relationships and which governed all human conduct was taken up by Leslie and made the basis of his political theory, which acknowledged no distinctions between public and private interests. Perhaps he and Downes enjoyed a bit of revenge in turning Filmer's writings against an argument so enthusiastically propagated by his editor, Bohun. In any case, their fundamental objection to the early justifications of the revolution was against the notion that kings and subjects have separate interests. Leslie's task was to explain the indissoluble relationship of sovereign and subject.

A theory of political obligation based upon relative duties was attractive to Jacobite writers who opposed the notion of a just conquest. An essential part of that idea was that, in an appeal to God by sovereign princes, His sentence was not

60. Filmer, Observations upon Grotius, 263, and quoted in Downes, "Law of Nations", fol. 131.

pronounced against the subjects of the vanquished appellant: James II had been conquered, but the English nation had not. That argument encouraged jacobites to insist that any conquering prince acquires an absolute right to his trophies, which may be disposed of at his pleasure. Citing the historical research of Brady and Spelman, some jacobites asserted that the rights and liberties of Englishmen had been conceded by the crown after the Norman conquest; and if William III was indeed a conqueror he had every right to revoke all previous royal concessions and rule in any manner he chose.⁶¹ William specifically denied that he came to England as a conqueror, Downes reminded Lloyd, and as long as the nation retained the capacity to resist him, there

61. See [Jeremy Collier], Vindiciae Juris Regii . . . (London, 1689), esp. 14ff. In Animadversions upon the modern Explication of 11 Hen. 7. Cap. 1 . . . (n.p., [1689]), Collier urged that a case not be made in favour of William III's right by conquest, for such a case must imply that the entire nation was at his mercy. That charge was also made by Downes, Answer to Lloyd, fols. 111-12. Years later the patriarchalist Mathias Earbery noted that England received its laws and model of government from William the Conqueror: Old English Constitution, v. Goldie's conjecture, that it was Bohun's use of the just conquest argument which encouraged Collier to assert the conquest theory of Brady, is surely correct: "Edmund Bohun and Jus Gentium", 585. See also M. P. Thompson, "The Idea of Conquest in Controversies over the 1688 Revolution", Journal of the History of Ideas, 38, no. 1 (Jan.-Mar. 1977), 33-46. For the broader context of the problem of conquest theories in the seventeenth century, see Pocock, Ancient Constitution and the Feudal Law, esp. chaps. 8-9; and Quentin Skinner, "History and Ideology in the English Revolution", Historical Journal, 8, no. 2 (1965), 151-78; although neither of these is concerned with the arguments of Bohun and Lloyd or with the response to them.

could be no conquest.⁶² More to the point, Downes objected to the crucial part of Lloyd's case, that is, that the prince may be conquered without conquering his subjects. If the subjects have not been conquered, then they still owe allegiance to James II and his legal heirs.⁶³ For the existence of a king implies the existence of his subjects, just as the existence of a bishop implies the existence of his flock. To deprive kings and bishops of their subjects was the same as depriving the head of its body: the only result could be the destruction of both.⁶⁴ Governors and governed form one body; "to distinguish between them is to divide things indivisible; & it is the Fundamental Distinction in the Science of Rebellion."⁶⁵ The separation of relatives does not result in the creation of absolutes; rather, the result is the destruction of those relatives, which are necessarily associated.

62. Downes, Answer to Lloyd, fol. 112.

63. See an earlier work, [Theophilus Downes], A Discourse concerning the Significance of Allegiance . . . (n.p., [1689]) which emphasises that "allegiance" is a concept derived from the feudal relation of a liege-sovereign and his liegeman. The concept, Downes insisted, imparts an obligation to defend actively "the Sovereign's Crown and Person"; the common law acknowledges that in case of a breach of fealty, all estates are forfeited to the original donor, that is, the king, who acquired the entire kingdom by conquest in 1066.

64. Leslie, Regale and Pontificate, L.T.W., 1:603-4. Cf. Downes, Answer to Lloyd, fol. 120.

65. Ibid.

Leslie's task was to present an argument on behalf of spiritual and temporal rulers who had been deprived of their subjects, while at the same time preserving the autonomy of the spiritual monarchy of bishops and the temporal monarchy of kings. In each case he had to inquire into the nature of the ruler and the ruled. That could be done most effectively by examining the history of Adam and the patriarchs, for the two forms of government then had been united.⁶⁶ While ecclesiastical government had been put into the hands of the high priest and the Levites when the Law had been promulgated at the time of Moses and remains out of the king's hands under the gospel, its nature had not been changed. A defense of patriarchal government, then, was necessarily a defense of the spiritual and temporal jurisdictions; Leslie's arguments about the nature of civil government, by extension, are valid for the spirituality. The two forms of government, while remaining completely independent, had been instituted by God upon the same principle and had descended from the same father.⁶⁷

The origin of government, according to Leslie's patriarchal scheme, is found in "the Positive Institution of God"; yet it is "Consequential and most Agreeable to the Frame of our Nature, as

66. Leslie, Finishing Stroke, 1-3. Leslie actually admitted three types of government: ecclesiastical, civil and military. The latter form, however, is simply another form of civil government and is in the king; "So that Ecclesiastical and Civil are the only proper Distinctions of Government. That is, Spiritual and Temporal." Cf. Best of All, 22-3.

67. Rehearsal, 1, no. 147 (12 Oct. 1706).

being all Deduced from one Common Father."⁶⁸ In his vindication of revealed religion, Leslie had argued that revelation was necessary to nature, for if men are incapable of distinguishing between the natural and the supernatural, ". . . how do we know there is such a thing as nature? That all is not supernatural . . .?"⁶⁹ The natural and the supernatural are relatives; they must be seen as essentially related to, rather than as incompatible with, each other. Like sovereign and subject, they are "things indivisible", and to divide them is to defy the nature of creation.⁷⁰ The deistic and latitudinarian method of argument, which set up "revelation against nature, and nature against revelation", was founded upon the false premise that the two were absolutes, that is, self-existing:

God made our nature, and he reveal'd his will to us, and gave us rules to direct and guide our nature. These are not contrary to our nature, but most agreeable to it, and tend to its preservation. So that revelation and nature are, in this respect, the same thing.⁷¹

68. Leslie, Finishing Stroke, 126. Cf. Best of All, 20.

69. Leslie, Short and Easy Method with Deists, L.T.W., 1:23. See above, chap. 3.

70. Similarly, Leslie denied that faith and works and predestination and free will were irreconcilable: see History of Sin and Heresy, L.T.W., 1:797-805. The entire work is really a "meditation" upon the concept of "relatives". Cf. New Association, Pt. II, 19-20. He also held that the office of the priesthood and tithes were relatives: Essay Concerning the Divine Right of Tithes, L.T.W., 2:840. See also his discussion of justice in his attack upon Tillotson and Burnet, who were more certain of rewards than they were of punishments: Charge of Socinianism, Theological Works (1832), 2:624-25.

71. Rehearsal, 1, no. 147 (12 Oct. 1706). For the importance of absolute and relative terms in the context of Newtonian

Leslie's entire thinking was shaped by his perception of the necessity of relative terms. The spiritual and the temporal, the supernatural and the natural, revelation and reason, rulers and subjects are defined by their relationship. They are untied, not in one another, but rather in God, Who by the "Infinite love" of the Incarnation had taken upon Himself the nature of the lowest of rational creatures.⁷² Unity in the trinity defines the unity of creation. Erastianism, deism, socinianism and whiggery exemplified the same anti-trinitarian heresy by emphasising the opposition of, respectively, the state and the church, reason and revelation, Christ's manhood and Christ's divinity, the people and their governors.

Leslie's emphasis upon defining the individual in terms of its function in a relationship was typical of the high-church response to the method of argument employed by their opponents. John Locke, some high churchmen were convinced, had wilfully

metaphysics and the high-church opposition to it, see Larry Stewart, "Samuel Clarke, Newtonianism, and the Factions of Post-Revolutionary England", Journal of the History of Ideas, 42, no. 1 (1980), 67-8. Roger North considered the distinction between absolutes and relatives "a notion of ye vulgar", and insisted: "But then let there be space, that must be Infinite, I deny there is any here or there, but onely Relatively, that is Respecting somewhat or other . . . for suppose one body In space infinite, it is all oneowhere it is, Nothing can be affirmed of it differently from situation, but still it is In vacuo Infinito, and thats all." I should like to thank Dr. Stewart for providing me with a copy of his essay.

72. See above, chap. 5.

set out to undermine the doctrine of the trinity by doubting that men could form "a clear distinct idea of substance" apart from the qualities and modifications of substance.⁷³ High churchmen replied that an idea of substance is dependent upon its qualities and modifications. Locke's insistence that all our knowledge is derived from "experience" led him to be sceptical of the doctrine of substances because we know of their existence from reason, while we perceive their qualities by our senses.⁷⁴ Without the doctrine of substances we may perceive the qualities of God, which are found in nature, but we cannot know God, Who is three persons in one substance. Our senses may perceive particulars, but they do not perceive the divine essence which relates them to one another and to the whole.⁷⁵

Political society, Leslie believed, is not simply a voluntary association of individuals willed into existence and maintained by the consent of its members. Essential to any political society is government and subordination, sovereign and subject. Society, like substance, is described in terms of its modifications. Yet simply to describe its particular qualities is not to account for its nature, any more than a

73. Locke, Essay Concerning Human Understanding, ed. Fraser, 1:228-31 (II, xiii, 17-20).

74. Lee, Anti-Scepticism, passim, esp. 111. See above, chap. 4.

75. Cf. George Hickes to Roger North, 23 May 1713: Bodl. MS. Eng. Hist. b.2, fol. 170.

description of the three persons in the Godhead is a sufficient description of God. The Son was necessarily created by the Father's nature, not begotten by the Father's will. Political society, which exists because of the relationship of ruler and ruled, is both the cause and the effect of that relationship. A family creates the relationship among its members, while the relation of its members defines the family. The revealed trinity is the foundation of this conception of relatives, which are found in nature and are not created by an act of will.

The doctrine of substances and relatives was essential to Leslie's understanding of mankind's sociability. Families and states might be modifications of that fundamental nature, but they were essentially indistinguishable. The original association of mankind had been the family of Adam, which had been a patriarchal monarchy formed by God and had included the entire world; and it was the model for all subsequent human associations.⁷⁶ The principle upon which the family and the state had been founded was known and assented to by all mankind: children are subject to their father.⁷⁷ Patriarchal monarchy, then, was "natural": God had designed man for that government;

76. Rehearsal, 1, no. 56 (18 Aug. 1705): Adam's government is "an universal rule to all mankind". Leslie cited Overall's Convocation Book to justify his claim that deducing government from Adam is acceptable to the church of England, "Not only as a piece of History for our Curiosity; or barely as a Precedent, left to our Discretion to Follow or not, but as an Obligation upon all Christians, to Conform themselves to that Original." Best of All, 25.

77. Rehearsal, 1, no. 55 (11 Aug. 1705).

it was "express'd in the oeconomy of his creation"; nature had "imprinted" the "duty and dependence of children" upon "all mankind". God intended man to live under government and founded that government "in very nature".⁷⁸ That nature was not discoverable by mere reason, although it was agreeable with reason. Reason can discern many obligations of God's law because it had been revealed to all men through their common father and it had been preserved in governed societies. That "very nature", in fact, had been revealed by God in His grant authority to Adam.

Leslie recognised that his political theory depended upon the claim that a father's authority over his wife and children "is a Civil Government, most Properly so Called."⁷⁹ The most important opponent of Leslie's patriarchalism was Benjamin Hoadly, who insisted that the tradition of referring to the duty of all inferiors to their superiors in terms of the duty children owe to their parents was simply a "methodical and compendious Way of treating several Subjects".⁸⁰ As early

78. Ibid., and no. 141 (21 Sept. 1706). See also Best Answer, 16-17. Cf. [Roger Laurence], Sacerdotal Powers: or the Necessity of Confession, Penance and Absolution . . . (London, 1711), viii-xi, for another nonjuror's discussion of filial duty as the foundation of family and civil governments.

79. Leslie, Finishing Stroke, 3.

80. Hoadly, Original and Institution, 8-9. Cf. his earlier statement in Some Considerations Humbly offered to the Right Reverend the Lord Bishop of Exeter . . . (London, 1709), 9, a reply to bishop Blackall's The Divine Institution of Magistracy and the Gracious Design of Its Institution . . . (London, [1708]).

as 1658 Edward Gee had criticised Filmer for not recognising the distinction between a commonwealth and a household,⁸¹ and that distinction became a characteristic of later attacks on patriarchal theory. James Tyrrell emphasised the differences between "Oeconomical" government in the household, which was necessary for the convenience of Adam and the preservation of his family, and civil government in the state, which became necessary after the fall in order to protect subjects from foreign invasion and internal disputes, which "had never been in Nature, if Adam had not sinned" ⁸² Similarly, Locke believed that "the great mistakes of late about Government" were the result of "confounding these distinct Powers one with another". Paternal power is founded in nature, Locke argued, but political power "has its Original only from Compact and Agreement, and the mutual Consent of those who make up the Community." ⁸³

81. Edward Gee, The Divine Right and Original of the Civil Government from God . . . (London, 1658), 144ff, 186. On Gee, see Daly, Sir Robert Filmer, 69-71; Schochet, Patriarchalism, 171-75; Ian Michael Smart, "Edward Gee and the Matter of Authority", Journal of Ecclesiastical History, 27, no. 2 (April 1976), 115-27.

82. James Tyrrell, Bibliotheca Politica . . . (London, 1718), Dial. I, esp. pp. 10-12. The first thirteen dialogues of this work had been published separately and anonymously between 1692 and 1694. They were published together in 1701 and a fourteenth dialogue was written in 1702. All dialogues appear in the edition of 1718. On Tyrrell, see Daly, Sir Robert Filmer, 62-7; Schochet, Patriarchalism, 196-204; J. W. Gough, "James Tyrrell, Whig Historian and Friend of John Locke", Historical Journal, 19, no. 3 (1976), 581-610.

83. Locke, Two Treatises, I, chap. 15; cf. II, chap. 6. See

Leslie's argument for the coincidence of civil and paternal authority was essentially a denial of Locke's account of relatives, an account which might be used to lend philosophical plausibility to Bohun's theory of the just conquest.⁸⁴ Locke distinguished between "natural relations" and "instituted or voluntary" relations. A natural relation, such as that of a father and son, is one which is inherent in the "origin or beginning" of the related subjects; "which, being not afterwards to be altered, makes the relations depending thereon as lasting as the subjects to which they belong". On the other hand, a voluntary relationship--for example, that between a client and a patron, or an army and a general--depends "upon men's wills or agreement in society, . . . and may be distinguished from the natural in that they are most, if not all of them, some way or other alterable and separable from the persons to whom they have sometimes belonged, though neither of the substances so related be destroyed."⁸⁵

Schochet, Patriarchalism, chap. 13, and John Dunn, The Political Thought of John Locke, An Historical Account of the Argument of the 'Two Treatises of Government' (Cambridge, 1969).

84. And cf. Laurence, Sacerdotal Powers, ix-x.

85. Locke, Essay Concerning Human Understanding, II, xxviii, 2-3. On Locke's discussion of relations, see Richard I. Aaron, John Locke, 3rd ed. (Oxford, 1971), 179-92. Locke's theory is consistent with the Ramist notion that voluntary relations are founded upon a contract: see Morgan, Puritan Family, 25-8, and, more broadly, Pierre Albert Duhamel, "The Logic and Rhetoric of Peter Ramus", Modern Philology, 46, no. 3 (Feb. 1949), 163-71.

Leslie declared that "Fathers with full and absolute Authority over their Families, are in every Respect Civil Governments",⁸⁶ and he cited Eve's subjection and Cain's proscription as recognisable proofs of Adam's civil authority. Hoadly's objection that Adam's authority was only "spousal" and "paternal" rather than "civil" was meaningless, for the government of husbands and fathers is merely a modification of one of the two types of government, that is, spiritual and temporal. Leslie believed that Hoadly had missed the point entirely when he argued that a father's authority is not civil because it is subject to a higher civil authority in the state: "As if ther could not be a Subordination of Civil Authority! We may as well say, ther is no Subjection among Men, because all are Subject to God."⁸⁷ The essential point was that "every Authority is Supreme, where there is None Superior; and Extends to Every thing, even Life and Death, where it is not Limited by an Higher Authority."⁸⁸ That a father's authority might be subject to the king's did not mean that the two exercised a different kind of authority, and if there was no authority over the

86. Leslie, Finishing Stroke, 128. Cf. Rehearsal, 1, no. 56 (18 Aug. 1705); Best Answer, 42; Best of All, 22-3.

87. Leslie, Finishing Stroke, 6. Similarly, Earbery could see no contradiction in maintaining that a son's obedience to his natural father is "in Subordination to the Supream Parent": Old English Constitution, 19. Cf. Hoadly, Original and Institution, 20-1, 162-65.

88. Leslie, Best of All, 22-3.

father he would be king. Unless that point was accepted, Leslie argued, governments in states and families could not subsist. Political society, which is a relationship of governor and governed, exists because of the nature of the related subjects. The exercise of supreme power is fundamental to the nature of the governor, just as subjection to the will of a superior is fundamental to the nature of the governed. Political society exists, then, anywhere there is an executor and a recipient of sovereign will.

Leslie contended that "Paternal is civil Authority" because that was essential to his argument that God created "all to be Deduc'd from one, with a particular Designation of Men for Government."⁸⁹ Men had not been created "in Multitudes and Independent of each other, like the Beasts, Fish, and Fowl". God expressed man's natural condition in His creation by causing him to be born in subjection to a father. Man naturally exists in relation to a higher authority.

The concept of a state of nature, which pictured equal and independent men existing in a pre-political state until prudence moved them to consent to the erection of political authority, was for Leslie not only a ridiculous historical fiction, but as well a sure sign of the heretical foundation of whig political thought.⁹⁰ The idea of the state of nature'

89. Leslie, Best Answer, 15-6.

90. On the state of nature, see Richard Ashcraft, "Locke's State

was the basis of the whig notion that power was derived from the people. Leslie singled out these two concepts as the "Jugulum Causae" of his opponents' thought. By destroying these "Shallow" and "Ridiculous" principles, he believed he had destroyed their "Child's House of Cards".⁹¹

Leslie described this whig state of man without government as an "independent" state. It must be "Situated out of the Creation, which it Complains of as an Encroachment upon its Territories." It could only be, Leslie insisted, a state of pure anarchy, populated only by "pre adamites".⁹² Locke obviously would not have described the state of nature in that way. For him it was rather a sociable state, with paternal but not political government.⁹³ Logically, such a state could not exist, Leslie believed, and merely to suggest it was to imagine a world without God's revealed law. The pre-political state supposed by the whigs must be that impossible stage "between

of Nature: Historical Fact or Moral Fiction?", American Political Science Review, 62, no. 3 (Sept. 1968), 898-915; Dunn, Political Thought of John Locke, 96-119; Goldie, "Tory Political Thought", chap. 11; J. W. Gough, John Locke's Political Philosophy: Eight Studies (Oxford, 1960). See Locke, Two Treatises, II, chap. 2.

91. Rehearsal, 3, Preface. Cf. ibid., 1, no. 55 (11 Aug. 1705), and 4, no. 29 (19 Jan. 1709); New Association, Pt. II, 42-3; Cassandra, 2-3.

92. Leslie, Best Answer, 10.

93. Locke, Two Treatises, II, chap. 5. See Schochet, Patriarchalism, chap. 13.

something and nothing",⁹⁴ between absolutes and relatives, between creation and revelation. God had instituted government "before ther was a Man Born in the World". Leslie urged the whigs to point to a time when there had been no government; "Which if they Cannot shew, their Whole Scheme falls to the Ground."⁹⁵

Benjamin Hoadly was moderately certain that he could find a time when men had not lived under government. Moses, he declared, recorded no regal act performed by Adam or his descendents before the flood; nor is there evidence that Noah exercised the office of a king.⁹⁶ Leslie's favourite example of Cain fearing Adam's punishment after he murdered Abel is no evidence for Adam's regality, for Cain clearly feared that any man would execute him for his crime. Leslie had tried to explain this by arguing that, having proscribed Cain, Adam must have empowered all men to kill him; for if everybody had the right to punish criminals, there would have been confusion, which is "inconsistent with all Order, Rule, and Government."⁹⁷ Hoadly took Leslie to task for supposing "the thing in Dispute, in order to prove itself." He summarised Leslie's argument:

94. Cf. Stewart, "Samuel Clarke, Newtonianism, and the Factions", 68.

95. Rehearsal, 1, no. 132 (17 Aug. 1706). New Association, Pt. II, 43.

96. Hoadly, Original and Institution, 149-50.

97. Rehearsal, 1, no. 56 (18 Aug. 1705).

We cannot suppose that there was a State of Equality at that time, because then there was Confusion, and it never was so in any Government: That is, there must be Government, because otherwise there would be No-Government.⁹⁸

Hoadly's criticisms, however, could not meet Leslie's objections. Hoadly admitted that the essential question "is not so much what was actually the Original and Foundation of Government, as what ought in Right to have been so."⁹⁹ That, of course, was downright heresy to Leslie, for it suggested that what had been instituted originally might not have been rightful. Leslie did not insist upon a scriptural and historical refutation of the state of nature because he was incapable of grasping the intellectual force of Locke's and Hoadly's use of that concept, but rather because he did understand it. Leslie agreed that there was a transhistorical model against which all governments could be measured. That was the government of Adam described in the book of Genesis, and it had been recorded for a specific purpose. Government "is not a meer Matter of Speculation." Man's reason, in its fallen state, is "In-Sufficient of it self to Guide Us, not only in the Way to Heaven, but even as to Temporal Government and Peace upon Earth." The revealed matters of fact recorded in scripture teach men the original of government, and they are provided in order to discipline and guide our "Raving Imaginations". If men would follow "the Clew of

98. Hoadly, Original and Institution, 151.

99. Ibid., 160-61; cf. pp. 147-49.

Holy Scripture" they would have "a sure Foundation". Instead, the whigs--"a sett of Filthy Dreamers, who have, of late Years, Rose up in our Land"--encourage "a Spirit of Atheism and Infidelity" by running down revelation; "they Draw our of their own Brains" the original and obligation of government. Rather than heeding "the Certain and Sure Account" they

. . . Fancy . . . States of Mankind which never were in the World, of People being all Independent and in a suppos'd State of Nature without any Rule or Government among them. And that from this Chaos, they Produc'd, by their own Wit and Strength, the orderly Frame of Government by which the World has Ever since been Preserv'd. And this they Gather by Meer Supposition, against both Fact and Reason.¹⁰⁰

Leslie accused the whigs of trying to destroy Christianity by advocating schemes of government which had originated among the heathens of ancient Greece and Rome.¹⁰¹ Those ancient heathens could at least plead that the scriptures were unknown to them; yet they had, in fact, appreciated that consent among equals in the state of nature was an impossible foundation for settled government. They had understood that men's consciences could

100. Rehearsal, 1, no. 125 (27 July 1706). Cassandra, 15-6, 39.

"Likewise also these filthy dreamers defile the flesh, despise dominion, and speak evil of dignities": Jude, 8. See Leslie's amusing satire on the state of nature in Finishing Stroke, 147ff. The Hottentote describes to Hoadly and Higden an idyllic state, which he later admits (pp. 162-63) to be false: "I painted it more according to my own Fancy than true Nature, which is a more Furious and Ungovernable thing than to be kept within any Bounds, unless Restrained by the Yoke of Government."

101. Rehearsal, 1, no. 147 (12 Oct. 1706). The whigs "are Driving us back again, with all their Might and Main, to Heathenism."

be bound only by an authority greater than themselves. Perceiving "the Necessity of a DIVINE Original of Government", but ignorant of the account in Genesis, ". . . they Fabled their Kings to be Begot by some God or other, and so to be of an Higher Race than the Rest of Mankind. And they had their Apotheoses of their Kings, at their Death, or turning them into Gods, to Command the Reverance and Obedience of their Subjects."¹⁰²

The ancient heathens, of course, had been able to understand the essentially hierarchical and derivative nature of authority because they were descendents of Adam and recipients of God's revelation. Similarly, Leslie pointed to the tribes of Africa and the Indians of America as modern examples of primitive heathen peoples who lived under the absolute government of kings. Locke and Hoadly used these examples to prove the possibility of men existing without civil government, but Leslie insisted that the heads of those (often nomadic) peoples bore all the essential marks of sovereignty--that is, the power of life and death over their dependents--and were recognised as kings by the other peoples with whom they came into contact as they migrated "in Colonies".¹⁰³

102. Ibid., 1, no. 37 (7 April 1705). See also nos. 53-54 (28 July-4 Aug. 1705), and 3, no. 13 (15 May 1708).

103. Leslie, Best Answer, 10; Finishing Stroke, 62-6, and 160ff. for the Hottentote's account of absolute kingly government among primitive tribes. Cf. Locke, Two Treatises, I, paras. 131-32; II, para. 108. Hoadly, Some Considerations Humbly Offered, 9.

Leslie asserted that the whole controversy between himself and Hoadly concerned the nature of authority:

. . . I think it most Natural that Authority shou'd Descend, that is, be Derived from a Superiour to an Inferiour, from God to Fathers and Kings, and from Kings and Fathers to Sons and Servants: But Mr. Hoadly wou'd have it Ascend, from Sons to Fathers, and from Subjects to Sovereigns: nay, to God Himself . . . And the Argument does Naturally Carry it all that Way. For if Authority does Ascend, it must Ascend to the Height.¹⁰⁴

All authority must be granted or conceded from one man to another, "else it were not Natural". God alone enjoys power which is not derived because He is the "sole Fountain of all Power and Authority on Earth as well as in Heaven." There can be no obligation of conscience to obey a government, Leslie insisted, unless it is derived from a divine authority; for the will to bind is meaningless without the power to bind, and so the power to bind men must ultimately be superior to them.¹⁰⁵

Leslie argued that consent among equals cannot create an authority to bind the consciences of men because men do not have power over their own lives, liberties and properties, "as Mr. Lock has Confess'd and Prov'd".¹⁰⁶ Settled government requires an absolute and arbitrary sovereign against which there can be no appeal. Because, as Locke had admitted, God has not

104. Leslie, Finishing Stroke, 87.

105. Leslie, Best Answer, 9, 11; Rehearsal, 1, no. 103 (11 May 1706). Cf. Filmer, Observations upon Grotius, Filmer's Works, 267.

106. Cf. Locke, Two Treatises, II, para. 6.

given man power over his own life, "nor, in his Natural State, over the Life of any other Man", the people could not have granted the power of life and death to any authority of their own creation. That power, whig theorists would not have denied, "is necessary in all Government". Leslie believed that the whigs offered no rational account of how governments legitimately possessed that fundamental attribute of sovereign power. Men's lives, liberties and properties, Leslie held, had been conceded to them by the crown, which claimed no more than a derivative power from God. Unless the magistrate's power of life and death was recognised as "the positive Institution of God", he declared, "no Obligation of Conscience can be laid upon any Man to Submit to any Government whatsoever."¹⁰⁷ For if men may revoke their consent whenever their self-interest dictates that it is reasonable and necessary for them to do so, then, "there is no such thing as Right and Wrong, as Just or Unjust." Unless we recognise a divine authority, governments can have

. . . no other Foundation than what I carry within my own Breast, that is, the Original Right and Freedom of Mankind. By which Two Men have no other Power over One, but Force. And that may be Repell'd by Force. Here is no Authority, to which I ought to Obey, for Conscience sake.¹⁰⁸

Government founded upon consent, Leslie believed, could have no surer foundation than a prudential calculation of self-

107. Leslie, New Association, 10-1; Cassandra, 5; Best Answer, 8-9; Rehearsal, 1, no. 38 (14 April 1705) & no. 102 (8 May 1706).

108. Leslie, Cassandra, 5; cf. Best Answer, 9.

interest and could owe its existence, ultimately, only to fear:

"This is Hobbs, his State of Nature"

Leslie's criticism of the idea of government resting upon the consent of the governed was essentially a criticism of the whigs' understanding of the nature of sovereignty, which was by definition absolute and arbitrary, and was necessary for the preservation of society. The exercise of sovereign power is an act of the will of its possessor, who must be superior to the object of his will. Leslie's discussion of sovereignty always implied a distinction between physical power, which surely resided in the people, and legal authority: "When we say that a man has not Power over his own Life, do we mean that he cannot Kill himself? No surely, but that if he do's he Commits a Sin. because God has not given him Authority so to do."¹⁰⁹

Legal authority, descending from God, is the only source of moral obligation to obey the possessor of civil power. And God conveys that moral power, not by His immediate revelation, but by law. Rightful possession of legal authority is founded upon the divine law of primogeniture. Nature "Dictates Pre-eminence to the Elder. But God Determines it in Express Words . . ."; in other words, God provided the means to preserve the civil government He established when He subjected Eve to Adam by subjecting Abel to Cain; which is sufficient to prove not only the divine institution of hereditary succession but

109. Ibid., 8. Cf. Downes, Answer to Lloyd, fol. 6.

also that dominion was not founded in grace.¹¹⁰ While the father lives, the eldest son is subject to him but superior to his younger brothers; but he attains absolute power at his father's death, as surely he must if the father's power is paternal and civil, "for ther is no Dividing of Supremacy, it consists in a Point. And every Civil Power is Supreme, where ther is no Superior, as I have told you before."¹¹¹ The patriarchs before the flood, according to Leslie, were the "Eldest of the Eldest" heirs of Seth, who had succeeded to Cain's right after he had been disinherited; afterwards, succession in the seventy nations was based upon primogeniture.¹¹²

Locke had ridiculed Filmer for making his patriarchal scheme depend upon primogeniture. For if kingship was founded in fatherhood, how could its powers be inherited by one who was not a father of his inherited subjects? If Adam had absolute authority over Cain and Abel because he had begotten them, how could Cain inherit that right over his brother, or how could Cain and Abel enjoy absolute authority over their wives and children if they were subject to the absolute authority of their father?¹¹³ This was one of the most telling criticisms

110. Leslie, Best of All, 23-4; Finishing Stroke, 27-35; Rehearsal, 1, no. 57 (25 Aug. 1705).

111. Leslie, Finishing Stroke, 29-30.

112. Leslie, Best of All, 24; Best Answer, 15; Rehearsal, 1, nos. 58-66 (1 Sept.-13 Oct. 1705).

113. Locke, Two Treatises, I, chap. 6.

of the patriarchal scheme. Hoadly did not fail to make similar queries of "its latest Patron", while suggesting that such difficulties as a son inheriting his father's powers over his own mother would disappear if Leslie would only admit a distinction between civil and paternal power.¹¹⁴

Leslie's persistent emphasis upon the subordination of one civil authority to a higher civil authority was intended to meet part of this objection. The first government had been that of Adam over Eve, who had been created for his benefit. Her subjection makes it obvious that her authority over her children was inferior to Adam's:

I mention this, because the Celebrated Mr. Lock in his Two (very Trifling) Discourses of Government, Printed 1690. (and so Admir'd by the Whigs) Labours the Point (in Odium to Monarchy) that the Power of the Wife was Equal to that of her Husband over their Children,¹¹⁵ because it was said, Honour thy Father and Mother.

Leslie also clearly distinguished between the institution of government--the subjection of Eve--and the means of its preservation--the subjection of Abel. The former was a model for all time and could never change. The latter operated in time and had been adjusted by God on more than one occasion, notably, in His disinheriting Cain in favour of Seth and, after the flood, in His abolition of the universal monarchy and erection of

114. Hoadly, Original and Institution, 35-8, 55-92, 166.

115. Leslie, Best of All, 21. See also Rehearsal, 1, nos. 55-56 (11 Aug.-18 Aug. 1705), no. 58 (1 Sept. 1705); Finishing Stroke, 3-6. Cf. Locke, Two Treatises, I, paras. 60-7; II, para. 52. Hoadly, Original and Institution, 70-1.

seventy independent kingdoms. But after each alteration in the succession of the patriarchate the succession continued according to the rule of primogeniture in the new line. God amended His creation in accordance with His own rules. And amendments could still be made, though not without a sign from God that He desired them; for example, if the rightful claimants ceded their rights or were extinguished.

Fatherhood, in Leslie's scheme, had really very little to do with begetting children and everything to do with the dominion which Adam had enjoyed over the world and its inhabitants. Leslie's associate Downes could write about "Civil Authority in a legal Father which is the same with that of a Natural",¹¹⁶ and it is as a legal father that Leslie's notion of a king is best understood. A king is literally the father of his people, not because he begot them, but because his sovereign will caused them to be a nation. Nothing was more nonsensical to Leslie than the idea that there was a nation before there was a government; "for People cannot become a Nation without Government, it is That which makes them a Nation."¹¹⁷ Kings and subjects are literally relatives; theirs is not a voluntary or contractual relationship but a natural one, that is, a relation which is founded in the nature of the related subjects.

116. See above, p. 374.

117. Rehearsal, 1, no. 131 (17 Aug. 1706). Cf. Downes, Answer to Lloyd, fols. 118-19.

The problem of the transference of the father's power occupied Leslie more than it had Filmer. As an active jacobite Leslie was fundamentally concerned to defend the primogenitive rights of the house of Stuart. Opponents of patriarchalism, however, had argued rather effectively that Filmer's theory had secured no royal family against a successful usurpation.¹¹⁸ Leslie was perhaps never less of a Filmerian than in his insistence that it is the duty of subjects to determine who is their legitimate ruler and to submit to him. They are capable of making such a determination because they are rational creatures who can reason from that law of nature--the superiority of the first born--which God revealed when He subjected Abel to Cain.¹¹⁹ The consequences of Leslie's determination to preserve primogeniture at all costs was a startling modification of Filmer's notion of sovereignty. Filmer's sovereign had an absolute property in his dominions and could dispose of them at will. Leslie's sovereign received his possessions not so much as a property, but as a trust from God. Kings claim no more than a derivative power, Leslie argued, and they can lawfully dispose of that trust only in accordance with divine law. It has recently been argued that "For Leslie fatherhood was a legal entity, a role, an agent in a relationship, something which, like property, could be alienated, transferred and usurped."¹²⁰ That statement

118. Daly, Sir Robert Filmer, chap. 5.

119. Rehearsal, 1, no. 66 (13 Oct. 1705); Best Answer, 25; Best of All, 15.

120. Goldie, "Tory Political Thought", 228.

is only partly true and potentially misleading unless one adds an important qualification. Leslie vehemently denied that any man, including a father and a king, has an absolute property in his possessions; consequently, he is not free to dispose of them at will. "We are but Tenants at Will, and are to look at nothing in this World as our inheritance; God only is the Proprietor, and hath given us but an usufructuary [sic] Tenure to live upon his Land, but not to think it our own."¹²¹

A son inherits from his father because that is how God has chosen to dispose of His property, not because of any right inherent in the son because he was begotten by the father or because of any right in the father because he has a property in his children. And though a father may cede his right to his property, he may not cede his son's rightful claim to that legal inheritance. Primogeniture is the means of perserving government among men; but it is a secondary means. God's will is primary. God normally acts through secondary causes, which are also called "natural". Succession from father to son is natural in that it is the instrument of God's will.¹²²

121. Leslie, Essay Concerning the Divine Right of Tithes, L.T.W., 2:814. The section entitled "Of Trust in God" (pp. 812-16) is an implied criticism of Locke on property (Two Treatises, II, chap. 5), although Locke is not mentioned.

122. On primary and secondary causes, see Leslie, Essay Concerning the Divine Right of Tithes, L.T.W., 2:812; Short and Easy Method with the Deists, ibid., 1:15. See above, chap. 3.

Leslie did not intend to argue, any more than Filmer had before him, that the house of Stuart was the lineal descendent of one of the seventy kings set up by God after the flood.¹²³ Because of men's sins, God has permitted conquests and usurpations in all nations,

. . . so that there is no King now upon Earth, who can Derive himself in a Lineal, Un-interrupted Hereditary Succession, from any of the 70 Kings of the Sons of Noah; The Usurper or Usurpers (tho' the act of Usurpation always remains a Wicked Act) take up the Government out of the Hands of the Right Owners, and succeed Immediately, without letting it Fall to the Free Election of the People; like a Ball perpetually Toss'd betwixt Rackets; This Ball of Government was never yet let Fall to the Ground.¹²⁴

Leslie consistently emphasised the rights of a possessor against all others, except the one with a better right, that is, an hereditary right.

Leslie's concentration upon the rights of the possessor was part of his campaign against any form of consent providing the foundation for government. His target here was not only the whigs but Filmer as well, who had suggested a patriarchal contract to fill the void when the rightful heir was unknown. That was an unacceptable solution to a disputed succession for it required, no less than did a popular contract, a reversal of the irreversible and uninterrupted descent of authority

123. W. H. Greenleaf, "Filmer's Patriarchal History", Historical Journal, 9, no. 2 (1966), 170, appears to disagree with this.

124. Leslie, New Association, Pt. II, 47. Cf. Cassandra, 25; Best of All, 27; Rehearsal, 1, no. 56 (18 Aug. 1705) & no. 66 (13 Oct. 1705).

from God through all levels of creation. It was precisely a reversal of that descent which Leslie understood to be the whig state of nature and liberty. Government must always continue because God's will must always be executed. If God's will was reversed or withdrawn, creation would be dissolved; if government was removed, "the World would Fall into the Chaos of the Universal Liberty these Common-Wealth Men Contend for . . ."; or, more precisely, it would fall into "Primitive nothing".¹²⁵ The fundamental flaw, according to Leslie, was the notion that men could ever create authority: men might just as well create God, a consequence of that belief which he thought was as inevitable as it was blasphemous. The assumption that authority could cease to descend was behind Leslie's accusation that whig ideas must dissolve all relations between men, for such relations depend upon the descent of authority from father to son, from husband to wife, from master to servant, from king to subject.¹²⁶

Authority could never have ascended from the people

125. Leslie, New Association, Pt. II, 47. Leslie's thought on the nature of authority is closely linked at this point to his and Dodwell's defense of the soul's natural mortality: ". . . what Receives its Being from another, must Depend upon Him for its Conservation as well as Creation. And when that is withdrawn, it falls of it self into its Primitive Nothing, without any outward Force, or other Intervention of a Foreign Power." Rehearsal, 2, no. 36 (11 Feb. 1708). See above, chap. 4.

126. Leslie, Cassandra, 30. Cf. Rehearsal, 1, no. 58 (1 Sept. 1705); 3, no. 29 (10 July 1708).

for the same reasons that there had never been a state of nature: the concept was both logically impossible and historically without foundation. Because all men had been born in subjection, they had never been in a position to consent to the creation of government. Leslie was particularly critical of Locke's notion that the consent of every individual was necessary to erect government--or, in Locke's terminology, to make a community--and that the will of the majority subsequently would bind all individuals.¹²⁷ "But in this Sense, the People are such an Unwieldy Body, that they can do nothing, can do no Act, either Good or Bad!" There could have been no way of gathering the consent of every individual in the state of nature, and there can be no way of determining the will of the majority when the greater part of the people have no vote in elections.¹²⁸ More importantly, Leslie could not understand how the will of the majority could ever bind a discontented minority. Locke, of course, had distinguished between the active consent of every individual, which created political society and its members' obligation to it, and the tacit consent which maintained that society until it was actively withdrawn.¹²⁹

127. Locke, Two Treatises, II, paras. 95-9.

128. Leslie, Cassandra, 2, 14; New Association, Pt. II, 42-53.

129. On Locke's theory of consent, see John Dunn, "Consent in the Political Theory of John Locke", Historical Journal, 10, no. 2 (1967), 153-82; Hanna Pitkin, "Obligation and Consent--I", American Political Science Review, 59, no. 3 (Sept. 1965), 990-99.

Hoadly even suggested that if Adam's descendents had given a tacit consent to his universal monarchy, that would be sufficient to prove there had been a compact. Leslie replied, quite reasonably, that government could not be founded upon tacit consent, for tacit consent supposes a government already in being. Tacit consent, in any case, he regarded as a ridiculous contrivance; the freest subjects in the world then must be the slaves of the mightiest tyrant, the "Mutes of the Grand Seignior".¹³⁰ If government is founded upon the consent of free and equal men, whose natural freedom is inalienable, how can a subsequent refusal to consent be taken as any form of consent? What gives the majority a greater right than the minority? What right has the majority to deprive the minority of its right to express its consent?

And if the Major Number say, you may Quit the Country, if you like not the Frame and Constitution which we have Voted, I will say No. Who gave you Power to Banish me my Country? It is my Country as well as yours. And for the Major Vote, the Greatest Part of the World are Knaves and Fools. I am Born Free, and no Man has Right to take my Freedom from me. And if I can gather a Party, tho' Fewer, we will Fight you for it. I grant we do it at our Peril. But what I say is, That there is no Obligation of Conscience on either side.¹³¹

Leslie noted that some whigs attempted to supply the defect in their theory of consent by maintaining that God

130. Hoadly, Original and Institution, 147-49. Leslie, Finishing Stroke, 18-20.

131. Leslie, Cassandra, 5. See further, Best Answer, 8; Finishing Stroke, 129-30; Rehearsal, 1, no. 38 (14 April 1705).

confirmed the people's consent. But such an argument, he replied, merely recognised that consent of the people was an impossible foundation for the binding of men's consciences.¹³² And he urged the whigs to observe the distinction between a consent of duty and a consent of authority. When the Old Testament speaks of people choosing a king, it means only that the people recognised and submitted to the king placed over them by God. It was not their consent which made the king, for making kings was not their office. Consent does not create a right; it only recognises and submits to a pre-existing right. To say that the people may consent does not mean that they "Decide the Right" but only that they "Determine their own Practice. For which they are still Answerable to God, and to the King, if they take the Wrong side." Thus, the people chose Absolam over David and Barabbas over Christ.¹³³

The whig concept of "the people" tended to become more restricted during the last half of queen Anne's reign, perhaps partly because of the obvious popular hostility to the whigs.¹³⁴

132. Ibid., 1, nos. 102-3 (8-11 May 1706). See Hoadly, Original and Institution, 143-44 (latter page misnumbered as '244').

133. Rehearsal, 1, nos. 76-7 (1-8 Dec. 1705); Constitution, Laws and Government, 33; Finishing Stroke, 20-2.

134. This has been suggested by Lee Horsely, "Vox Populi in the Political Literature of 1710", Huntington Library Quarterly, 38, no. 4 (1974-75), 335-53. Cf. Geoffrey Holmes, "The Sacheverell Riots: The Crowd and the Church in Early Eighteenth-Century London", Past & Present, no. 72 (Aug. 1976), 55-85. In The Finishing Stroke, 173, Leslie makes Hoadly say

Leslie believed he had gained an important victory when Defoe argued that the owners of land, the freeholders, were the original of government, rather than the whole body of the people.¹³⁵ Leslie asked the erstwhile defender of the commercial classes what effect his idea would have upon the rest of the people, who "are the Major Number." They might not have land, "yet they have what's as good, that is Money, Stocks, &c. And have they no Property in these, but at the Will and Pleasure of the Freeholders? Have they no Lives and Liberties to lose?" Defoe's championing of the cause of the freeholders brought from Leslie the predictable response that lands are not the absolute property of freeholders but are held of the king, whose right is derived from the grant of the whole earth to Adam.¹³⁶

Having defined the proper role of the people's consent to mean no more than a recognition of and submission to their divinely-appointed ruler, Leslie proceeded to defend the right of any possessor to hold the crown against all challengers, except the one(s) who can claim an hereditary right. It would be the peoples' duty to submit to a possessor if the heirs of

that since Sacheverell's trial, the whigs exclude high-church mobs from "the people": "But by the People we mean only Our Selves, the True Peaceable and Moderate Men!"

135. Review, 5, no. 128 (20 Jan. 1709).

136. Rehearsal, 4, nos. 45-6 (16-19 Mar. 1709).

the lawful king were unknown or had ceded their claims, because it is God's will that government always continue and that it never fall into the hands of the people. Hoadly ridiculed Leslie--as Locke had ridiculed Filmer--for contriving an elaborate scheme whereby monarchical right was deduced from Adam and Seth's eldest branch, tracing the succession in the seventy independent kingdoms after the flood through primogeniture in the male line, and then confessing that not a single ruler now can show his right to government by an uninterrupted hereditary succession. Strict succession by primogeniture, Hoadly charged, would destroy the patriarchal scheme.¹³⁷

Leslie used a simile of a stolen hat to illustrate his argument for possession.¹³⁸ If I steal your hat, it does not mean that I had a right against you; but having stolen your hat, I have a greater right to it than any one else, except you. Hoadly replied that possession of stolen goods does not convey a right to them, and if a thief is sometimes conceded ownership it is simply because that is the only way to end strife and contention; in which case, ". . . it is not Possession, but Public Good, which gives the Title,"¹³⁹ Similarly, Hoadly

137. Hoadly, Original and Institution, 92-3, discussing Leslie's account of the succession in the seventy nations and the rights of possessors in Rehearsal, 1, no. 66 (13 Oct. 1705). Cf. Locke, Two Treatises, I, chap. 8.

138. Rehearsal, 1, no. 66. Also in Cassandra, 5-6.

139. Hoadly, Original and Institution, 94-5.

argued that possession of government gives a right to the governor only as long as he preserves the peace and answers the ends of government. Leslie, on the other hand, held that possession gives right because the simple fact of possession by any contender prevents government from falling to the people, which would be a dissolution of government and a necessary collapse into chaos.

Leslie developed his argument about possession in order to exclude any possibility of consent by freeholders, heads of independent families or the people at large from playing a role in the erection of government. When his rejection of consent and his defense of possession are viewed together, his argument can properly be interpreted as a defense of order and settled government against any theory of popular rights.¹⁴⁰ But his theory of possession was developed not only against the idea of consent but also against the de facto arguments and the providentialist theories thrown up by the revolution. Those theories, Leslie believed, worked to persuade men that they could in conscience acknowledge any regime which was capable of preserving the peace and securing the ends of government. The purpose of Leslie's patriarchal theory was not simply to explain the nature of government, but also to provide a short and easy method by which men may determine who is, in fact,

140. This has been noted by Hawkins, Allegiance in Church and State, 143, and by Daly, Sir Robert Filmer, 137-39.

their legitimate governor.¹⁴¹

Leslie had no concept of government apart from the person of the governor. He made it plain that all right in the world is personal when he condemned the whig distinction between the king's personal and political bodies: "And if the Right of Government be not Inherent in the Persons of the Governors, ther is no such thing as Government on Earth, or ever can be."¹⁴² Defense of political order, for Leslie, was necessarily a defense of legitimate political order in a particular person, for he viewed order without legitimacy as a contradiction in terms. If there is a contest for the crown, the competition "cannot End without the Destruction or Restauration of those who are Nearest in the Line of Succession"¹⁴³ Subjects have a duty to determine the legitimacy of the contestants' claims and to submit to the one whose claim is based upon his "proximity of blood". Succession to an illegitimate government only proceeds according to the law of primogeniture once the rightful line has been extinguished or has been withdrawn.¹⁴⁴

141. See Rehearsal, 1, no. 57 (25 Aug. 1705) where the succession of the first born and the species of government are "further Demonstrated by the four Rules in The Short Method with the Deists: And shew'd to be Infallible."

142. Ibid., 1, no. 132 (21 Aug. 1706). See above, chap. 6.

143. Leslie, New Association, Pt. II, 47. Similarly, Englishmen had discovered in the 1650s that there could be only constant confusion until they "Turn'd, like the Tide, to their former Constitution and Government": Rehearsal, 1, no. 36. (31 Mar. 1705).

144. Leslie, Best of All, 25-7.

Leslie had an opportunity to expand upon his theory of possession when he replied to the former nonjuror William Higden's argument that "The Supreme Authority of the English Government rests in the King for the time being, and the Allegiance of the Subjects is due to him by the Common Law of this Realm."¹⁴⁵ From the time of the conquest until the reign of Henry VII, Higden argued, Englishmen had had no more scruples about submitting and swearing to the thirteen kings who had lacked an hereditary title than to the six kings who could claim one; and the law of the land makes no distinction between the acts of a king de facto and a king de jure.¹⁴⁶ Leslie denounced Higden for arguing that possession extinguishes right; it is a principle more fatal to human society than the pretence of power in the people: "This is Rapite, Capite, Catch who Catch can, Rob, Murder, Steal, all is your own you can Carry off!"¹⁴⁷ Hereditary succession was fundamental to the English constitution. While it might have been common practice

145. William Higden, View of the English Constitution, 1.
Leslie's opposition to Higden has been noted in Skinner, "History and Ideology", 172-73.

146. Higden, View of the English Constitution, 1-2, 6-7, 12-13, 23-33.

147. Leslie, Constitution, Laws and Government, 24-25. Cf. Finishing Stroke, 132-33: when Higden asserts that "the Right goes always along with the Possession" the Hottentote replies: "Is it not Easier to say, Ther is no Right at all? or does a Man Lose his Right because he is Robbed against all Law and Justice?"

for the people to submit to a de facto king, it was more important to remember that it was also common practice for "de Jure to pull down de Facto, and the People must Join in this too." When Richard, duke of York, presented his claim before the parliament of Henry VI, parliament declared against the possessor; parliament ". . . Declar'd, upon Richard's setting forth his Proximity of Blood, That his Title cou'd not be Defeated." None of the de facto kings cited by Higden had been content to rest their claim upon mere possession; rather, they had tried to strengthen their position by asserting their right by blood. Finally, while the crown was in dispute between the houses of York and Lancaster, all the kings were attainted in parliament for being only de facto rulers by the opposite side, which claimed the crown de jure. Thus, Edward IV attainted Henry IV, Henry V and Henry VI, Richard III attainted Edward IV, and Henry VII attainted Richard III; "Which if it be the Constitution, then how can a King de facto be a King by the Constitution, when the Constitution Attaints him for being a King de facto?"¹⁴⁸

High churchmen and jacobites agreed with Leslie's condemnation of Higden's work as a justification for swearing allegiance to any usurper, including Cromwell; his was

148. Leslie, Constitution, Laws and Government, 26-32. Leslie made liberal use of Robert Brady's The Exact History of the Succession of the Crown of England, the third tract of his Introduction to The Old English History, Comprehended in Three Several Tracts (London, 1684).

essentially a Hobbesian argument, they claimed, for he "resolves all into Possession", and so no government would be likely "to thank him for his Performance" ¹⁴⁹

Leslie's elaborate refutation of Higden served to emphasise his commitment to hereditary succession according to primogeniture as a fundamental law of the constitution which not even his absolute and arbitrary sovereign could abrogate. He believed his entire patriarchal scheme rested upon that revealed law of nature and that he had corrected Filmer's unfortunate lapse into consensualism at a crucial stage of the argument. Precisely put, Leslie's argument was not that possession gives right against any who have no better right; rather, it was that right descends upon the possessor from God when there is no longer a legal claimant against him. Hoadly was simply wrong when he tried to twist Leslie's argument to mean that there could be no right in any present possessor of sovereign power because the only true right was that descending in an unbroken line from Noah's grandsons. ¹⁵⁰

149. See Hearne, Remarks and Collections, 2:297, who takes note of the "smartness" of Leslie's reply. Leslie, Hearne asserted, "is a very Great Master of Reason." Leslie noticed Higden's Hobbesian tendencies in Constitution, Laws and Government, 103. For other similar reactions, see [George Harbin], The English Constitution Fully Stated: with some Animadversions on Mr. Higden's Mistakes about it . . . (London, 1710); [Hilkiah Bedford], A Vindication of Her Majesty's Title and Government, From the Dangerous Insinuations of Dr. Higden's View . . . (London, 1713).

150. Hoadly, Original and Institution, 94-97. Defoe later argued

Leslie's argument was not that right depends upon descent through an unbroken line. Right descends immediately from God, Who instituted primogeniture as the law by which His right is transferred. Because there is "a Necessity of Government always Continuing", God preserves that right. His eternal will operates in time through His revealed law of succession. Yet men really have no words to "express the Infinite Nature of God", Who "Dwells in Eternity". Men cannot conceive of time without past, present and future, that is, without succession. Yet for God, all things are immediately present, "both Past and to Come".¹⁵¹ The essential point is that right is always derived immediately from God, not from the succession. To take an illustration from the other form of government allowed by Leslie: bishops derive their authority immediately from Christ, although it is conveyed to them at the laying on of hands at their consecration. Leslie noted that the apostolic succession is still binding even though it was in the hands of papists for many years. And he urged that Christians had been obliged to submit to those idolatrous bishops during the centuries of the Roman usurpation. The necessity of govern-

that the Hanoverians had as much right as the Stuarts because "neither the Family of Stuarts, or any Family on Earth" can claim "a lineal uninterrupted Succession": [Daniel Defoe], The Layman's Vindication of The Church of England . . . (London, 1716), 29-31.

151. Rehearsal, 1, no. 233 (9 Aug. 1707); New Association, Pt. II, 17-20; History of Sin and Heresy, L.T.W., 1:802-5.

ment in the church obliged them to submit to "the Government in being, where there is no competition concerning the titles, or any that claims a better right than the Possessor" ¹⁵²

Leslie's political thought was profoundly coloured by his theology. Indeed, had he been primarily a political theorist, he probably would never have settled upon patriarchalism as a suitable form of argument. More conventional and representative spokesmen for the jacobites stayed away from it. "Let me ask you", George Hickes wrote to White Kennett, "who ever looked for Hereditary Succession in y^e Gospel, or expected to find it there, or went to prove it from thence more, than any other form of Civil Government?" He did not believe he had sacrificed his cause when he admitted that hereditary succession and passive obedience "hath no foundation in y^e Gospel more than election", for they "hath foundation in y^e English Constitution" and "hath been often proved beyond contradiction". ¹⁵³ Leslie, however, was fundamentally a theologian. Nothing is more important to his

152. Leslie, Discourse shewing Who they are, L.T.W., 2:721, 729-33. See above, chap. 5.

153. Hickes to Kennett, 1 Nov. 1711: Bodl. MS. Eng. Hist. b.2, fols. 158v-159. Fol. 159r&v of this extremely long and bitter letter reads almost as a last will and testament of expiring Stuart royalism. Kennett had described Hickes's ideas about passive obedience and hereditary succession as "rigid Notions". Hickes responded with a concise bibliography of favourite royalist sources, including his own Jovian, to "prove y^e rigid notions of D^r Hickes to be very ancient". He included, besides polemical literature, the church's homilies, acts of parliament, the parliamentary debates at the time of the exclusion bill, the will of Henry VIII and the case of Henry VI.

thought than his conception of the will of God descending through all levels of His creation, holding the entire chain together. Without that will there would be "Primitive nothing". Leslie's writings are essentially an attempt to account for the uninterrupted descent of that will to men in their natural state of government. It is not surprising that he tried to amend the patriarchal theory of Sir Robert Filmer at precisely those points where he believed both an interruption and an ascent of that will had been allowed.

CHAPTER 8

"LET THE ARM OF FLESH DECIDE IT"¹:

LESLIE'S FINAL YEARS

Leslie wrote The Finishing Stroke while staying at Francis Cherry's residence in Berkshire. He spent six months disguised in regimentals at "my Tusculum" before leaving for the continent.² After having failed to respond to the warrant issued against him on 24 July 1710, he was declared an outlaw on 5 August. He could not be found when his apprehension was ordered in early September,³ and soon it was reported that he had fled to Switzerland.⁴ Leslie eventually went to Saint

1. Charles Leslie's father, the bishop of Raphoe, had offered the following prayer before leading his protestant neighbours against some native Irishmen who had "cruelly ravaged" their estates after the collapse of the royalist cause: "Almighty God, unto whom all hearts be open, Thou knowest the righteousness of the cause we have taken in hand, and that we are actuated by the surest conviction that our motive is just; but, as our manifold sins and wickedness are not hid from thee, we presume not to claim thy protection, trusting in our own perfect innocence, yet, if we be sinners, they are not saints; though then thou vouchsafest not to be with us, be not against us, but stand neuter this day, and let the arm of flesh decide it." Shirley, History of County Monaghan, 141.

2. Secretan, Memoirs of Robert Nelson, 71. Leslie published The Truth of Christianity Demonstrated "From my Tusculum" while staying in Berkshire. The allusion is to Cicero's refuge outside Rome, to which he retired after his proscription.

3. P.R.O. Entry Book 78, 21 Sept. 1710. See Luttrell, Historical Relation, 6:609, 615, 627; Hearne, Remarks and Collections, 3:44.

4. Medley, no. 1 (5 Oct. 1710). Demands that the pretender leave France and retire to Switzerland were made by English ministers

Germain, where he presented the pretender's advisers with a paper outlining the state of affairs in an England eager and waiting for restoration.⁵ For two years he had no fixed place of exile. From the Stuart court he went to Holland, and he made at least one secret trip back to England.

Leslie was forced to flee because he had advocated "positions tending to bring in the Pretender". However, that was only part of the explanation. The Rehearsal had been silenced in 1709 but Leslie had escaped prosecution by pleading a royal pardon. At the time of Sacheverell's trial unsuccessful attempts had been made to obtain information about his activities in Ireland at the time of the revolution so that his advocacy of the doctrines of passive obedience and non-resistance might be discredited.⁶ The ministry's hopes of putting an end to Leslie's propaganda were raised in 1710 because the charge against him now was more specific, and therefore more easily proved. Leslie absconded in 1710 because he was also charged with libelling the bishop of Salisbury.

during the peace negotiations: see H. N. Fieldhouse, "Oxford, Bolingbroke, and the Pretender's Place of Residence, 1711-14", English Historical Review, 52, no. 206 (April 1937), 289-96.

5. The "Memoire du Sieur Lamb" of April 1711, which is translated in Original Papers, ed. Macpherson, 2:210-18. R. J. Leslie (Charles Leslie, 461) was familiar only with this translation and believed it could not be faithful rendition of the original; but, in fact, it compares very well with the copy of the original found in Bodl. MS. Carte 180, fols. 289-96v.

6. See above, chaps. 2 & 6.

Leslie and Burnet had carried on a public feud which dated back to the early sixteen-nineties and which is of considerable importance for both their careers. With the possible exceptions of archbishop Tillotson and, later, Benjamin Hoadly, Gilbert Burnet was the churchman nonjurors most despised. Before the revolution both Burnet and Tillotson had been respected exponents of loyalist doctrines and together had attempted unsuccessfully to extract a renunciation of rebellious principles from lord Russell, who had been executed in 1683 for plotting against the royal family.⁷ Yet Burnet was friendly with the Russell family and consequently was distrusted by James II. He thought it wise to undertake an extensive tour of Europe after 1685. Eventually he settled in Holland, where he became acquainted with the prince and princess of Orange. In 1688 he accompanied William during the invasion of England and was not backward in insisting to anyone who would listen that there could be no settlement with James. "The sword is drawn", he declaimed to the earl of Clarendon; and in the years that

7. See T. E. S. Clarke and H. C. Foxcroft, A Life of Gilbert Burnet, Bishop of Salisbury (Cambridge, 1907), 185-98. See also Supplement to Burnet's History, ed. Foxcroft, 515-19 (Appendix I: "Additional Note on Burnet's Change of View with regard to Passive Obedience") which indicates that Burnet's change of view was more radical than he was later willing to admit and that, even from Holland, he was still enunciating the doctrine of non-resistance as late as 1686. A letter to Dr. Fall, principal of Glasgow University, dated from The Hague, 26 Sept. 1686, is of particular interest and is printed in full in Life of Burnet, 219-21. Leslie printed Tillotson's letter to Russell in an appendix to Good Old Cause.

followed jacobites could never take seriously his insistence that he had merely waited upon providence, since his active role in the revolution was a matter of public record.⁸ His promotion to the rich see of Salisbury infuriated nonjurors. He branded himself as an enemy of the church, not only to jacobites but to conforming churchmen as well, when he belittled the claims of the lower clergy during the convocation controversy and soon after became an outspoken opponent of the proposed legislation against occasional conformity. Burnet was prosperous, talkative and self-assured, without a trace of subtlety. To nonjurors such as Leslie, Hickes and Dodwell, he had come to stand as the representative of that dedicated band of whig and latitudinarian churchmen who had ganged up on the church of England in order to deliver her, stripped of her doctrines of passive obedience and non-resistance, into the hands of rebellious secular politicians.

Burnet condemned the earl of Clarendon and his followers for denouncing as socinians all those who received preferment in the church after the revolution.⁹ Yet it would not be too

8. Clar. Corr., 2:213-17. For other early suspicions of Burnet's actions and motives, see Dodwell to Lloyd, 7 Jan. 1689/90: Bodl. MS. Cherry 23, fol. 164. For Burnet's providentialist views, see Gilbert Burnet, A Sermon Preached at the Coronation of William III, and Mary II. . . . (London, 1689); and for the tenacity of those views, cf. the passage quoted from his sermon before George I on 31 Oct. 1714 in Kenyon, Revolution Principles, 169.

9. See above, chap. 2. Burnet's History, 4:50-1, 57-8; Supplement to Burnet's History, 332.

extreme to conclude that the new establishment invited those charges. For a time, at least, it had appeared satisfied with Humphrey Hody's argument that submission was due to a bishop put into the see of another bishop who had been uncanonically deprived, so long as the new bishop was not a heretic.¹⁰ Nonjurors immediately set out to satisfy that condition laid down by the apologist for the new bishops. Henry Dodwell, bishop King was informed, "is rummaging the MSS." of the Bodleian library, "and he with Mr. Kettlewell, has wrote two books to prove us all schismaticks"¹¹ George Hickes was at his vicious best in Some Discourses upon Dr. Burnet and Dr. Tillotson (1695). Leslie contributed his Charge of Socinianism, which condemned Burnet and Tillotson for thier Hobbism and deism, as well as for their socinianism, and urged the English clergy and laity to separate immediately from their heretical and usurping spiritual fathers.¹² Leslie soon attacked Burnet again in Tempora Mutantur, or the great change from 73 to 93, which once more charged his subject with

10. Hody, Unreasonableness of a Separation and Case of Sees Vacant, discussed above, chap. 5.

11. Bishop Foy to bishop King, 19 May 1693: H.M.C. Second Report, Appendix 15, p. 232n.

12. Leslie referred to Hody's edition of the Baroccian MS. when he urged Englishmen to separate from heretical bishops: Charge of Socinianism . . . A Supplement . . . , Theological Works (1832), 2:667-69, which also notes errors in Hody's edition. The errors had first been pointed out by Dodwell in Vindication of the Deprived Bishops: see above, chap. 5.

socinianism and contrasted his "Primitive and Episcopal Loyalty" of earlier years with his more recent espousal of "the deposing doctrine".¹³

Taunting Burnet became a regular feature of Leslie's writings. The bishop blamed this "rude pretender to learning who fell on me in a very petulant stile" for arousing against him the clergy of his own diocese.¹⁴ Indeed, he singled out Leslie as the source of clerical unrest throughout the country. On at least three occasions in the house of lords Burnet named Leslie--"the furiosest Jacobite in England"--as the instigator of domestic turmoil for the purpose of smoothing the way for a Stuart restoration.¹⁵

Leslie often attacked Burnet by pretending to write a defence of him. His response to the bishop's speech against the occasional conformity bill of 1704 is typical.

13. The title of the work is: Tempora Mutantur, or the great change from 73 to 93. In the travels of a Professor of Theology at Glasgow from the Primitive and Episcopal Loyalty, through Italy, Geneva, etc. to the deposing doctrine under Papistico-Phanatico-Prelatico colours at Salisbury . . . (London, 1694). It was an answer to Burnet's Four Discourses . . . to the Clergy of the Diocese of Sarum . . . (London, 1694).

14. Supplement to Burnet's History, 499, 506-7.

15. The occasions were the debate on occasional conformity in 1704, the debate on the resolution that the church was in danger in 1705, and the Sacheverell debates in 1710. See Clarke and Foxcroft, Life of Burnet, 406, 443; "Debates in the House of Lords on 'The Church in Danger', 1705, and on Dr. Sacheverell's Impeachment, 1710", ed. Clyve Jones, Historical Journal, 19, no. 3 (1977), 766.

The Licence of this Age, and of the Press is so great, that no Rank or Quality of Men is free from the Insults of Loose and Extravagant Wits.

The good Bishop of Salisbury has had a Plentiful Share in this sort of Treatment. And now at last, some or other has Presum'd to Burlesque his Lordship, in Printing a Speech for him, which none that knows his Lordship can believe ever came from him.¹⁶

Not only was the speech too weak a performance to have been spoken by the bishop, Leslie asserted, but it was also completely inconsistent with what he had written years earlier, when he had been a noble defender of episcopacy in Scotland.¹⁷ It was in a similar manner that Leslie attacked the published version of Burnet's speech at Sacheverell's trial and his sermon preached in Salisbury cathedral on 29 May 1710.¹⁸ In both cases Leslie sought to vindicate passive obedience and non-resistance as ancient doctrines which had always been taught by the church. Indeed, Leslie argued, Burnet himself had written extensively on behalf of those very doctrines for which Dr. Sacheverell suffered prosecution. Whoever was

16. [Charles Leslie], The Bishop of Salisbury's Proper Defence from a Speech Cry'd about the Streets in his Name . . . (London, 1704), 1. See The Bishop of Salisbury's Speech in the House of Lords upon the Bill against Occasional Conformity (London, 1704).

17. Leslie referred to Burnet's case against the presbyterians in his Vindication of . . . the Church and State of Scotland . . . (Glasgow, 1673). Jacobites attempted to embarrass Burnet by publishing an edition of this work when episcopacy collapsed at the time of the revolution: see Clarke and Foxcroft, Life of Burnet, Appendix II, p. 523.

18. Both attacks are in The Good Old Cause, although they are paginated separately. Leslie was not alone in using this method of attack: see Anon., A Vindication of the Bishop of Salisbury and Passive Obedience . . . (n.p., 1710).

responsible for publishing Burnet's speech and sermon, with their "Crude and Undigested" arguments, had succeeded only in exposing the real author as "a Judas", "an Apostate", and "a Renegado".

Leslie also defended himself from Burnet's charge that clerical anger had been aroused by The Rehearsal. If The Rehearsal had caused an outcry, it had come from the rebels rather than the clergy:

The Observers, Reviews, and Rest of the Scandalous Club, soon took the Allarm, and Run Yelping and Screaming about the Town, which they Fill'd with their Din, Crying out, We are all Undone! Now see to thy own House, Revolution! O Revolution, Treason! Treason, Revolution!¹⁹

Leslie considered Burnet's accusation that one man was responsible for the present popularity of passive obedience and non-resistance, as witnessed by the deluge of loyal addresses from "all Corners of the Kingdom" and by the violent reaction against the whigs and dissenters:

I remember the Rehearsal always Insisted upon this, That tho' the Whigs and Dissenters were set up on High, and Rode Triumphant, yet that the Bulk and Weight of the Nation was with the Church, and wou'd at some time or other Cast the Ballance, and give a Turn to Affairs. But he was thought a Visionaire, and others daily Expected to see the Church tumble Down, while the Batteries were continually Playing against it, without Resistance!

19. Leslie, Good Old Cause, 29. Cf. Anon., A Letter . . . Concerning the threaten'd Prosecution of the Rehearsal . . . (London, 1708), which complains that the Rehearsal began only after Tutchin and Defoe "had been in Possession of the Kingdom" for years.

But now we find that his Computation was Just, and has taken the desired Effect. And wou'd the Bishop of Sarum, if he meant any Prejudice to that Author, give him the Honour . . . to be the Main Instrument in this so Glorious a Revolution, so Happily Begun, and now going on to be Perfected, under the Divine Direction!²⁰

In 1710 Leslie was more confident than he had ever been that the true spirit of the nation, long held in check by a wilfull minority, would assert itself. And, despite his bold modesty, he was sure of his own important role in reviving that spirit. When The Rehearsal had been suppressed the year before he had warned the whigs that they had acted too late, for his work was done. He had answered all their arguments with the principles of scripture, law and reason; "And all the Devils of Hell will never be able to Root up the Seed I have Sown in England, of the Original, the Deduction, and Obligation of Government, of Monarchy and Loyalty."²¹

Burnet was infuriated by Leslie's latest attack and he demanded justice. For almost twenty years he had been aware of Leslie's jacobite activities. As early as 1691 he had recommended to Nottingham that the answer to William King be suppressed, and so had been responsible in part for Leslie's first flight to the continent.²² Perhaps Burnet's resentment of Clarendon's ill-disguised suspicions of him encouraged his

20. Good Old Cause, 30-1.

21. Rehearsal, 4:Preface.

22. Robert Southwell to King, 8 Sept. 1691: H.M.C. Second Report, Appendix I, pp. 235-36.

particular vigilance against the earl's chaplain and agent. In any case, it has been suggested that Leslie's attacks on Burnet were inspired partly by a desire for revenge;²³ there is no doubt of the intense personal hatred which lay beneath their political and philosophical differences. Leslie had to wait several years before executing his finest piece of treachery against the bishop. When, in 1703, he printed extracts from "a certain Secret History, Not yet Published", he so mortified Burnet that his History of My Own Time was immediately subjected to a thorough revision.

Burnet had begun writing his memoirs in 1683. He continued to add to the work and, by the late sixteen-nineties he had a completed draught, which he loaned to lord William Poulet, son of the duke of Bolton.²⁴ Poulet, without Burnet's knowledge, hired a number of scribes to copy the work. One of these was Robert Elliot, a Scottish nonjuror, who copied certain passages for his own use. Leslie was shown Elliot's transcripts and, after the latter's death, he acquired his papers.

Leslie had no scruples about using this new-found treasure for the advantage of the high-church campaign. The sections of Burnet's memoirs which Elliot had made available

23. Clarke and Foxcroft, Life of Burnet, 307, 508.

24. For this, and for the rest of this paragraph, see Supplement to Burnet's History, x-xxv passim. The notice of this incident in R. J. Leslie, Charles Leslie, 294, is not helpful.

to him concerned events in England and Scotland during the years from 1679 to 1681.²⁵ Apart from William of Orange's intrigues with the opposition members of parliament at the time of the exclusion bill and a typically self-congratulatory note upon the reception of his History of the Reformation, Burnet's tone in these extracts is severely anti-clerical.²⁶ These anti-clerical comments were precisely suited Leslie's purposes when he published them in the New Association, Part II. in the spring of 1703. The author of the secret history dared not publish it, Leslie wrote; but he assured his readers that the part of it he had seen "is the lewdest libel that ever my eyes saw drop from the pen of any atheist, or the most spiteful dissenter, against the Church and the Crown, and all clergymen whatever, of whatever degree or profession."²⁷ The next year he published further extracts and included a stinging character sketch of Burnet, whom he described as a fanatical enthusiast who "was zealous for the truth, but in telling it always turned it into a lye. He was bent to do good but fated to mistake

25. "The Elliot-Leslie Extracts, 1679-81" are printed in full in Supplement to Burnet's History, 99-108. Elliot's own copy, which Leslie used, is found in Bodl. MS. Rawl. b. 453, fol. 45, which is discussed in Supplement, lxiii-lxiv.

26. E.g.: ". . . I always believe well of laymen till I see cause to change my mind; though as to clergymen, it is quite otherwise with me, for I have seen so much amiss in that profession that I am always inclined to think ill of them till I see cause to think otherwise."

27. Quoted in Supplement to Burnet's History, xiii.

evil for it."²⁸

Burnet, it seems, had been planning to revise his memoirs. He was impressed by the high quality and character of Clarendon's History of the Rebellion, which had begun to appear in 1702; and he had an unreserved admiration for the French humanist historian Thuanus, who had completed a history of his own times with an autobiography.²⁹ Burnet's plan was to transform his memoirs into a history of his times. According to the historian most familiar with the textual evolution of that work, Leslie's revelations cannot be considered to have "occasioned" the revisions, but they certainly had a great effect upon their "character".³⁰ Burnet set to work just at the time Leslie published extracts from the memoirs. As he wrote the history of Charles II's reign he tempered all of the severe judgements which had horrified Leslie, as well as qualifying other passages which had criticised clerical corruption and ignorance in the years

28. [Charles Leslie], Cassandra. Numb. II (London 1704); "Burnet's character, by Mr. Lesly, who perfectly knew him": H.M.C. Fifth Report, Pt. 1, 355. See Clarke and Foxcroft, Life of Burnet, 407; Supplement to Burnet's History, xv.

29. See Clark and Foxcroft, Life of Burnet, 403-4; Supplement to Burnet's History, xiv-xv, and pp. 450-51 for Burnet's respect for Thuanus, reprinted from Bodl. MS. Add. d.24, fol. 195. For a brief note on Jacques Auguste de Thou (1555-1617), "conventionally known as Thuanus", see Harry Elmer Barnes, A History of Historical Writing, 2nd revised ed. (New York, 1962), 117-18.

30. See Supplement to Burnet's History, xiv-xv; cf. Clarke and Foxcroft, Life of Burnet, 404.

following the restoration. Leslie's intention had not been to force Burnet to revise his memoirs, but rather to embarrass the bishop and to expose that opponent of the occasional conformity bill as an enemy to the church of England and its clergy. In that he succeeded; but his influence upon the final version of one of the most important contemporary histories of the later Stuart period deserves notice.³¹

Although Leslie had been forced into hiding and lived in danger of arrest and prosecution as a result of his prolonged quarrel with Burnet, the years from the trial of Sacheverell until the death of the queen were active ones for him. They were also years during which optimism was not an unreasonable sentiment for a jacobite. Sacheverell was given a tumultuous welcome when his three year suspension expired, which caused some whigs to worry that the hysteria of 1710 had not been simply "a Fit of blind Zeal, the worst sort of Madness" but rather a true measure of the nation's feelings.³² The church after 1710 appeared to be willing to give its assent to the

31. It should also be noted that Leslie's publications from the original memoirs encouraged contemporaries to be suspicious of Burnet's history when the first volume was published posthumously in 1723. See Canon William Stratford to Edward Harley, 15 Nov. 1723: H.M.C. Portland MSS., 7:367-68.

32. [Philopatrus], Reflexions upon Sach--l's Thanksgiving Day, and the Solemnities of that Great Festival . . . (London, 1713), 3-7, 9-11. See also Anon., The Doctor no Changeling: or Sacheverell Still Sacheverell . . . (London, 1713).

most extreme statement of the doctrines of passive obedience and non-resistance, and convocation might have done so had its members not become diverted with questions of immorality and heterodox theology.³³ This renewed vigor was greatly encouraged by the return of a number of moderate nonjurors to the main body of the church of England. Politically, they were jacobites, and by affecting a coincidental sneeze during the "immoral prayers" they still refused to hear the intercession on behalf of an illegal monarch; but, led by Dodwell, they believed the cause for their separation had ended in 1710 with the death of William Lloyd, the last of the deprived fathers who had not ceded his rights.³⁴ Dodwell admitted privately that all haste must be made to end the schism

33. See, for example, Luke Milbourne, The Measures of Resistance to the Higher POWERS . . . (London, 1710). The queen's whig physician informed her that "the Pious part of the People were pleas'd with taking Convocation off from Hereditary Right, and Passive Obedience, to fix their thoughts against Immorality and Atheism" The Diary of Sir David Hamilton, 1709-1714, ed. Philip Roberts (Oxford, 1975), 30 (12 Feb. 1711). For the convocation of 1710, see Every, High Church Party, chap. 7, and G. V. Bennett, "The Convocation of 1710: An Anglican Attempt at Counter-Revolution", Studies in Church History, eds. G. J. Cumings and Derek Baker (Cambridge, 1971), 7:311-20.

34. See Brokesby, Life of Dodwell, 453-90; Every, High Church Party, 127-28; Overton, Nonjurors, 234-37; Hugh A. L. Rice, Thomas Ken, Bishop and Non-Juror (London, 1964), 213-14; Secretan, Memoirs of Robert Nelson, 78-82. Ken of Bath and Wells was still living, but he had ceded his rights to George Hooper. In 1705 Dodwell had first raised the question of a return to the church: A Case in View Considered . . .; in 1711 he published The Case in View, now in Fact . . ., urging an immediate end to the schism.

because the atmosphere in the newly-elected lower house of convocation was particularly favourable to "the Principles of the Spiritual power".³⁵

If jacobite churchmen were hopeful during Anne's last years, their inability to remain united was an ominous sign. Leslie did not join Dodwell in returning to the church, although it seems that he contemplated it.³⁶ He insisted that the provisions which the deprived bishops had made for the continuation of the succession were still binding and that the members of the established church were in a state of rebellion against their legitimate spiritual rulers. Dodwell was devious almost to the point of dishonesty on the question

35. See Dodwell to Robert Nelson, 14 Feb. 1710/11: Bodl. MS. St. Edmund Hall 14, fols. 44-5. In rejoining the main body of the church of England, Dodwell had to acknowledge Burnet as his lawful bishop. He immediately informed his spiritual father that his reconciliation must not be interpreted as an assent to the bishop's erastianism and his betrayal of the doctrine of non-resistance: Dodwell to Burnet, Feb. 1710/11: ibid., fols. 42-3.

36. Broxap (Later Non-Jurors, 9) refers to a series of letters between Leslie and Hickes which I have not seen. In them, Leslie apparently attacked the secrecy of the consecrations of 1693 and suggested that the nonjuring succession should continue in Scotland but not in England. Not surprisingly, Hickes rejected that odd scheme. Certainly Leslie's letters referred to later in this paragraph, to which Broxap does not refer, give no indication of this position. When one considers Leslie's important role in the consecrations of 1693 (above, chap. 2), these letters appear even more strange. It may be that he tried to convince Hickes to take advantage of the occasion to end the schism, and that when Hickes refused he felt obliged to remain loyal to one who, he knew, had a valid claim to be his spiritual father. Leslie's later differences with the nonjurors (see below) indicate his lack of sympathy for developments within the group. In any case, Every (High Church Party, 128) is mistaken when he includes Leslie among those who resumed communion in 1710.

of the nonjuring succession. In 1701 bishop Ken had informed him that he had reluctantly agreed with his colleagues that the succession ought to be preserved by consecrating George Hickes and Thomas Wagstaffe as suffragan bishops; "so y^t y^e Controversy, w^{ch} . . . was to end wth our lives, is to be perpetual" ³⁷ In 1711 Dodwell wrote as if those consecrations had never taken place. The deprived fathers might have perpetuated the schism, he wrote, ". . . if they had filled the invalidly-deprived Sees, as they fell vacant by a Synodical Act under their Metropolitan of Canterbury." ³⁸ Dodwell was plainly arguing that the apostolic succession required bishops consecrated for particular districts, a position which he had specifically denied earlier. ³⁹ Leslie testified privately that bishop Lloyd of Norwich "told me on his death bed" that "all was done canonically & well" at the time of the new consecrations. The foundation of Christ's church is episcopal authority, not particular districts, which "are not necessary, where they cannot be had, w^{ch} is our Case." Dioceses had only been organised as a means to promote order once the church had prospered, Leslie asserted; but all the nonjurors in England "would not make one Diocese, hardly a good Parish." It was,

37. Ken to Dodwell, 10 Nov. 1701: Bodl. MS. Cherry 23, fol. 193.

38. Dodwell, Case in View, now in Fact, 29; cf. Appendix, pp. 3-4.

39. Dodwell, Doctrine of the Church of England, XII-XIV. See above, chap. 5.

then, merely "contending for impossibilities" to insist that the succession required rival bishops in every diocese.⁴⁰

Although Leslie remained loyal to the declining body of nonjurors, he spent the last decade of his life reacting against the theological developments which the leading members of that group encouraged. Certain influential nonjurors, following the example of George Hickes and eventually known as "usagers", began to question the adequacy of Anglican worship.⁴¹ Specifically, they objected to those revisions in the second prayer book of Edward VI (1552) which had obscured the sacrificial nature of the holy eucharist. For a time they preferred the first prayer book of Edward VI (1549); but in 1718, after a close study of the liturgies of the primitive church, they issued a communion office which included usages they believed were essential to the proper celebration of the eucharist.⁴² This controversy caused a further schism among

40. Leslie to Samuel Parker, 23 Oct. 1710: Bodl. MS. Eng. th. e.20, fols 224-25. There is a series of letters, written in October and November 1710, between Leslie and Parker and between Parker and Brokesby (who was writing on Dodwell's behalf) discussing this question: ibid., fols. 223-35.

41. On the usages controversy, see Broxap, Later Non-Jurors, 35-65; Lathbury, History of the Nonjurors, 276-303; Overton, Nonjurors, 290-308; J. W. C. Wand, The High-Church Schism (London, 1951), 45-9. Chronologically, this controversy arose near the end of Leslie's life, but it is more convenient to treat it at this time within the larger context of his relations with the nonjurors after 1710. Moreover, it is important to consider his general theological outlook before discussing his attempt to influence the pretender.

42. The usages re-introduced in 1718 were: the mixing of water

the nonjurors, with usagers and non-usagers consecrating their own bishops and ordaining their own clergy.

The dispute had been simmering for a decade before it finally became public. George Hickes, the acknowledged leader of the nonjurors, agreed with the liturgical reforms and, apparently, would use only the first prayer book of Edward VI whenever he celebrated the eucharist.⁴³ But Hickes had the political wisdom not to insist upon the necessity of the reforms, fearing that to do so would only encourage charges of deviation from established practice; that could only undermine the fundamental defense of the nonjurors, which was that it was the conforming churchmen, not themselves, who had rejected the established doctrine of the church of England. Hickes's death in 1716 removed the one figure who could keep "all snug",⁴⁴ and those who wanted reform made their views public. The

with the wine in the chalice, prayers for the dead, prayers for the descent of the Holy Ghost upon the sacramental elements, and the oblatory prayer emphasising "that the Holy Eucharist is a proper sacrifice". See Jeremy Collier, Reasons for restoring some Prayers and Directions . . . (London, 1717), and Thomas Brett, A Collection of the Principle Liturgies, Used by the Christian Church in the Celebration of the Holy Eucharist . . . (London, 1720). The revised Book of Common Prayer of 1927 accepted these usages: see H. Broxap, "Jacobites and Non-Jurors", Social & Political Ideas of some English Thinkers of the Augustan Age, ed. Hearnshaw, 111.

43. Hickes had suggested these reforms as early as 1707: see his Two Treatises, 1:li-lvii. For his own practices, see Lathbury, History of the Nonjurors, 278n. See also [Hilkiah Bedford], A Seasonable and Modest Apology In Behalf of the Reverend George Hickes and other Non-Jurors (London, 1710).

44. Menzies to Inese, 18/29 Oct. 1716: H.M.C. Stuart MSS., 3:151-52.

Stuart court was furious with those "hot heads that spoil all society, [who] are the bane of all good designs and all good measures of the wisest men."⁴⁵ The leaders of those "boutefeux" were "earnestly" implored by the pretender to cease publishing their demands, which had succeeded only as an encouragement to "Presbyterians and Church Whigs" to persecute what had been a healthy nonjuring community.⁴⁶ The pretender's advisers urged Leslie to write "a wise letter to [Hickes's] successors to knock down unseasonable folly." Jacobites, including Atterbury, were "extremely pleased" with Leslie's letter; Menzies thought it "a masterpiece very much à propos at present against that foolish dispute".⁴⁷ In England, however, leading usagers complained of Leslie's "air of superiority"⁴⁸ and attacked him in print, using his method against Burnet as their model. According to Roger Laurence,

45. Menzies to Mar, 29 Oct./9 Nov. 1716: ibid., 3:196.

46. Mar to Campbell, 10 Oct. 1716: ibid., 3:65-6; Menzies to Mar, 8/19 Nov. 1716: ibid., 3:235-36. Menzies' letter complains of the usagers' "pamphlets [which] came swarming out every day" and notes the effect this controversy has had upon nonjuring meeting houses in London, "which were thriving mightily". The nonjuring minister Dr. Richard Welton complained of persecutuion by dissenters in The Church Distinguish'd from a Conventicle . . . (London, 1717). For a bibliography of pamphlets written during the controversy, see Broxap, Later Non-Jurors, 63-5.

47. Menzies to Inese, 18/29 Oct. 1716: H.M.C. Stuart MSS., 3:152; Menzies to Mar, 29 Oct. 9/ Nov. 1716: ibid., 3:196, reporting his own and Atterbury's satisfaction with Leslie's letter.

48. Menzies to Mar, 8/19 Nov. 1716: ibid., 3:235.

someone had presumed to "burlesque" Leslie's orthodoxy by publishing letters in his name "which none that know him are willing to believe were ever the Productions of his Pen".⁴⁹

A Letter from Mr. Leslie to his Friend, against Alterations or Additions to the Liturgy of the Church of England is an extraordinary work. It is only seven pages long and it makes only one essential point; but, to the usagers, it seemed to be an unusual point for the author of the Short and Easy Method with the Deists and the Truth of Christianity Demonstrated to make. The leading usagers had made a close study of the writings and practices of the primitive church and they were certain that the tradition of the Christian church had an authoritative role to play in interpreting scripture.⁵⁰ Primitive doctrine, discipline, worship and government, they insisted, were the standard of the English reformation; and, Brett reminded Leslie, "we have not yet come up to our Standard, and therefore we ought by all lawful means to get up to it, as soon as we can."⁵¹ In earlier years, Leslie had argued in precisely that fashion. The chances for reformation in the

49. [Roger Laurence], Mr. Leslie's Defence from Some Erroneous and Dangerous Principles . . . (London, 1719). See also [Thomas Brett], An Answer to a Printed Letter, Said to be Written by Mr. Lesley . . . (London, 1718).

50. See especially [Thomas Brett], Tradition necessary to Explain and Interpret the Holy Scriptures . . . (London, 1718).

51. Brett, Answer to a Printed Letter, 7.

sixteenth century, he held, had been lost in the struggle for power between the pope and the king.⁵² The dreadful price paid to defeat the pope had been the violation of the spiritual jurisdiction and the severe reduction of sacerdotal powers. The new national erastian church had been incapable of withstanding the subsequent flood of Calvinism; and it was against Calvinism that English divines since the days of Bancroft had been reacting.⁵³ To defeat the innovations of both the papacy and the protestants of the sixteenth century, high churchmen had turned to the tradition of the church of the first four centuries, making it the model for the reformed church of England.

Leslie's role in helping to foster this interpretation of the development of the high-church tradition was well known to the usagers. They were understandably shocked, then, when he rejected the proposed liturgical reforms not simply because the time was inappropriate, but because tradition was too uncertain a guide in matters of faith or doctrine. Leslie

52. See above, chap. 5.

53. In this context see two interesting letters by Brett anticipating Newman's view of the thirty-nine articles in Tract No. 90: they are to be regarded simply as guides for teaching religion, not as articles of the faith; and although they had been drawn up to placate the Calvinists, they may be interpreted in a more orthodox sense. Brett to Campbell, 22 April 1732: Bodl. MS. Eng. Th. c.42, fols. 20-2; Brett to [?] Clough, n.d.: Bodl. MS. Eng. Th. c.40, fols. 123-25. Cf. R. W. Church, The Oxford Movement, Twelve Years, 1833-1845, ed. Geoffrey Best (Chicago and London, 1970; first ed., 1891), chap. 14, and John Henry Cardinal Newman, Apologia Pro Vita Sua, ed. A. Dwight Culler (Boston, 1956; first ed., 1864), 134ff.

insisted that nothing was to be regarded as part of the faith or doctrine of Christianity except that which is found in scriptures, "which are so perfect a rule, that nothing is to be added to them". The usagers relied upon tradition to attain a proper understanding of scripture and to worship in the same manner as had Christians in the first ages. Leslie rejected this use of tradition in uncompromising terms:

In short, we must first find our rule of faith, before we apply any thing to it or it to any thing; if it be Scripture, we know where we are, but if it be tradition, we launch into an ocean which has neither shore nor bottom, nor we any compass to steer by, where we must be driven about with every wind of doctrine.⁵⁴

Such a statement places Leslie squarely within the "Chillingworthian" tradition of English divinity, which was sceptical of tradition because of the conflicting testimonies of the church fathers; scripture alone could be known with certainty and was, therefore, the only sure guide.⁵⁵

This short letter seemed to undermine Leslie's more famous works of earlier years. The author of the letter, Brett noted, "is very much against Tradition in general, without distinguishing between the Traditions of the Illuminated Fathers of the first Ages of Christianity, and those of the subsequent Ages, after Illumination failed"⁵⁶ Yet

54. Leslie, Letter from Mr. Leslie, 5.

55. See the discussion in B. H. G. Wormald, Clarendon, Politics, Historiography and Religion, 1640-1660 (Cambridge, 1964), 265-68.

56. Brett, Answer to a Printed Letter, 3.

surely Leslie's intention when he framed his rules for demonstrating the truth of the matters of fact recorded in scripture was to show that it was possible to know tradition with a sufficient degree of certainty and to distinguish between historical truth and legends. Laurence examined Leslie's eight rules and concluded that each of them assumed that tradition may be known; the facts set down in scripture have been conveyed to us by tradition, and so a denial of tradition is a denial of scripture itself.⁵⁷ Both Laurence and Brett insisted that there could be no external evidence for the truth of scripture once tradition has been disallowed. If that type of evidence is a dangerous guide then men must experience a personal revelation in order to know the truth of Christianity. The only evidence, in that case, is the inward testimony of the holy spirit in the hearts of individuals; the truth of Christianity may be proclaimed by one who has had an immediate revelation, but he can convey that truth to no one.⁵⁸

Mathias Earbery denounced Laurence for attacking "the most deserving Man, in several Respects, now alive."⁵⁹ Laurence did not understand "the Scope of Mr. Leslie's Argument", Earbery insisted. Leslie had not set out to "run down

57. Laurence, Mr. Leslie's Defence, 9-11.

58. Ibid., 9-10; Brett, Answer to a Printed Letter, 3-6.

59. Mathias Earbery, A Letter to The Author of a late Pamphlet, ironically intituled Mr. Leslie's Defence . . . (London, 1720), 2.

Tradition, and the Authority of the Fathers", but only to insist that, as regards the present controversy, the testimony of the primitive church cannot meet the test of his eight rules, and that therefore, the usagers were wrong to insist upon the necessity of reform. The purpose of Leslie's rules, according to Earbery, had been to demonstrate that the facts set down in scripture may be known to be true with absolute certainty, for they are facts "of such a Nature that Mens outward Senses are Judges"; and that our certainty arises from the institutions and monuments which had a "publick and evident Existence at a time when History it self has all the Marks that attest to the Existence of these Monuments."⁶⁰ In other words, the testimonies of the scriptural witnesses had been deposited with the church, which had been instituted to bear eternal witness to the truth of scripture. The basic circularity of such an argument may have appealed to Leslie, who had insisted that "the self-evidence of the Scriptures" provided the strongest proof for Christianity.⁶¹ But such a defence could not satisfy Laurence or Brett, for it begged the essential question of how we know that true Christianity has been conveyed from the primitive church to the present. They were less convinced of scripture's ability to vindicate itself than they were of

60. Ibid., 8.

61. Leslie, Short and Easy Method . . . Vindicated, L.T.W., 1:128.

the visible church's historic role of protecting true doctrine from the errors of individual interpretation.

The differences between Leslie and the usagers are extremely important for any complete evaluation of the former's place in the history of English divinity. His curt dismissal of tradition cannot be explained away as simply a polemical weapon adopted in order to refute a small group which threatened the unity of jacobite churchmen. That rejection, rather, was fundamental to Leslie's theological persuasion. Brett's and Laurence's attack may have arisen from a misunderstanding of Leslie's intention, which had been to isolate scripture as the only source which may be known with certainty; but theirs was a reasonable misinterpretation, and their charge that Leslie's method implied the ability to determine the truth of recorded history was just.

What Laurence and Brett did not perceive was the scepticism at the heart of Leslie's writings. His rules vindicated scriptures only by accepting as indisputable the evidence contained in them; scripture is true, basically, because it is the inspired word of God. But the interesting implication of this unsatisfactory conclusion--or, more accurately, premise--is that Leslie obviously believed that only the word of God could satisfy his eight rules. In doubting man's ability to discover historical truth, Leslie was more in agreement with the general climate of opinion of his age than were Brett and Laurence. Writers such as Bayle,

Bolingbroke and Voltaire shared the crude suspicions of Blount and Toland that ancient and biblical history had been lost in the confusion of fables which conspiring priests had foisted upon a credulous mankind. That attitude is not far removed from Leslie's doubts about the conflicting testimonies of the primitive fathers and his determination to rescue scripture from the general confusion. For Leslie, scriptures could be used as a standard to determine what must have been the practice and true meaning of the primitive church; but the practices and writings of that church could never be used to interpret and to understand the true meaning of scripture. He was not a complete sceptic, for he regarded scripture as an infallible guide in the search for truth; but he owed much to his age's mood of historical scepticism.⁶²

Leslie's reaction against the usagers offers strong

62. Nor, for that matter, was Bolingbroke a complete sceptic.

His doubts about history were combined with his belief in history as a moral teacher; "a certain degree of probability" was possible if the various records were compared, if the facts recorded do not contradict our general experience, and if they are supported by a number of witnesses. To that end he offered rules which might be used to verify the historical record. They are similar to the rules offered by Leslie and by various latitudinarian writers discussed above, chap. 3. See Bolingbroke, Substance of Some Letters to M. de Pouilly, in The Works of Lord Bolingbroke, 4 vols. (Philadelphia, 1841), 2:287; and see the editor's discussion in Lord Bolingbroke, Historical Writings, ed. Isaac Kramnick (Chicago and London, 1972), xxviii-xxxix. For a useful and brief discussion of scepticism, see Louis I. Bredvold, The Intellectual Milieu of John Dryden, Studies in some aspects of seventeenth-century thought (Ann Arbor, 1966; first published 1934), chap. 2.

evidence that, on a profounder level, he was not as far removed from the mainstream of early eighteenth-century Anglicanism as he hoped he was and as he appeared to be in his hysterical writings against latitudinarian churchmen. If scripture is the only thing which may be known with certainty, and if scripture is "so perfect a rule", then all that is essential for salvation may be found there. He believed that it followed from such an argument that anything which is not set down in scripture cannot be regarded as a requirement of the faith of Christians, and therefore ought not to be insisted upon. The liturgical reforms might not be heretical, Leslie admitted, and they might even be acceptable; but they were not prescribed by scripture and so could not be essential to proper worship; certainly there could be no rightful separation from the larger body which rejected them.⁶³ That emphasis upon the fundamentals of Christianity was characteristic of the tradition of moderate Anglicanism. Since the mid-sixteenth century English divines had made a distinction between the essentials of the faith and "things indifferent", that is, between the substance of the faith, which was prescribed by scripture, and the external forms of worship, which might vary according to time, place and circumstance. The unity of the catholic church, they held, consisted of agreement upon those fundamentals which were common to all Christians.⁶⁴

63. Leslie, Letter from Mr. Leslie, 4.

64. See McAdoo, Spirit of Anglicanism, passim.

Leslie's chief defender during the usages controversy contrasted the clarity and simplicity of the gospel's message with the obscurantism of Brett's theology. Earbery accused Brett of arguing that God had tied "the Scripture up into Knots, on Purpose for the Fathers to untye", and reminded him that the "Millenarian Opinion was the Daughter of such Tradition".⁶⁵ Like Leslie, Earbury believed Brett and his colleagues, with their emphasis upon the regulatory role of tradition, were undermining men's confidence in the fulness of scripture. His own view, with which Leslie agreed, would not have satisfied high churchmen such as Hickes or Dodwell: "In my Opinion, the Fundamentals of Christianity lye in a very narrow Compass, and I can see them with one Cast of an Eye in the Scriptures." From those fundamentals, Earbury claimed, can be inferred the just powers of episcopacy, the nature of schism and the unity of the catholic church; beyond them, nothing can be regarded as essential.⁶⁶

Earlier in this analysis of Leslie's writings attention was drawn to his indebtedness to the tradition of moderate Anglicanism both in his method against deism and in

65. Mathias Earbery, Reflections upon Modern Fanaticism . . . (London, 1720), 21.

66. Ibid., 48-50. Cf. [Arthur Ashley Sykes], The External Peace of the Church . . . (London, 1716), and [Edward Synge], The Authority of the Church in Matters of Religion (London, 1718).

his objections to Dodwell's history of episcopacy; and though he owed much to that tradition, he nevertheless managed to call it into service against contemporary advocates of moderation.⁶⁷ Similarly, with his belief in the sufficiency of scripture he promoted an ideal which had inspired Laudian churchmen of the seventeenth century and which had excited several high churchmen during the pre-revolutionary period. These churchmen--notably, bishops Bramhall and Thorndike, Peter Heylin, Henry Dodwell, William Sherlock--saw in the conciliar movement in the Gallican church a possible basis for the reunification of western Christendom.⁶⁸ It was this school of churchmen which had shown such an interest in the history of episcopacy and which had emphasised that the unity of the catholic church consists of independent bishops acting together.⁶⁹ They saw the Gallican declaration of 1682 as both a rejection of papal surpemacy and as a challenge to the English church to join her struggling sister in the cause of conciliar power and church unity.

67. See above, chaps. 3 & 5.

68. See the interesting comments in Lamont, Richard Baxter and the Millenium, 115, 131, 251-52.

69. For these high-churchmen, usually referred to as "Laudians", see Bosher, Making of the Restoration Settlement, passim, esp. p. 30 for the author's list of divines who were especially influential during the interregnum and the years immediately following. For their writings in defence of the church of England, see Packer, Transformation of Anglicanism, esp. chap. 5 for their defence of episcopacy. See also above, chaps. 1 and 3-5 for various comments on this group.

Central to these churchmen was their insistence upon the autonomy of the spiritual and temporal jurisdictions. This brought them into conflict with the larger body of Anglican and, to some extent, moderate dissenting opinion, which adhered to what is sometimes referred to as the "Elizabethan ideal", that is, the unity of church and state; indeed, the Laudians were sometimes accused of undermining the concept of a national church by encouraging the church of England to subject itself to foreign bishops.⁷⁰ These high churchmen formed the core of the nonjuring minority; to them, the revolution and the wars against France were at bottom a papal conspiracy against Gallicanism and its potential supporters in England.⁷¹

Leslie had been an active promoter of union with the Gallican church since the sixteen-nineties. He had supported the campaign for convocation with the hope that that body might begin negotiations with the French clergy, and he had urged that communion between the two churches ought to be "opened" before the pope had a chance to defeat the incipient reformation.⁷² His patriarchal theory was developed as part

70. Straka, Anglican Reaction, chap. 8; Lamont, Richard Baxter and the Millenium, 115, 131.

71. See Leslie, Regale and Pontificate, L.T.W., 1:686ff; Natural Reflections, 50-7; Case Stated between the Church of Rome and the Church of England, L.T.W., 1:493ff. Cf. Hickes, Vindication of Some among Our Selves, 41-5. See also "Account of a politick conversation between a Cath. and a Whig upon the hanover succession . . . 7 August 1712 . . .": Bodl. MS. Carte 210, esp. fols. 412v-414.

72. See above, chap. 5.

of this scheme. Insisting that the spiritual and temporal jurisdictions were completely independent but precise reflections of each other, he remodelled Filmer's account in such a way as to make it justify the theory of episcopacy developed by the Laudian divines. God is the only universal monarch and Christ is the only universal bishop. One of Leslie's central objections to Filmer was the latter's discussion of how Adam's universal monarchy had been transformed into the "distinct and independent" kingdoms of the world. It had been God rather than Noah who had divided the world, Leslie insisted; and as the individual kingdoms were one kingdom to God, so the particular churches were one church to Christ.⁷³ Patriarchal theory in Leslie's hands had become an argument against Roman catholicism. The church is one society, he maintained, but within that larger society are many lesser societies, each with its own chief governor.⁷⁴

73. See above, chap. 7. See Regale and Pontificate, L.T.W., 1: 669-70; Case Stated, ibid., 1:535-42. In this sense, patriarchal theory also vindicated Leslie's belief that episcopacy as a fully developed institution had been revealed in scripture, rather than having evolved in the years after the apostles, as Dodwell had suggested.

74. Leslie, Second Part of The Wolf Stript, 28-9. The descent of patriarchal theory from Filmer to Leslie requires further investigation and is of some importance in the present context. It may be suggested tentatively that that theory, never popular among strictly political writers, survived after the restoration chiefly among the small school of Laudian divines discussed here, and in their hands it became something quite different from Filmer's version. Certainly Peter Heylin, a close friend of Sir Robert's, was familiar with it, as was

A Stuart restoration, Leslie believed, was a necessary first step towards restoring unity to the church and episcopacy to its original rights. His ultimate goal was to convince the exiled monarch that the church must be set free from both the regale and the pontificate, and that to assist this great design would be no renunciation of the catholic faith. It was with this end in mind that Leslie responded to the invitation to travel to the Stuart court in the spring of 1713.

archbishop Sancroft, whose manuscript copy of Patriarcha was used by Bohun for the 1685 edition. See Schochet, "Sir Robert Filmer: Some New Bibliographical Discoveries", passim. Locke and Tyrrell blamed a small group of clerics for reviving a long-forgotten theory: Locke, Two Treatises, I, Preface; Tyrrell, Patriarcha non Monarcha (London, 1681), Preface; see also Tyrrell, Bibliotheca Politica, v, and [Peter Allix], Reflections upon the Opinions of Some Modern Divines, Concerning the Nature of Government . . . (London, 1689), Preface and pp. 1-4. Its use by a group of divines who were not only dedicated to the succession of the duke of York, but who saw in that succession the possibility of closer relations between the church of England and the church of France, might help to explain why Locke and other exclusionist whigs thought it so essential to refute it. It may be that these clerics started preaching sermons touching upon patriarchal power as the religious preferences of the Stuarts became more suspect in the 1670s and as the rumblings from the Gallican church became louder. In any case, it is likely that such ideas were more often preached than printed, so the use of the theory in these years would be difficult to determine. Leslie, of course, had spent some time in London in the 1670s (see above, chap. 2) and may have come into contact with it at that time. It may be stated confidently, however, that patriarchal theory had become an anti-papal argument before Leslie used it in that way: two years before Regale and Pontificate was published, John Evelyn heard an unidentified bishop preach a sermon in which he denounced the pope's claim to supremacy over other bishops by arguing that every governor has a right to supremacy in his own dominions, "~~as~~ first In the Patriachall state: every Patriarch having jus vitae & necis absolutely over his own family" Evelyn's Diary, ed. de Beer, 5:271-72 (5 Nov. [1697]).

Unfortunately for Leslie, the pretender had no intention of abandoning Rome. Leslie was welcomed at court primarily to impress upon English opinion that protestant fears of their Roman Catholic king were groundless and that the Stuart court was not the exclusive preserve of his co-religionists. No protestant services were permitted as long as the court remained in France, for they had been forbidden by Louis XIV, and the occasional presence of a protestant chaplain, a Mr. West, was not generally known. But the treaty of Utrecht required the Stuarts to leave French territory. In February 1713 the duke of Lorraine offered the pretender his castle at Bar.⁷⁵ Inese immediately informed Middleton that Leslie was desired at court, but that his health did not allow him to make such a journey, and that his presence was thought more necessary in England.⁷⁶ However, it was generally believed among Jacobites in exile that Leslie had such a great reputation in England, especially among the clergy, that he must come over as soon as possible; in late March Middleton urged him "to set out with all convenient

75. See Fieldhouse, "Oxford, Bolingbroke, and the Pretender's Place of Residence", 289-96, for the complex background to this offer.

76. Inese to Middleton, 18 Feb. 1713: Original Papers, ed. Macpherson, 2:385-85. (Bodl. MS. Carte 212, fol. 51.) See also Diary of Sir David Hamilton, 42. Although Leslie suffered from various ailments in his later years, Inese may have been mis-informed about the state of his health at this time: it appears that his wife died in the late winter of 1713, and it was for that reason that he was unable to leave England. See R. J. Leslie, Charles Leslie, 476.

speed the shortest way."⁷⁷ He was received warmly at court when he finally arrived with his son Robert in early August.⁷⁸

Within three weeks, however, Leslie had overstepped the bounds of his office, much to the displeasure of the pretender and his advisers. "I am sorry M. Lesly has begunn speaking to your Majesty about religion", the duke of Berwick wrote to James III, "but I hope that after the first attempt he will give it over, though it had been better, he had never open'd his mouth on that chapter."⁷⁹ Leslie had presented the pretender with a copy of his Case Stated Between the Church of Rome and the Church of England, a work which some in England believed had been written specifically to convert the pretender.⁸⁰ Although the work had indeed been written to convince the pretender that papal claims were groundless, a more significant aspect of the work is its enthusiasm for the developments within the Gallican church. Since the papal

77. Middleton to Lamb, 21 March [1713], and Sir William Ellis to Mr. Ken, 2 April 1713: Original Papers, 2:395-97; Berwick to James III, 28 March 1713: H.M.C. Stuart MSS., 1:260: "Lesley is an honest man, at least I have always heard him well spoken of: his coming will please the Protestants."

78. Nairne to "Abram" and "Berry", 26 Aug. 1713: Bodl. MS. Carte 212, fols. 58-9. See Jones, Mainstream of Jacobitism, 90. For a general account of the Stuart court at Bar, see Henry W. Wolf, "The Pretender at Bar-le-Duc", Blackwood's Magazine, 156 (Aug. 1894), 226-46.

79. Berwick to James III, 22 Aug. 1713: H.M.C. Stuart MSS., 1:273; and see same to same, 31 Aug. 1713: ibid., 1:275.

80. Hearne, Remarks and Collections, 4:210.

jurisdiction had been the chief point of contention between Rome and Canterbury, Leslie believed, the French church's questioning of that jurisdiction had brought her closer to the Anglican position. Implicit throughout Leslie's argument was the strange notion that the pretender, by communicating with the church in France, was in fact communicating with a church which had more in common with the church of his kingdom than it had with Rome.⁸¹

Even more than Leslie's letter against the usagers, The Case Stated appears to be an unlikely work to have been written by one of the leading high churchmen of the early eighteenth century. It is a lengthy work and it takes the form of a dialogue between an "English Roman Catholic Nobleman and a Gentleman his Friend of the Church of England". The Roman catholic is not identified, but he is obviously meant to be the pretender:

Lord. It is hard that by your late Act of Parliament, I must either lose my Estate or change my Religion.

Gentlemen. I think your Lordship ought not to lose your Estate, till you have first considered how far your conscience will allow you to conform to what is required of you.

Lord. If I thought I cou'd save my Soul in the Church of England, I would think my self obliged to preserve my Right and Posterity.⁸²

The gentleman, then, must convince his friend that salvation is possible in the church of England, and he goes about his

81. Cf. Every, High Church Party, 70, 128, 166-68.

82. Leslie, Case Stated, L.T.W., 1:463.

task by arguing at length against "that excess of the Pope's Supremacy, which no sober Man on this side the Alps will own."⁸³ The rock upon which Christ built His church was not St. Peter but rather the faith confessed by St. Peter, the gentleman argues; and the unity of the church does not consist in the universal supremacy of the bishop of Rome but in the universal confession of the essentials of the Christian faith. All the arguments offered in The Case Stated are subservient to this central point: Christians, arranged in their particular churches, are united in their common faith; the only source of division is one bishop's unfounded claim to infallibility and his usurped supremacy over his colleagues. Yet in order to repudiate papal pretensions, Leslie was forced to consider the question of authority in matters of religion. Against papal infallibility he exalted private judgement, and he pressed his argument to such extremes that he left virtually no role for the visible church and her priesthood. When Leslie argued that James II allowed his daughters to be raised in the church of England because "they are so good they will be saved in any Church", and when he asserted that that king probably believed that Roman catholicism was "best for him, without thinking those in hazard who were sincerely of the Church of England, and lived up to the rules of it", he embraced a

83. Ibid., 1:502.

position which had more than a little in common with Benjamin Hoadly's notorious Bangorian sermon of 1717. In denouncing Roman authority, Leslie argued in effect that sincerity of belief was the prime qualification for membership in the church of Christ.⁸⁴ As a consequence of such an argument, Leslie de-emphasised the role of the visible church; indeed, there is an apocalyptic tone in his discussion of how the visible church is fated to become a hindrance to the faith. As had been the case with the church of the Jews, whose priests had commanded her followers to reject their Messiah, the visible church will reject Christ at His second coming, leaving only the invisible church--that small body of sincere believers--to receive salvation.⁸⁵

The Case Stated is a peculiarly unsatisfying discussion, especially when one considers that its author had a reputation as a defender of the visible church, the priesthood and the sacraments. Leslie, of course, had established that reputation by attacking protestant dissenters. Then he had had no hesitation in defending the visible church as the "Pillar and Ground of the Truth". Christ had commanded His flock to be

84. Ibid., 1:501. Cf. Hoadly's case in favour of sincerity in The Nature of the Kingdom, or Church, of Christ . . . (London, 1717). Hoadly's text--"Jesus answered, My kingdom is not of this world" (St. John 18:36)--was a favourite of nonjurors, who used it to vindicate the church's independence of the state.

85. Leslie, Case Stated, L.T.W., 1:479-80.

subject to the church, the sentences of which He has promised to ratify in heaven. The church has been given the authority to preach to the flock, and through the sacraments and forgiveness of sins, she has the authority to sign and seal the covenant between God and man. Leslie had even insisted that there was no other means of salvation except through the church; the promises of the gospel, he informed those dissenters who had separated from the church of England, "are every one made to the Church, and to none other."⁸⁶ Leslie's essential argument in favour of private judgement remained the same whether his opponent was Roman catholicism or protestant dissent.⁸⁷ But when confronting Rome directly, without the spectre of dissent constantly before him, he did not even consider the role of the priesthood, the sacraments became something desirable but not essential, and his account of the role of the visible church came to resemble the Marxist view of the state, something which must wither before the rising sun of a new day.

Excluding some of his occasional minor works, The Case Stated stands as the weakest performance of Leslie's career. Ironically, it provoked the most perceptive of all contemporary criticisms of the author, although it is not

86. For Leslie's earlier discussion of the authority of the church, see above, chap. 5, and Rehearsal, 3, nos. 1-6 (3 April-21 April 1708).

87. See below.

entirely clear that the critic was fully aware of how devastating his response was. In 1716 The Shortest Way to end disputes about Religion . . . appeared; it was expanded in 1721 and given the title The Case Stated . . . in a second Conversation . . ., and it was this latter version which was re-published at least three times in the nineteenth century with the title The celebrated Answer to the Rev. C. Lesléy's Case Stated⁸⁸ The author was Robert Manning, a Roman catholic controversialist who had been educated at the English college at Douay and who later became a professor there.⁸⁹ Manning was the only contemporary of Leslie's who drew attention to his latitudinarian tendencies, not only in his argument that the unity of the church consists in a belief in a common Christianity, but also in his rules for verifying the truth of scripture; indeed, Manning went so far as to assert that Leslie was a theological ally of Tillotson!⁹⁰

Manning pointed to Leslie's discussion of private judgement as the key to his work and as a fundamentally irreconcilable point between the church of Rome and the church

88. D.N.B. (art. "Manning Robert") notes only two republications in the nineteenth century, those of 1839 and 1842. The re-print of the original which I have used was published in 1855 (Dublin: C. M. Warren).

89. Manning later went to England, where, it is believed, he became chaplain to the family of lord Petre, baron of Writtle. He died on 4 March 1731. For what little is know of him, see D.N.B.

90. Manning, Celebrated answer, 33, 62, 153-61.

of England. After having argued that the visible church will repeat the errors of the Jewish church, and that when Christ returns He will find the faith kept only by "particular Persons" who are "invisible to the World", Leslie proceeded to defend private judgement as the only ground for belief in God, Christ or the authority of any church. He accused the Roman catholic of "running round, and proving a thing by it self" because "You believe the Scriptures because the Church bids you, and you believe the Church because Scriptures bid you". Indeed, he argued, man has only his reason to convince him that there is a God, just as he has only his reason to convince him to believe scripture and to accept the church.⁹¹ Manning agreed that reason can lead a man to the church; but once he is convinced he has discovered "the true church of Christ", his reason demands an "entire submission and obedience to the judgement and authority of the church"; "Because nothing is more consonant to reason, than to depend upon a guide appointed by God himself."⁹²

More significantly, Manning considered Leslie's charge that proving the revelation of scripture from the authority of the church and the authority of the church from the revelation of scripture was a circular argument and, therefore, an unsatisfactory one. Manning agreed that such a proof involved arguing in a circle;

91. Leslie, Case Stated, L.T.W., 1:476-77.

92. Manning, Celebrated Answer, 117-18.

. . . but not in a vicious one, as logicians call it. On the contrary, these circular proofs are allowed of by all logicians and divines. Nay they are absolutely necessary, both when causes and effects prove one another reciprocally, and when two persons of unquestionable veracity give testimony for each other.⁹³

Although Manning did not mention it, Leslie himself was no stranger to such arguments. They were essential to his theory of government, which was based upon the concept of relative terms and the assumption that political society is both the cause and the effect of the relationship of ruler and ruled. Ridicule of reciprocal proofs was especially unfitting coming from one who criticised the deists for assuming that nature and revelation were antagonistic, rather than perceiving that they proved each other.⁹⁴ There is no evidence in Manning's book to indicate that he was familiar with any of Leslie's writings apart from The Case Stated and The Truth of Christianity Demonstrated;⁹⁵ yet his work does more to raise doubts about

93. Ibid., 120.

94. See above, chaps. 3 & 7.

95. Manning's unfamiliarity with Leslie's other works, together with his assumption that his opponent was a typical English latitudinarian writer of Tillotson's school, led him to accuse Leslie of assenting to the spiritual supremacy of the secular prince: Celebrated answer, 33. He also deals amusingly with Leslie's objection to calling Rome the "mother church", since the church had been in Jerusalem and Antioch before Rome: he begged Leslie to understand that "mother" in this context is a metaphor; "we shall be forced to lay aside all metaphors, though never so proper and beautiful, if they must stand the test of your logic." It is not the age of the church of Rome which allows her to be called "mother", but rather her jurisdiction, power and authority; just as queen Anne had been called the "mother" of her people, "though she was not the oldest woman in the nation."

the consistency of Leslie's polemics than do his more famous opponents, such as Hoadly or Defoe.

Instead of using a reciprocal argument to demonstrate the divinity of scripture and the authority of the church, Leslie insisted that reason is the only guide to belief and private judgement is the only rule of faith. Reason must be convinced of the truth of Christianity, he argued, but it cannot be convinced by authority; for if an infallible authority determines our belief, it would be the object of our faith.⁹⁶ Leslie insisted that his belief in the divinity of scriptures was not founded upon authority but rather upon evidence; that evidence had been presented in his Truth of Christianity Demonstrated, a book which had been written to convince deists that the matters of fact recorded in scripture were true. Since the deists deny both the authority of the church and the truth of scriptures, a reciprocal argument would be simply a "jest" to them.⁹⁷

Manning, however, was not impressed by Leslie's attempt to separate evidence from authority. To prove the truth of the

Ibid., 6-7. This might conceivably be read as a satire upon Leslie's patriarchal theory; but the context does not suggest such an interpretation.

96. Leslie, Case Stated, L.T.W., 1:480-82. Cf. Rehearsal, 3, nos. 2-3 (7 April-10 April 1708).

97. Leslie, Case Stated, L.T.W., 1:482. Cf. Synge, Authority of the Church, 8-15, for another discussion of evidence as the foundation of belief.

facts set down in scripture is quite different from proving the divine inspiration of the person who recorded them. The essential point, Manning maintained, is "how the revelation of scriptures has been conveyed to us", and he insisted that the proof for the divinity of scripture is "wholly grounded upon authority." If Leslie's argument is correct, Manning considered, his evidence must be independent of any authority. But the only such evidence is the evidence of our senses--to which Leslie had appealed--which cannot perceive revelation, and the evidence of a philosophical or mathematical demonstration, which Leslie had avoided. Unless Leslie wished to conclude that any fact is divine which meets the test of his rules, he must admit that his evidence is, in fact, the evidence of authority.⁹⁸

In The Case Stated Leslie tried to convince the pretender that the essentials of the Christian faith were sufficient to unite him with the church of his kingdom and that Rome was the source of disunity because of its claim to infallibility in defining the faith. That he failed to do so is obvious. But the way in which he tried to do so reveals, perhaps, an underlying unity of the English protestant mind. For Charles Leslie, no less than for Benjamin Hoadly, the invisible church of true believers had become the prime object of defence, while the visible church was increasingly seen as a mere temporal convenience. Hoadly's unrepentant erastianism and Leslie's

98. Manning, Celebrated answer, 153-61.

demands for the spiritual independence of the church had at least this much in common: in insisting that Christ's kingdom is not of this world they left little more than a political role for the established church of England which greeted the Hanoverians. The tendency of both Leslie's and Hoadly's arguments is not simply to conclude that Christ's kingdom is not of this world, but rather to conclude that Christ's kingdom is not even in this world.

Although Leslie hoped the pretender eventually would assent to the validity of the church of England's claims, he insisted that the question of the king's religion must not become the subject of political and diplomatic negotiations which would precede his restoration. In 1711 he had advised the court at Saint Germain that

The King of England . . . must not, either by word or by insinuation give any reason to believe that he is capable of dissembling his religion. Every one would have a worse opinion of him, on that account, and less credit would be given to all that he could say.⁹⁹

Leslie urged that the pretender should offer no more than to hear the case on behalf of the church of England after he was restored. However, he was virtually alone in advising such a course. In the secret negotiations which Robert Harley, now earl of Oxford, had carried on with the pretender since 1710

99. "Memorial of the Sieur Lamb", Original Papers, 2:214-15. (Bodl. MS. Carte 180, fol. 293r & v.)

it had been made absolutely clear that renunciation of Rome was the single most important step he could take towards securing the restoration. Torcy, the French foreign minister, and the abbé Gaultier, a priest closely involved in the secret negotiations, urged the pretender to "dissimulate" his religion or change it entirely, assuring him that such an act would be for the greater glory of God.¹⁰⁰

In later years Bolingbroke was especially critical of Leslie for refusing to impress upon the pretender that he could never regain his kingdom without betraying his church. Bolingbroke dismissed Leslie's argument that the subjects of James III had a duty to submit to him regardless of his religion by writing that he too would have made such an argument, "if I had been a papist"¹⁰¹ It appears that James III did justify his refusal to convert by citing the advice Leslie had offered in 1711 and by referring to the guarantees made to the church of England, which Leslie had conveyed after his

100. See, Wickham Legg, "Extracts from Jacobite Correspondence, 1712-1714", 501-18, esp. pp. 508-10: Gaultier to Montgoulin [James III], 6 Feb. 1714: ". . . Il est absolument nécessaire que vous dissimuliez votre Religion ou que la changier entierm^t pour professer celle de votre pays établie par les loix." See also Marquise Campana de Cavelli, Les Derniers Stuarts a Saint-Germain-en-Laye, 2 vols. (Paris, London, Edinburgh, 1871), 1:19-21; H. N. Fieldhouse, "Bolingbroke's Share in the Jacobite Intrigue of 1710-14", English Historical Review, 52, no. 207 (June 1937), 443-59; Jones, Mainstream of Jacobitism, 86-98.

101. Bolingbroke, A Letter to Sir William Windham, Works of Lord Bolingbroke, 1:168-71. He also criticised the duke of Ormonde for arguing in such a manner.

visit to Saint Germain in 1702.¹⁰²

Rather than encouraging secret intrigues aimed at extracting the insincere conversion of the king, Leslie believed that all attention must be given to those elements in England which would promote the Stuart cause. The revolutionary settlement owed its success, he maintained, to the minority of whigs and dissenters who were able to impose their will upon the kingdom. That minority had attained power and had ensured its domination of English public life because of the protracted wars against France. Peace, then, was an essential first step in breaking the whig party, and after 1710 the ministry of the earl of Oxford was committed to such a policy. That ministry was supported in the house of commons by many who had been elected during the aftermath of Sacheverell's impeachment; under the right circumstances, Leslie was certain, they would declare for the Stuarts. That potential jacobite squadron, which looked to Bolingbroke rather than Oxford for leadership and which was organised as the October club, was the group to which Leslie appealed. He advertised their economic grievances against a

102. See in particular "Abstracts of two letters about religion that were writt in his Maties own hand . . . one of 2 May 1711. the other of the 13 March 1714": Bodl. MS. Carte 210, fols. 409-10. The opinions and the wording of these letters are similar to the "Memorial of the Sieur Lamb". The first letter, of course, was written less than a month after Leslie's "Memorial".

war which was paid for by their taxes and which benefitted only the whig and dissenting commercial classes.¹⁰³ Some contemporaries even believed that Leslie was an agent of the October club, whose task it was to convey messages between its members and the pretender.¹⁰⁴ In fact, Leslie detected in the club the spirit of the tackers, who had been not only vigorously opposed to whigs and dissenters but who had been suspicious of Oxford. Despite Oxford's intrigues with the pretender, Leslie had no doubt that he would ultimately work to prevent a restoration. Bolingbroke's supporters had to be encouraged because it was only that group which could be relied upon to promote a repeal of the act of settlement.¹⁰⁵

At the Stuart court Leslie was regarded as an old and loyal friend whose dedication to the cause of restoration

103. See Leslie, Natural Reflections, for a vivid description of the devastating effect of the war upon rural England in particular, and the entire country in general.

104. Anon., Remarks on Lesley's Two Letters from Bar le Duc . . . (London, 1715), 3. This pamphlet insists that it was the tories who had sent Leslie to the Stuart court to help prevent the Hanoverian succession.

105. "Memorial of the Sieur Lamb", Original Papers, 2:213; "Mrs. White's letter", ibid., 2:296. For the most complete discussion of the October club, see H. T. Dickinson, "The October Club", Huntington Library Quarterly, 33, no. 2 (1969-70), 155-73. This article makes clear how misplaced was Leslie's confidence in the club: it certainly did distrust Oxford and was united against whigs and dissenters, but, like the rest of the tory party, was incapable of making up its mind on the question of the succession. For a general discussion of the rivalry between Oxford and Bolingbroke, see Sheila Biddle, Bolingbroke and Harley (New York, 1974).

was unqualified and whose reputation among the English clergy was greater than that of any other churchman of his day. Despite the cool reception which his Case Stated had received, he soon regained the confidence and respect of the pretender and was always allowed access to him. Leslie, in turn, wrote glowing reports of the pretender's character and the welcome which protestants received at his court. For the benefit of those who still had doubts about his birth, Leslie emphasised that he was indeed a complete Stuart: "He is Tall, Streight, and clean Limb'd, Slender, yet his Bones pretty large: He has a graceful Mien, walks fast, and his Gate [sic] has great Resemblance of his Unkle King Charles II. and the Lines of his Face grow dayly more and more like him." He appears, from Leslie's character sketch, to have been a thoroughly dedicated and rather priggish young man, who knew perfectly well "the difference betwixt the Office of a King and a Missionary." Most importantly, he had agreed to waive his prerogative in the area of nominations to ecclesiastical preferments, he had guaranteed that the church of England "as by Law Established" should remain in sole possession of the universities and schools, and his promise to return the first fruits and tenths to the clergy had preceded the establishment of queen Anne's bounty.¹⁰⁶

106. Charles Leslie, A Letter from Mr. Lesley to a Member of Parliament in London (London, 1714). Leslie dated the letter "Apr. 23, 1714", but it was not circulated until after

Leslie's letters from the Stuart court were intended primarily to convince the English clergy and the nation at large that a restoration was their only hope for the security of the church. Since the revolution the church had been persecuted by those who supported the Hanoverians, he insisted; Dr. Sacheverell's trial had been contrived "to make her swallow her own Dung (as they call'd it) and abjure her Old Doctrines, which her new Bishops voted to the Flames" ¹⁰⁷ The only pretence for excluding James III, Leslie wrote in a provocative letter to his old enemy Burnet, was that of religion. But Burnet knows of the promises made to the church, just as he knows that dominion is not founded in grace. He can justify the accession of king George only by pointing to "strange Providences". Perhaps the nation ought to heed the providential warning of a king who is the prisoner of a party which has designs against the church; or perhaps the general contempt in which king George is held

Anne's death in August. Some contemporaries believed it had been deliberately "antedated" and was, in fact, intended to be a supplement to the pretender's declaration of 29 Aug. 1714. See Remarks on Lesley's Two Letters, 2, and John Asgill, The Pretender's Declaration English'd. With a Postscript before it in relation to Dr. Lesley's Letter sent after it (London, 1715), 4-5. (During his exile, Leslie seems to have assumed, or at least was accorded, the title of doctor: he is often referred to as "Dr. Leslie" in the Stuart MSS.) For the pretender's declaration of 29 Aug. 1714, see Bodl. MS. Carte 180, fol. 1, and B. L. Egerton MS. 921, fols. 78-81. See also ibid., fols. 85-97 for a written copy of Leslie's letter.

107. Letter from Mr. Lesly, 6.

ought to be interpreted as a sign that providence has turned the people back to their lawful rulers.¹⁰⁸

Leslie pleaded in vain that the pretender's refusal to sacrifice his religion was a sign of his fundamental integrity and honesty. All of the writers who replied to his missives from Bar-le-Duc accused him, rather inconsistently, of naivety for trusting a papist, whose religion obliged him to lie on behalf of mother church.¹⁰⁹ He desperately wanted the act of settlement repealed before it came into effect in order to avoid, if possible, a civil war. Yet open conflict was not to be avoided if that was the only way to recover the crown. Leslie had already advised the pretender that his landing in Scotland would produce the "advantage" of a civil war; "for in the divisions of parties, there are now malecontents enough in Great Britain, who would rejoice at that opportunity of joining him, besides as many others in distressed circumstances, or on bad terms with the government, whom fear, resentment, or hope would influence. . . .". Apart from declared jacobites in both Scotland and England, Leslie believed that, in case of a contest for the crown, the

108. Mr. Lesley to the Lord Bishop of Sarum (London, 1715). A written copy of this letter is found in B. L. Egerton MS. 921, fols. 98-113, and also in B. L. Add. MS. 6416, fols. 18-25.

109. In addition to Asgill, Pretender's Declaration English'd and the anonymous Remarks on Lesley's Two Letters, see another anonymous tract: Clarendon against Lesley; or, the Difference between Two Restorations (London, 1715).

pretender could expect the support of "a set of men, well-disposed, who have taken the oaths to the government only by form, and from interest"; in addition, "there is not a high-church man in England that is not suspected by the government". This latter group included "almost the whole nation, excepting such as are Whigs or Presbyterians by profession; who, however are become the contempt and aversion of the people".¹¹⁰

Once king George was in England and had shown himself to be completely sympathetic to the whigs, Leslie hoped the Hanoverian tories might come to their senses and promote their "Native" king "with Heart entirely English".¹¹¹ A tory party united behind the Stuarts was the general hope of the jacobites. "I shall be sorry if the Tory party in England be so divided and disjointed that the King cannot lay hold on them", the duke of Mar wrote later; "I see no other they have to lay hold on, but the King."¹¹² But the hopes Leslie had entertained for a peaceful restoration had really expired with queen Anne. As long as she lived, there was the chance that the act of settlement might be set aside; with the Hanoverians in possession, Leslie had predicted, Englishmen "will attend only to the means of supporting, as easily as they can, the chains, from

110. "Memorial of the Sieur Lamb", Original Papers, 2:213-14.

In addition to assistance from France, Leslie urged the pretender to seek an alliance with Sweden in order to undertake an invasion of Scotland. See ibid., 2:217-18.

111. Mr. Lesley to the Lord Bishop of Sarum, 8.

112. Mar to Dicconson, 28 April 1716: H.M.C. Stuart MSS., 2:127.

which they see no further hopes of being delivered".¹¹³ Englishmen would decide, as they had in 1689, that a thoroughly settled government had ~~providence~~ providence on its side. If Leslie's confidence in the fundamental jacobitism of the English nation was misplaced, he was at least wise enough to understand that the kingdom might submit to a restoration but it would not work for it. Instead of the more cautious advice of those jacobites who believed that English dissatisfaction with the Hanoverians would inevitably increase until they were finally expelled,¹¹⁴ Leslie was more inclined to agree with Bolingbroke's demands for immediate action. Even if that first attempt failed, at least it would show supporters in England that the cause was still alive. "Dying for dying", Bolingbroke declared in his typically dramatic way, "it is better to dye warm and att once of a feavour than to pine away with consumption."¹¹⁵

It is not possible to determine exactly what part Leslie played in the disastrous invasion of 1715. While the pretender was in St. Malo waiting for news from England, he informed Inese that Leslie "will either go to Scotland, or joyn the Duke of Ormonde in England, as his age and health

113. "Memorial of the Sieur Lamb", Original Papers, 2:211
Cf. Mrs. White [Leslie] to Mr. Watson, 12 May 1712:
ibid., 2:313-15.

114. "Memorial concerning the present state of the Kings affairs", Aug. 1715: R.A. Stuart MSS., 4/115-115a.

115. Bolingbroke to Mar, 20 Sept. 1715: ibid., 5/8a.

will permit him" "I should have desired to have him along with my self", the pretender added, "but the secret was to be prefer'd to all."¹¹⁶ Given Leslie's state of chronic ill health during these years, and the complete lack of support in England for the Scottish invasion, it is highly unlikely that he left France at all.

Leslie played a more prominent role in the next crisis which jacobites believed could end only with a restoration. In May 1717 the lower house of the convocation of Canterbury decided to censure Benjamin Hoadly, now bishop of Bangor, for the sermon which he had preached before George I on 31 March. That sermon, which was widely believed to have been intended "to make way for the repeal of the Test Act",¹¹⁷ was really a summary of his earlier tract against the nonjurors. It was nothing short of an attack upon the idea of a visible church which derived its authority from Christ. Christ alone is king of His church, according to bishop Hoadly, and He left behind Him no authority in earthly hands to judge His subjects "in the affairs of conscience and eternal salvation."¹¹⁸ The whig ministry prevented the censure of Hoadly by forcing archbishop

116. James III to Inese, 11 Nov. 1715: H.M.C. Stuart MSS., 1:456-57.

117. Thomas Sherlock, A Vindication of the corporation and test acts . . . (London, 1718), Preface.

118. Hoadly, Nature of the Kingdom, 11-31. Cf. Hoadly, Preservative Against the Principles and Practices of the Nonjurors, passim.

Wake to request a writ of prorogation from the king.¹¹⁹ But clerical fury was intense against the Hanoverian's first episcopal creature and the pamphlet warfare continued for two years.¹²⁰ Jacobites rejoiced and Leslie was certain that the clergy would finally welcome James III.

Leslie seems to have heard of the affair in June 1717 when Mar sent him copies of Hoadly's sermon and Preservative, as well as the report of the lower house of convocation and the few pamphlets which had already been published. Mar thought "that they will be of some entertainment to you".¹²¹ Leslie immediately began to advise the pretender on how best to respond. Naturally there was to be a declaration re-asserting the guarantees made to the church; but the first draught contained

119. See Sykes, William Wake, 2:161-65, and "Archbishop Wake and the Whig Party, 1716-23, A Study in Incompatibility of Temperament", Cambridge Historical Journal, 7 (1945), 98ff. Sykes's account has been modified somewhat with the recent discovery of Wake's diary, which indicates that it was his friendship with the prince and princess of Wales, rather than merely his temperament, which made life difficult for him at the court of George I: see G. V. Bennett, "An Unpublished Diary of Archbishop William Wake", Studies in Church History, ed. G. J. Cuming (London, 1966), 3:258-66. For a general account of the events leading to the dismissal of convocation, see Gerald B. Switzer, "The Suppression of Convocation in the Church of England", Church History, 1, no. 3 (Sept. 1932), 150-62.

120. Thomas Herne compiled a critical bibliography of the literally hundreds of pamphlets which appeared between 1717 and 1719 during the Bangorian controversy. It is printed in The Works of Benjamin Hoadly, D.D. . . ., ed. John Hoadly 3 vols. (London, 1763), 1:689-700, 2:381-401. Part one of the bibliography is in vol. 2, while the "Continuation" is in vol 1.

121. Mar to Leslie, June 1717: H.M.C. Stuart MSS., 4:392.

a reference to "the church of Britain", which Leslie feared might lead to a misunderstanding:

No man alive can word his mind more short and pithy than his Majesty, but let me give this caution, that he name only the Church of England, because Presbytery is established by what they call law now in Scotland, so there is no such thing as a Church of Britain at present, and the Kirk may apply it to themselves as well as the Church.¹²²

He explained to Mar that Charles II had upheld the spiritual rights of the episcopal church of Scotland when he had assured its clergy that the extensive rights over the church which had been claimed for the crown in the Assertory act of 1669 were in no way to be construed as an encroachment upon its inherent spiritual rights.¹²³ The original Assertory act had been forced through the Scottish parliament while the duke of Lauderdale had been in control of Scottish affairs; the Explanatory act, Leslie was careful to point out, had been drawn up while the duke of York was commissioner and it had been ratified by Charles II. The events offered a clear example of how the Stuarts could be relied upon to defend the church from attacks by brutal erastians: "This is exactly the case now with George and his Convocation. The iron is hot and it seems the time to strike."¹²⁴

122. Leslie to Mar, 29 Oct. 1717: ibid., 5:170. A similar warning had been offered in the "Letter to a Friend" (1711): Bodl. MS. Carte 180, fol. 287.

123. See above, chap. 6, n.80.

124. Leslie to Mar, 29 Oct. 1717: H.M.C. Stuart MSS., 5:169-70.

In the end, it seems, Leslie virtually wrote the letter which the pretender was supposed to have written to him.¹²⁵ It is not surprising, then, that he was entirely satisfied with the result. The elector George's actions, the pretender wrote,

. . . seem to be designed by Providence to show the Church and people of England how little secure their laws and privileges are under the present government, for by the best information I can have the intrinsic spiritual power of the Church, or power of the Keys as exercised by the Apostles and most pure and primitive Church in the first three centuries has ever been thought an essential right of the Church of England, so that it may inquire into the doctrine of its own members and inflict ecclesiastical censures, not extending to any civil government. Now the civil government's putting a stop to such proceedings is in effect taking away that undoubted right of the Church, which if it please God to restore me to my own right, I am firmly resolved to maintain it.¹²⁶

Leslie was perhaps not so much complimenting the pretender as he was smirking to himself when he wrote to Mar at the end of 1717 that the position taken in the letter "is not the first experience I have had of the superiority of the King's judgement." The new year was full of promise: "It

125. See George Home to Mar, 18 Nov. 1717: ibid., 5:215.

126. James III to Dr. Leslie, 29 Nov. 1717: ibid., 5:244.

See also H.M.C. First Report, Appendix 118. Jones's characterisation of the letter to Leslie (Mainstream of Jacobitism, 134) would have been more accurate if he had drawn attention to the fact that the denial of the church's right to inflict civil punishments had been inserted on Leslie's advice and was, in fact, consistent with Leslie's lifelong campaign in favour of the complete separation of the spiritual and temporal jurisdictions.

begins well with his Majesty's letter, which I hope will prove the finishing stroke."¹²⁷

Jacobites were forced to grasp at straws and some insisted that the letter had greatly improved the pretender's interest in England.¹²⁸ Leslie, who was in Paris at the time, reported that all the English to whom he had shown it "were in rapture upon it" and that a member of the house of commons had told him that it had been discussed in parliament.¹²⁹ But it proved to be only a minor sensation and, furthermore, the pretender soon came to regret having sent it at all.

A number of Roman catholics at Saint Germain were shocked at the letter and were concerned that the pretender had expressed heretical opinions. The pretender eventually discovered that father Inese, who had translated it into French, had omitted certain passages which made it appear that he had indeed assented to heresy.¹³⁰ The omissions, in fact, had been deliberate. Inese was jealous of Mar's prominence

127. Leslie to Mar, 31 Dec. 1717: H.M.C. Stuart MSS., 5:346-47.

128. Robert Ferguson to Mar, 29 March 1718: ibid., 6:217;
George Home to John Paterson, 12 April 1718: ibid., 6:304;
Mar to James III, 13 April 1718: ibid., 6:308.

129. Leslie to Mar, 25 March 1718: ibid., 6:194-95.

130. The pretender may have suspected Leslie of tampering with the letter, but any suspicions were short-lived: "[Sir Charles] Wogan says he saw the original, that Leslie made no wrong construction on it, and that [General Arthur] Dillon liked it before he had been at St. Germain, but not so well after." James III to Mar, 3 April 1718: ibid., 6:246.

as an adviser, and the pretender discovered that many of his recent letters had been misconstrued at Saint Germain. In order to undermine everyone's confidence in Mar, Inese had intercepted the pretender's correspondence; and his final act of treachery had been to mistranslate the letter to Leslie so that it appeared that Mar had advised the pretender to espouse heretical views.¹³¹ Inese was removed from office. But the pretender still had to make his peace with Rome, where these events had been reported. He explained to cardinal Gualterio, protector of the English nation at Rome, that his original letter had been approved by learned theologians before it had been issued, and that because God had made him a king of protestant subjects there would be many times when he would have to employ terms which his subjects used without believing that his catholicity would be compromised.¹³²

The misunderstanding and court intrigues which surrounded the pretender's letter were indicative of the frustrations Leslie experienced while in exile. It was a difficult time

131. James III to Ormonde, 7 March 1718: ibid., 6:102.

132. James III to Cardinal Gualterio, 11 March 1718: ibid., 6:134-35. A paper by one father Brown was drawn up at this time which explained: "It is an axiom of Theologians that there is a difference between holding an opinion and stating an opinion. The former is to assent to a proposition, the latter is only to narrate historically what has been said or done by others, providing the speaker does not assent to it." See ibid., 6:608-9. On the controversy surrounding the letter and Inese's dismissal, see Jones, Mainstream of Jacobitism, 133-35. Jones, however, does not indicate that the pretender suspected Inese of actually tampering with the letter.

for him, and the momentary excitement caused by the invasion of 1715 or the Bangorian controversy only drew attention to the real nature of life at the exiled court. Leslie had responded to the pretender's request that he join him in Avignon, where he had settled at the pope's invitation after the failure of the invasion of Scotland.¹³³ Once again protestant services had to be held in secret at the Stuart court.¹³⁴ He found the climate oppressive, especially as the court migrated from Avignon to Italy, and he asked permission to retire to Paris before another summer began.¹³⁵ The request to leave was granted, but some courtiers feared that Leslie's withdrawal would cause gossip. The duke of Mar was informed that young Robert Leslie had urged his father to leave Avignon and that he would spread rumours in Paris that the Leslies had been neglected at court. Indeed, Mar was warned that the elder Leslie himself was dissatisfied with life there and that he

133. Mar to Robert Leslie, 12 April 1716: H.M.C. Stuart MSS., 2:77; and same to same, 28 April 1716: ibid., 2:127. See also "Jacobite Papers at Avignon", ed. Henrietta Tayler, Miscellany of the Scottish History Society, 3rd series (Edinburgh, 1933), 5:291-311.

134. Mar to Henry Maule, 10 June 1716: H.M.C. Stuart MSS, 2:216; and "Jacobite Papers", ed. Tayler, 301. A different rumour was circulating in London: "Here is mighty talk that the Pope has given Dr. Leslie and the Protestants a public chapel in Avignon": Hugh Thomas to Inese, 30 April/11 May 1716: H.M.C. Stuart MSS., 2:145

135. Mar to G. W[edde]lle, 12 June 1717: ibid., 4:346.

suspected Mar of opening and delaying his correspondence.¹³⁶

Mar was told that both the Lesliees were involved with "a certain set of restless mutinous people" in Paris who were scheming to undermine his influence with the pretender; instead, they believed, the pretender ought to rely upon a council of advisers, as had Charles II in exile.¹³⁷ Just after the invasion of 1715 it had been suggested that some sort of council be formed in Paris to examine the masses of information which came from England. It could "meet at such a place as Mr. Leslie's", and "old Mr. Leslie, with two or more, in the nature of a junto" would be able to "throw business into a channel, and set things in the greatest forwardness, with discernment between trifles and well-grounded matters"¹³⁸ But it seems unlikely that Charles Leslie was involved in the attempt to revive the idea of a "junto" in 1718. His son Robert was anotorious schemer and, since he had an inflated opinion of his own importance in jacobite circles, he was constantly jealous because he was usually ignored.¹³⁹ He was

136. John Paterson to Mar, 8 May 1717: ibid., 4:230-31; same to same, 29 May 1717: ibid., 4:286.

137. Father Graeme to Mar, 26 May 1718: ibid., 6:471-72.

138. Thomas Southcott to Mar, 6 April 1716: ibid., 2:62-3.

139. See Paterson to Mar, 8 May 1717: ibid., 4:230-31; Mar to W[edde]le, 12 June 1717: ibid., 4:346. He became "madder than ever, and even to the great mortification of the good old man" (sc., his father) when the duke of Ormonde came to Avignon and completely ignored him: Mar to James III, 15 Aug. 1717: ibid., 4:522-23.

not above letting it be believed that his father supported his intrigues. That was especially dangerous, for even though the unrest was confined to a small "malignant crew", his father's name gave credence to rumours of widespread dissatisfaction. These rumours had even spread to England, Mar was told, ". . . and, as the name of Dr. Leslie has justly a weight with the clergy of England, everything proceeding from his family will be received as an oracle" ¹⁴⁰

Leslie, by this time, was a tired and sick old man who wanted nothing more than to spend the rest of his life at home in Ireland. He had suffered from gout throughout his adult life and was in constant pain in his later years. He also complained of another undefined "weakness, which makes him not well able to walk". ¹⁴¹ Other aspects of life in France contributed to his discomfort. He was "very weary of Paris and more of their way of eating", and so he was granted permission to spend the winter of 1718-1719 at Saint Germain where, presumably, food more palatable to his old British constitution was available. ¹⁴² Furthermore, both he and his son had

140. George Mackenzie to Mar, 26 June 1718: ibid., 6:581.

141. Earl of Panmure to Mar, 24 Oct. 1718: ibid., 7:433.

142. Charles Booth to Mar, 24 Oct. 1718: ibid., 7:435. Booth told Mar that Leslie did not make it clear whether anybody would be accompanying him to spend the winter and that Dillon had suggested inviting Leslie without mentioning anybody else; but, out of respect, if another should come with him or visit him occasionally, "nothing shall be said at my table prejudicial to anybody, much less to your Grace." This other person was

accumulated massive debts. A banker by the name of William Gordon complained that they had "so long lived on me and travelled expensively all out of my pocket"; he feared that he would never be re-paid because Robert's personal estate "is in the hands of a parcel of Whigs in Ireland, who have entirely thrown him off, and no doubt design to have his estate by putting hardships on him."¹⁴³ The estate had been left to Robert because his father was still an outlaw and incapable of inheriting. When word reached them that a lawsuit was indeed underway,¹⁴⁴ they finally decided to go back to Ireland.

The desperate state of Leslie's finances encouraged him to complete a project which had been planned since 1716. A subscription was being raised to publish his theological works in two folio volumes.¹⁴⁵ That project was now revived

probably his son Robert. The letter seems to confirm that the elder Leslie had not been suspected of intriguing against Mar, and that his son was still under a cloud.

143. For the Leslie's financial difficulties, see W. Gordon to John Paterson, 20 Sept. 1716: ibid., 2:452; same to same, 8 Oct. 1716: ibid., 3:42; same to same, 19 Jan 1717: ibid., 3:450; Mar to James III, 15 Aug. 1717: ibid., 4:522-23; Dillon to [James III], 25 Sept. 1717: ibid., 5:70.

144. Leslie to Mar, 25 March 1718: ibid., 6:195. For Robert Leslie's inheritance of the Glaslough estate and the improvements which had been made to it--"I have made you the handsomest house in the three countyes", his aunt wrote to him--see Shirley, History of County Monaghan, 147-48.

145. "Proposals for printing by Subscription of the Works of the Author of The Snake in the Grass", 10 Oct. 1716: Bodl. MS. Rawl. letters 42, fols. 216-17.

in earnest because funds were needed for the lawsuit in Ireland. The subscription proved to be a great success as more than five hundred members of the lords and commons purchased the works of the jacobite outlaw and, by the time they were published in 1721, about £750 had been raised.¹⁴⁶

Leslie requested permission to pass through England on his way to Ireland. The earl of Sunderland, first minister in the English government, guaranteed his safety in return for a promise to give up all political activity. When he arrived in London, a certain "worthy Gentleman"--some said it was bishop Burnet's son--"Officiously waited on my Lord Sunderland with the News". But Leslie was left undisturbed.¹⁴⁷ He was soon back in Glaslough, which he had not visited since 1691. Robert Leslie was able to save the estate by submitting to the government, apparently without protest from his father. Charles Leslie died on 13 April 1722 and was buried in the churchyard at Glaslough.

146. R. J. Leslie, Charles Leslie, 508-10.

147. See Leslie's obituary in The Freeholder's Journal, no. 16 (25 April 1722), which is collected in Hearne, Remarks and Collections, 7:357-59. See also H.M.C. Egmont Diary, 2:50; R. J. Leslie, Charles Leslie, 511.

CONCLUSION

LESLIE'S REPUTATION

Charles Leslie's writings were held in high regard throughout the eighteenth century. "Lesley was a reasoner", Dr. Johnson declared, "and a reasoner who was not to be reasoned against."¹ Even in the late nineteenth century he was held to have been "one of the most illustrious of the Irish clergy"; while Sir Leslie Stephen prefaced his unsympathetic, though not unfair, account of Leslie's short and easy method by noting that he "was, in fact, no despicable master of the art of expressing pithy arguments in vigorous English."² His reputation was derived entirely from his theological works, especially his Short and Easy Method with the Deists, which was re-published as late as 1874 and which had been translated into French and Spanish.³ But that reputation had declined steadily during the nineteenth century, so much so that his descendent and biographer claimed in 1885 that Charles Leslie, who had been

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1. Boswell's Life of Johnson, ed. G. B. Hill, 6 vols. (Oxford, 1887), 4:286 n.3.
 2. Shirley, History of County Monaghan, 147. Stephen, History of English Thought, 1:164.
 3. See above, chap. 3, p.108; and above, chap. 5 n.128, for the re-publication of all his theological works in 1832.

universally known and respected "just a century ago", was now forgotten throughout the United Kingdom, "except among the old Episcopal clergy [of Scotland], who themselves are of a learned and orthodox school". R. J. Leslie was a Victorian high churchman who had as little sympathy as had his ancestor for the political and ecclesiastical tendencies of his age; Charles Leslie was unknown to contemporaries, he claimed, because all theological learning and study was in decline, "which ensued upon the establishment of the house of Hanover upon the throne of Great Britain, and has continued down to the present day" ⁴ The change of theological climate certainly had much to do with neglect of Leslie. In his own day, his defence of biblical literalism and the doctrines of the church of England against freethinkers, dissenters, papists and heathens was applauded by men who would have nothing to do with his politics. "I detest Mr. Lesley's political principles", Jonathan Swift wrote in reply to one of Burnet's attacks on Leslie, but "he has given the world such proof of his soundness in religion, as many a bishop ought to be proud of." ⁵ But by the mid-nineteenth

4. R. J. Leslie, Charles Leslie, 1-4.

5. Gregory Misosarum [Swift], A Preface to the B--p of S--r--m's Introduction To the Third Volume of the History of the Reformation of the Church of England (1713), in The Prose Works of Jonathan Swift, D.D., ed. Temple Scott, 12 vols. (London, 1898), 3:157-58.

century, Leslie's theology, especially his popular short and easy method, had little force left in it. The development of the science of biblical criticism based upon historical examination of the documents which make up the bible was complemented by notions of God's progressive revelation and by evolutionary theory.⁶ Such a theological climate stifled defences of scripture which proceeded from the assumption that God's revelation had been delivered to all men through inspired "pen men".

Leslie's reputation as a political theorist suffered even more than his reputation as a theologian. As the first important critic of Locke's political theory he pointed, quite correctly, to the idea of the state of nature and the discussion of consent as the "Jugulum Causae" of that theory. The questions he asked did much to establish the tone of Lockean criticism in both England and America until the time of the French revolution.⁷ Yet his trenchant criticisms went unnoticed by historians of political thought until quite

6. See Alec R. Vidler, The Church in an Age of Revolution, 1789 to the present day (Harmondsworth, 1971), chaps. 10-11. There are interesting comments on the decline of biblical literalism in P. T. Marsh, The Victorian Church in Decline, Archbishop Tait and the Church of England, 1868-1882 (Pittsburgh, 1969), chap. 2.

7. See Dunn, "Politics of Locke", passim, and Political Thought of John Locke, 156 n.3; Bernard Bailyn, The Ideological Origins of the American Revolution (Cambridge, Mass., 1967), 310; Goldie, "Tory Political Thought", 248.

recently. Acknowledgment of Leslie's importance had to wait for Peter Laslett's edition of Filmer's political works in 1949 and especially his edition of Locke's Two Treatises in 1960. That latter work provided the foundation for a new understanding of Locke as a political writer. It aroused interest in the contemporary context of the Two Treatises and drew attention to the political theory against which it was written. An inevitable consequence of Laslett's scholarship has been a better understanding of Locke's reputation among his contemporaries and the nature of the early opposition to his writings. If careful historical investigation of documents and awareness of their peculiar contexts undermined the reputation of Leslie's theological works, they have been responsible for the attention he has received as a political theorist.

This study of Leslie has emphasised that his theology and his politics are inseparable. Attention has been drawn to the theological context of politics in England after the revolution of 1688-1689, when high churchmen truly did believe that their church was threatened by the advance of dissent and the spread of heresy. Leslie's writings on the government of church and state were part of that high-church reaction. His attack on Locke's political theory had been preceded by high-church condemnations of Locke's psychological and epistemological theories, which threatened belief in the revealed trinitarian nature of God. Leslie's writings were

devoted essentially to a discussion of the nature and derivation of authority in both church and state. He was chiefly concerned to defend God's revelation as recorded in scripture as the only source of legitimate authority. Leslie turned to the theories of patriarchal monarchy and jure divino episcopacy at a time when high churchmen were convinced that there was a conspiracy to subvert revealed religion; and he developed those theories as a defence of government as a revealed matter of fact.

"In Dodwell's case", George Every observed, "it is difficult not to feel that his increasing preoccupation with Apostolic Succession is connected psychologically with a lessening interest in the divine right of kings."⁸ That statement could probably be applied to the church of England in general during the period when apostolic succession was replacing hereditary monarchy and non-resistance as its distinctive doctrine. Leslie's patriarchalism was initially offered in defence of episcopacy, and he derived his theory of temporal government from that theory of spiritual government. Leslie hoped for a "throne & Honest Reformatⁿ", which to him meant restoration of legitimate authority in both church and state. Leslie never lost interest in monarchy by divine right, but to him it was a means to a greater end, which was the restoration of episcopal rights.

8. Every, High Church Party, 73.

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II. Contemporary Tracts

A. Leslie's Works

Leslie's numerous theological works have not been listed separately. They have been collected in two editions, the first of which has been used for this thesis. The only time the 1832 edition was used was for several references to Leslie's anti-socinian writings because he excluded his Charge of Socinianism against Dr. Tillotson from the edition of 1721.

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