The Reformed Presbyterian Church of Scotland, the British Constitution and Scottish Independence

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# (Although this paper is a private production, it was received and approved by the Presbytery of the Reformed Presbyterian Church of Scotland as containing an accurate statement of the principles of the church and of the application of those principles to the issues under discussion)

# Introduction

On the 18th of September of this year (2014), all British, Commonwealth and European Union citizens aged sixteen or over and resident in Scotland or registered to vote in Scotland, will be entitled to vote on whether Scotland should become an independent country or continue as a constituent part of the United Kingdom.

The intention of this paper is to guide those citizens as to how to cast their vote in accordance with biblical principles – principles which can also be described as Reformed and Presbyterian.

It should come as no surprise to those who know something of the history of the Reformed Presbyterian Church of Scotland to discover that our position on this matter may well be rather different from that adopted by the other Presbyterian Churches in the land – insofar as those churches adopt a position on the matter at all. For reasons which we will articulate more fully below, the forefathers of the Reformed Presbyterian church were resolutely opposed to the Union of 1707 on religious grounds. Their opposition was a natural outworking of their principled opposition to the earlier Revolution Settlement of Presbyterian Scotland in 1690.

It was this opposition which led the Reformed Presbyterian Church to adopt a distinctive position in British politics as the only Presbyterian Church holding it to be the duty of the British citizen *not to vote* in national elections to Parliament.

This position had nothing to do with corruption in politics, the stifling nature of party politics or indeed apathy or cynicism. It was much more fundamental than that. The deeper problem lay in the Oath of Allegiance which all MP’s were and are required to take pledging allegiance to the Monarch as the Head of Church and State and as Protector of the British Constitution. Because the Reformed Presbyterian Church had a principled objection to that Oath of Allegiance, her members not only refrained from standing for government office in elections but refrained further from the process of voting for others to represent them – on the ground that these representatives would be required to take the same oath themselves.

Incidentally, this position has sometimes been misunderstood, and sometimes (wilfully) misrepresented, as though the Reformed Presbyterian Church encouraged *disobedience* to the Monarch but that was not the case. The Reformed Presbyterian Church consistently taught the need to be subject to the reigning Monarch (or indeed to a Republican government) insofar as the commands of that Monarch were consistent with the teaching of the Word of God – in much the same way as she taught individuals to obey their parents even if those parents were not professing faith in Christ themselves.

Accordingly, she encouraged her people to fulfil the duties of citizenship involving such acts as the maintenance of law and order, the payment of tax and the defence of the realm, but she drew a sharp distinction between such acts of obedience and other acts which required the *promotion of the system of government as it then existed*. According to this distinction, therefore, she taught that voting to maintain the system of which the Monarch is Head, and swearing to maintain that system, was *not* one of the duties of that citizenship.

This position, effectively one of formal and principled political dissent, is now so unusual in 21st century Britain that, on the morning of beginning to write this (20th May, 2014), there was a lively discussion on Radio 4 as to whether voting should become *compulsory* in the UK – as it is, for example, in Australia where failure to exercise the right to vote carries a fine. In the discussion, although a healthy number asserted their liberty not to vote, no-one even suggested that it might be a duty not to vote at all! One had the feeling that the very thought would be absurd. Indeed, to a generation brought up to view the democratic system as sacrosanct and the right to vote as a privilege dearly bought, it is seen as something of a crime not to use the vote – an abdication of a God-given responsibility.

And with that, all churches would probably agree: Although the Authoritative Standards and General Assembly deliverances of Scottish Presbyterian Churches have nothing to say on this issue, in a direct way at least, all of them seem to rest on the assumption that there is no serious problem with the British constitution and see no problem with exercising the right to vote – after all, the members of these churches vote freely, seek and accept the government offices for which they are eligible and, in accepting these offices, they swear Oaths of Allegiance to the Crown without scruple.

Where, then, did the position of the Reformed Presbyterian Church come from? What are the philosophical and theological principles which lie behind it? And on what ground was it modified in the 1960’s – when voting ceased to be made a matter of church discipline? These questions need to be addressed before the position of the Reformed Presbyterian Church can be fully understood and so, before turning to the issue of Scottish Independence, we will examine our current political system and where the RP Church stands in relation to it.

We need first, then, to consider the nature of our Government in the United Kingdom.

# The Government of the United Kingdom

The government of the United Kingdom is the responsibility of *Parliament* – which consists of the Monarch, the House of Lords and the House of Commons. The particular relationship which exists between them is enshrined in a constitution – with the result that, in the United Kingdom, we live in what has become known as a ‘Constitutional Monarchy’.

1. **Constitutional Monarchy**

Normally, living under a Monarch would mean living under a ruler possessing absolute right to make and enforce law – although such a power could be delegated with varying degrees of liberty according to the principles of the Monarch. The latter kings of the Stewart dynasty in Scotland, who also ruled over England and Ireland from the union of the crowns in 1606, were passionate advocates of what came to be known as the ‘Divine Right of Kings’ – a belief that the Monarch was God’s representative, with God like authority, on the throne of the nation. However, thanks largely to the influence of the Covenanters of the 17th Century, of whom the Reformed Presbyterians are heirs, we now live under a constitutional monarchy – which means that we are subject to a Monarch *whose power is limited by a constitution.*

A constitution is a collection of laws which are designed to lay down a permanent basis for government. In a Constitutional Monarchy, the Powers of the Monarch are limited according to the terms of the constitution, which is itself the creation of Parliament – that is, of the Monarch in association with the other bodies possessing legislative power in the land.

Although the Magna Carta in England had struck out in this direction, it is hard for us now, in the 21st century, to appreciate how radical this thinking was when it first began to appear in Scotland. The publication of ‘*Lex Rex’* (‘Law is King’) by the covenanter Samuel Rutherford, which argued the case for the law being King rather than the King being the Law (effectively ‘*Rex Lex’*), was deemed revolutionary and dangerous at the time. The book went on to become a seminal work of political philosophy in both Britain and America, having a considerable role to in the development of constitutional monarchy in the United Kingdom and Republicanism in the United States of America.

1. **Parliament**

Along with the Monarch, the British Parliament consists also of the Houses of Lords and Commons. The Lords are appointed to their position in government by the Monarch – on the recommendation of the Prime Minister – while the Commons are elected by all those who are qualified to vote for them in the United Kingdom. Significantly, as we noted above, no-one is allowed into office, in either House, without taking the *Oath of Allegiance* to the Monarch (more of which later).

As noted above, the constitution is itself the creation of the Parliament. And, while the Monarch retains immense constitutional powers – as we shall see – most people believe that these powers are more apparent than real (more ‘de jure’ than ‘de facto’) and that *real* sovereignty lies in the Houses of Lords and Commons – and particularly, since the 1911 Act of Parliament, in the House of Commons.

For now, it is enough to note that the government of Britain is in the hands of Parliament – but to note also that that the powers of Parliament, including those of the Monarch, are to be safeguarded by the Monarch herself who, as Head of State and Parliament, is bound to preserve the constitution of the nation by an oath known as the *Oath of Coronation* (again, more of that later).

1. **Parliamentary Democracy**

The British Parliamentary system is, in great measure, democratic in form – which means that all the citizens of the United Kingdom who qualify by reason of age (providing they are not disqualified due to mental incapacity, incarceration or other legal impediment) are eligible to have a say in the making and administration of the laws of the land.

This means that in a very real sense, millions of people in the United Kingdom – known as the electorate – are effectively *participating in Parliament*. That many of these people *feel* disenfranchised, for whatever reason, is undoubtedly true but it is also a moot point: The fact remains that, in our system of government, the whole electorate, or as many of them as wish to do so by, participate in government by the act of voting.

Due to the historical difficulty of participating in a direct and practical way, the democratic principle is realised through a system of representation. According to this system, the whole of the electorate choose representatives to act on their behalf. And, as is universally acknowledged, ‘*the people do that by means of their representatives that which it is impracticable for them to do in their own persons’*.

1. **Representative Parliamentary Democracy**

So then, in a ‘representative’ Parliament, such as we have, those who are eligible to participate in the government of the country (that is, more or less all of us over the age of 18) choose others to represent them and, in this way, we all have the right to make our laws – providing they are in accordance with the constitution.

However, it is *practically* impossible for this to happen – or, at least, it has been until recently. Interestingly, in the developed technological age in which we live, it should be possible to do it: just as a nation can vote electronically and quickly for the winner in an X-Factor competition, there seems to be no real barrier any more to the electorate voting on every issue before Parliament – as the democratic principle really demands.

Notoriously, and aside from administrative difficulties, one of the reasons this electronic and immediate system is not adopted by the ‘enlightened’ political elite is that it would legalise many things which they fear (for example, capital punishment which has always been supported by the democratic will of the British people) and outlaw many things which they enthusiastically advocate (such as same-sex marriage – which has always been opposed by the same democratic will of the British people, at least from the time they began to think about it).

However, historically, and for practical reasons, the principle of representation has been used. By this principle, then, we choose someone else to speak *on our behalf* and to vote in Parliament *in our name*.

Of course, it stands to reason (or, it should anyway!) that if you are not satisfied with the person who is offering to speak in your name in Parliament you should not use your vote to authorise him to do so. And herein lies the main problem with compulsory voting: why should you be *forced* to authorise someone else to vote on *your behalf* if that person has previously undertaken to legalise something that you consider wrong or sinful? This argument is enough to demonstrate that compulsory voting is fundamentally tyrannical.

The British government, then, which possesses the power to make, administer and enforce all the laws of the land, is both a *Constitutional Monarchy* and a *Representative Parliamentary Democracy*.

What is it, then, about this system which led the Reformed Presbyterian Church of Scotland to take such a distinctive position of principled political dissent – a position shared in recent times, rather notoriously, by Sinn Fein, whose members stood for election but refused to become members of the United Kingdom parliament due to the requirement to take the *Oath of Allegiance*?

In order to understand this position, we need to begin with the following biblical principles for government.

# Biblical Principles Governing Lawful Participation in Government

We would assert that the following five biblical principles for government are relevant for members of a nation governed by a Constitutional Monarchy and a Representative Parliamentary Democracy.

1. *Only those who meet God’s standards for civil office are truly qualified for that office.*

The Bible gives clear instructions concerning the qualifications for office in civil government.

These qualifications can be summed up in the words of David 2 Samuel 23:3 ‘he that rules over men must be just, ruling in the fear of God’. They can also be found in Exodus 18:21, where we are informed that officers in civil government – not the government of the church – are to be men of ability, who fear God (that is, honour him and his Word), men of truth (not liars) and men who hate covetousness (not seeking their own gain). They are also found in Deuteronomy 1:13 where we note that, although the people choose their own rulers, they are obligated to choose *qualified men*. The qualification consists in possessing wisdom and understanding – and significantly, in the Bible, this wisdom begins with ‘the fear of the Lord’.

According to the Bible, then, those qualified for civil office (as distinct from office in the church) must fear God. This fear of God will find outward expression in a commitment to serving and upholding the law of God (as we shall see later).

It is plain from this that *an unqualified man is no more entitled to serve as Civil ruler in the state than an unqualified man is to serve as an elder in a church*. A Christian understands that it is God who has a right to lay down the qualifications for both and that he has in fact done so in his word.

1. Those who are empowered to elect others to office *should equip, support and vote only for those men who have the biblical qualifications for office in government.*

This principle follows from the previous principle. It also becomes clear when we consider our responsibility in the church: Just as we would never vote for a man to be an *overseer in the church* if he lacked the biblical qualifications for that office, so we should never vote for a man to be an *overseer of the nation* if he lacks the biblical qualification for that office. *To do so would be to disobey God.*

It is also important to emphasise that it is no more allowable to vote for a least-worst candidate for government office than it is to vote for a least-worst candidate for church office. Of course it has become quite common over the years even for Christians to vote for ‘least-worst’ candidates on the ground that they are – well, the least-worst!

*However, it can never be the correct choice to authorise an unqualified person to govern either the church or the state in your name*.

Furthermore, failing to vote for qualified people on the ground that they ‘won’t win’ is looking to expediency rather than to principle and is looking to the short term rather than to the long term. And, if there are no good candidates, why not run for office? Or why not spoil your paper in protest? Incidentally, one of the aims of the church must be to produce individuals who are qualified to hold the office of civil rule in a nation. If we produce no such individuals, it is clear that we are failing in our duty.

It should be noted, however, that this necessary requirement governing our participation in the election of rulers is distinct from the subsequent obligation to be subject to such rulers if they are elected – providing their commands are not in conflict with the Word of God.

1. Those who are empowered to elect others to office *should not vote for someone who has promised to sin should he win.*

To vote for such a person is to give a mandate for that sin – for example, legislating for abortion. Again, it is no argument to say that the other candidate has promised to sin more. If that is the case, do not give your mandate to either candidate and either run for office or don’t vote and leave the outcome to our sovereign God. You are never left in a moral situation by God in which you have to do the lesser of two evils: there is always a third option.

1. Those who are empowered to elect others to officemust recognise that *a bad candidate is not sanctified by a good political party and neither is a bad political party sanctified by a good candidate*.

If the candidate is bad, you must realise that, in our system of government, you are voting for that candidate to be *your personal representative* making decisions in your name. So, for example, if he is affiliated to a party that is opposed to same-sex marriage but he makes plain that he is in favour of it and will vote for it, then by casting your vote for him you are empowering him to carry out his intention. If, on the other hand, the candidate is good but is nonetheless committed to accept the discipline of a political party that is committed to do evil – for example, legalising abortion or euthanasia – then he is not as good as you thought he was! And, of course, in voting for him, you are also voting for the party with which he has formally and publically identified himself.

1. *Christians should pray that the Ten Commandments and God’s standards for office would become part of the national constitutional law.*

Something more will be said on this below, but if the Kingship of Christ over the state as well as the church means anything in practice – as opposed to merely sounding good and appearing logical in a theological system – then it must mean that the primary laws issued by Christ the King as the basis of all his other laws should become the primary constitutional laws of the Kingdom.

These five principles make plain how we should approach the matter of involving ourselves in the government of this country through the act of voting. They also help us to begin examining in greater detail where the problem with voting, or serving as an MP, lies from the perspective of the Reformed Presbyterian Church of Scotland.

The source of the difficulty is to be found in the nature of the constitution which has governed our nation since the ‘Glorious Revolution’ of 1688 – and the duties which fall to the voters and the elected members to Parliament in the light of that constitution.

Let’s proceed, then, to examine

# The Constitution of the United Kingdom

There are three serious defects in the current constitutional arrangements of the United Kingdom, none of which are presently given proper consideration by Christians in general or Scottish Presbyterians in particular.

1. **A Serious Omission**

First, although it is by no means the determining factor – partly due to its nature as an omission – it is an undoubted evil that, despite references to God in various parts of our constitution (including the Oath of Coronation) there is *no explicit acknowledgement of the Headship of Christ over the nation and over the Monarch herself*.

Although people are accustomed to think that political and personal freedom can be secured by constitutions and enlightened governors, it is important to realise that this is not the case. In fact, as history demonstrates, the powers of a Parliament need to be curbed as much as those of the Monarch. Although a Parliament is less likely to be tyrannical than a Monarch, and a Representative Parliament even less so, all governments can become tyrannical unless they are bound formally by the Word of God and unless they can be held to account for their despising of it.

After all, the powers exercised by the Parliament are far more powerful than those claimed by any other organisation within its bounds: it compels the education of all the young, and demands a significant proportion of our wealth; it frames and enforces the laws by which we live, forces young men and women into the field of battle in their defence and claims a power to control our freedom – to the point of imposing lifelong incarceration and the all the deprivations belonging to it.

And, worryingly, a trend has emerged in recent years – increasing with the election of the Labour government in 1997 and continuing with little sign of abatement under the current coalition government – of using Parliament in a tyrannical manner: In recent years, our representative government has legalised abortion, led us into war in Iraq and altered the definition of marriage beyond all recognition – all of which are acts of tyranny, in that they did not represent either the will of the people or, in two of these cases at least, the will of God.

Crucially, Reformed Christians (or consistent ones, at any rate) believe that Princes (Kings and Governments) are bound by the Word of God and that their ultimate direction for legislative government is found there. From his throne, Christ the King has issued instructions to the nations to order to advance the well-being of all the subject of the realm in their personal, family, social and civil life. He requires the Heads of all nations to yield to him as ‘Governor among the Nations’.

This doctrine, a particular distinctive of the Reformed Presbyterian Church of Scotland, is not to be confused with the (correct) belief that Christ rules over the nations *in providence*. It is much more than that: this appointed Kingship of Christ over the nations is an actual office to which he has been appointed as Mediator and which constitutes him the supreme and rightful ruler of all the nations of the earth. The Biblical evidence for this appointment is extensive but due to the widespread ignorance of this doctrine and the criminal neglect of it and failure to understand it properly on the part of those who are in theory bound to it, it is as well to highlight a few passages which teach it plainly.

In Psalm 2, the opposition to Christ is an opposition to his Kingship – and note particularly Christ’s right to rule through the ‘Kings’ and ‘Judges’ who are duty bound to ‘serve’ him – that is, in their *official* capacity as Kings and Judges, not in a *personal* or *private* capacity;

In Psalm 22:28, the exalted Christ is to be ‘Governor among the Nations’;

In Psalm 72: 10, 11 and 17 we should note the ‘tribute’ (official produce of State, as opposed to a personal gift) that is being brought by rulers of Kingdoms to the Lord Jesus Christ;

In Isaiah 49:22 and 23, the rulers of the nations are to become ‘nursing fathers and mothers’ to the church of Church – in other words, they are to use their civil office in order to first protect and then nurture the church of Christ;

In Isaiah 60:11,12 and 16, the Kings of the Gentile world will come to acknowledge Christ and note particularly, that the ‘nation’ and ‘Kingdom’ which would not serve Christ ‘will perish’ – again, these Kings and their Kingdoms are here spoken of as political entities with their institutions and not as individual resident in particular geographical localities;

In Revelation 1:5, Christ is entitled the ‘Prince of the Kings of the Earth’ – which is not a title of excellence and dignity alone but one of descriptive political precision: he is *in fact* Prince of the Kings of the earth and they, as civil rulers, and acting in that capacity, owe their allegiance to him as he has expressed his will in his Word;

In Revelation 17:14, he is ‘King of Kings and Lord of Lords’;

Finally, in Revelation 11:15, the kingdoms of the world (as Kingdoms!) become kingdoms of Christ – in other words, due to the Christian rule of their Kings, these Kingdoms become *Christian kingdoms*.

Significantly, even under the Old Testament, the laws and institutions of foreign lands were to be framed in accordance with God’s laws (note Nebuchadnezzar in Daniel 5:23).

These scriptural references remind us that Jesus is the King of both institutions of Church and State. (Incidentally, the particular *form* of civil government over which he is to preside is nowhere mandated: As a matter of historical fact, as well as in theory, Reformed Presbyterians have been as happy under republican government as they have been under a Monarchy and, in the light of much past monarchical tyranny, there is much to be said for the abolition of a monarchy and the establishment of a republic under the laws of Christ).

Ultimately, the formal recognition of Christ’s kingship, at the highest level of State, is our only safeguard for all that is just and good. It is both dangerous and audacious for the government of any society to assume its powers without acknowledging that they did not originate with their own (voluntary) constitution but, rather, from a power greater than itself.

Refusal to be bound to the higher law of God, in theory, releases government from true accountability and, instead, its own will becomes absolute. The formal recognition of God and the supremacy of his will, by government, invest the institution of government with true dignity: they make it conscious of its Divine origin, as an institution, and make its officials conscious of their status as ‘Ministers of God’ – for the good of the people (Romans 13). At the same time, the same recognition humbles it with a sense of awesome responsibility – to rule in the fear of God *according to the superior constitution of the Word of God*.

The most immediate and obvious consequence of failing to acknowledge the supremacy of Christ over the Nation is that a person of any religion whatsoever – or none at all – becomes a fit person to rule a nation. Sadly, most Christians today – totally misled by unbiblical conceptions of the nature of ‘liberty’ and ‘toleration’ – are unable to articulate why an atheist shouldn’t be in government over our nation. However, a Christian of truly Reformed persuasion is instinctively on his guard against giving wholehearted allegiance to a law maker in the offices of State who does not recognise both his own accountability to the law of God and the accountability of the State as a whole to the law of God.

However, although this is a problem, and a serious one, it is not the main reason why the RP Church has practised dissent.

1. **A Serious Intrusion**

A deeper problem lies, second, in the fact that the British Constitution *enshrines in perpetuity (that is, forever) the position of the Monarch as the Head of a Church*.

As such, she has the power *to appoint the Bishops, or overseers, of that Church*. Of course, as every intelligent Presbyterian should know, this is in direct violation of a fundamental Biblical doctrine: that of the Headship of Christ over his own church. Subsequent to his resurrection, Christ was crowned and appointed as King over Zion (the church) by God himself (note that, in the light of what we have seen already, there is a double Headship: over the State and over the Church). As a result, the doctrine, worship and government of the church are prescribed by Christ *alone* – through his Word. No power on earth, whether in London, Edinburgh or in the Vatican, is allowed to intrude into this sacred Headship.

Furthermore, according to the British Constitution, the Monarch also has the power *to appoint these Bishops to a seat in Parliament* – where they exercise political and civil rule over Scotland as well as over England, Northern Ireland and Wales!

So, by the terms of the constitution, this Kingly ecclesiastical power, wielded over the Church of England, is extended into the civil realm with the result that the citizens of supposedly free nations (of which Scotland is supposed to be one) are ruled by ecclesiastical officers who ought to have no existence whatsoever according to the Word of God!

1. **A Serious Violation**

A deeper problem still lies in the fact that new form of the British Constitution *is in violation of a previous constitution adopted, under oath, before God.*

The current constitutional arrangements date from the so-called ‘Glorious Revolution’ of 1688 and, as well as including ancient documents such as the Magna Carta and Habeus Corpus, consists of the Bill of Rights (1689), the Act of Settlement (1701), the Acts of Union (1706 in England and 1707 in Scotland); the Parliament Acts (1911, 1949) and the Human Rights Act (1998).

However, it is almost completely forgotten that all of these documents from 1689 onwards are in *express violation of the previous constitutional documents governing Scotland*. These were: the *National Covenant* (1638) and the *Solemn League and Covenant* (1643).

*The National Covenant* (1638) – in its essence, a renewal of a previous covenant dated from 1581 – re-affirmed the Scots Confession of Faith, vigorously asserted the independence of the church from civil interference and recounted the various Acts of Parliament which had condemned Roman Catholicism as well as other innovations – particularly in the worship of the church.

*The Solemn League and Covenant* (1643) was, as its name suggests, not just a military league but a solemn civil and religious covenant which bound the nation as a whole, through its government officials, to the ‘preservation’ of the ‘doctrine, worship, discipline, and government’ of the Church of Scotland and the ‘reformation’ of religion in the kingdoms of England and Ireland in ‘doctrine, worship, discipline, and government’ according to the Word of God and the example of the best reformed Churches. It also bound all parties to endeavour to bring the Churches of God in the three kingdoms to the nearest conjunction and uniformity in all these areas of faith and practice.

Crucially, these Covenants were adopted into the Constitution of both Church *and* State – and the terms of adoption made plain that they were to be perpetual!

First, *they were adopted into the constitution of the Church of Scotland*. In the case of the National Covenant, this was done through its formal adoption by the General Assembly in 1639 by means of a public oath taken by all office-bearers of the church. In the case of the Solemn League and Covenant, it was approved, again by the taking of an oath, by the General Assembly in 1643.

Significantly, without taking this oath, an act often referred to as ‘taking the Covenants’, no-one could be admitted into office in the Church or indeed be permitted to continue in office. This fact alone, apart from all other considerations, is enough to explode the myth that the Covenants were somehow not considered part of the constitution of the church.

Second*, they were also adopted into the constitution of the land* – again, by means of solemn oath. In the case of the National Covenant, this was done by the Scottish Parliament in 1940 while the Solemn League and Covenant was adopted by the Scottish Parliament in 1644.

It should be noted also that *The Solemn League and Covenant* was also *adopted by the English Parliament into her own constitution* – yet again by means of a solemn oath sworn before God – and was later sworn to by the King. Both Houses of Parliament (Lords and Commons) rose while the document was read in St Margaret’s Church, London and, with raised hands, swore to preserve it. In this way, this once-famous document, now buried in oblivion, became a foundational constitutional document governing the Kingdoms of Scotland, England and Ireland.

According to this Constitutional arrangement, then, the Scottish nation, including its Monarch (who signed the Covenants) was bound to preserve and promote Reformed doctrine and Presbyterian government in Scotland and to strive wholeheartedly to establish the same in England and Ireland. This constitutional advance, simply because it bound to the truth of God, in the presence of God, and pledged allegiance to his Word as the fundamental constitutional document, *bound Scotland in a perpetual Covenant* – as the Marquis of Argyll stated at his martyrdom, ‘God has laid engagements on Scotland and it passes the power of all the magistrates under heaven to absolve from the oath of God’.

Clearly, then, prior to the current arrangements coming into force with the ‘Revolution’, the most recent constitutional documents governing the separate Kingdoms of Scotland, England and Ireland were as follows: in the case of Scotland, the *National Covenant* (1643) and *The Solemn League and Covenant* (1643) and, in the case of Ireland and England (including Wales), *The Solemn League and Covenant* (1643).

It cannot be stressed enough that when we consider that these Covenants were received in a lawful manner; that they were intentionally and explicitly adopted as part of the ecclesiastical and civil constitution of the land; *that they were taken by all parties with an oath*; that they bound to what was lawful and right according to the Word of God and that they (again, intentionally and explicitly) bound posterity – we must conclude that these Covenants became, from the moment of their adoption, *the primary constitutional documents governing the land*.

In stands to reason then, that any further addition to the British Constitution, from that point, *should in no way violate the terms of the Covenants*.

However, the new Constitutional arrangements dating from the ‘Glorious Revolution’ of 1688 did precisely that. As we saw earlier, they established Prelacy (rule by Bishops) in England and Ireland as the only form of church government (*in perpetuity*); they established the Monarch as Head of the Church of England (again, *in perpetuity*) and enshrined her right to appoint her Bishops into political rule over the new United Kingdom of Great Britain. These new constitutional arrangements – which the Monarch is bound to uphold - are in clear violation of the then existing constitutional arrangements as outlined in the Covenants.

And, surely, those who adhere in principle to the former Constitution cannot conscientiously and simultaneously, bind themselves by oath to uphold a contrary Constitution?

So, then, we have a *grave omission* (that of an express acknowledgement of the sovereignty of Christ as supreme King), a *grave intrusion* (by the Monarch into the Headship of the Church) and a *grave violation* (of the existing Covenanted constitution*)*.

# The Constitution of the United Kingdom and its Oaths

However, the legitimate question arises: Can we not enter Parliament with a view to changing the constitution or, indeed, with a view to restoring it to its original Reformed and Presbyterian foundation according to the former oaths?

Admittedly, this would be the first instinct of a Reformed Presbyterian (traditionally, and in spite of the policy of dissent, the most politically aware of all Scottish Presbyterians).

However, there is a problem with this course of action which we need to understand fully before we propose another possible remedy. The problem lies in the fact that all parts of the Government – the Monarch, Parliament and all the executive officers of Government – as it is now established constitutionally, are *solemnly bound by oath to each other*.

These oaths are the *Oath of Coronation* (taken by the Monarch) and the *Oath of Allegiance* (taken by her officers of state – including MP’s).

Crucially, these two oaths belong together and each one needs to be understood in the light of the other: By requiring the *Oath of Coronation* from the Monarch, the people declare to that Monarch the conditions upon which they agree to place the crown on her head. By the *Oath of Allegiance*, her officers – including her MP’s – solemnly pledge to support her in the fulfilment of her oath and to help her discharge it. We need to examine and understand both these oaths.

1. **The Oath of Coronation**

The British Constitution requires its Head of Government (the Monarch) to take an oath on assuming office. By this Oath of Coronation, the Monarch vows several things.

First of all, she vows to govern the all her territories ‘*according to their respective laws and customs’.* It is often overlooked that this oath pledges the Monarch to maintain an astonishing variety of religious beliefs – many of them not even Christian!

Second, she vows to ‘*govern according to all the statutes in Parliament’*. And, according to these foundational statutes, she is vowing to continue as a member of the Church of England (Act of Settlement 1701), to function as the Head of that Church and to ‘*maintain and preserve inviolably the settlement of the Church of England, and the doctrine, worship, discipline, and government thereof, as by law established in England (and to) preserve unto the Bishops and Clergy of England, and to the Churches there committed to their charge, all such rights and privileges, as by law do or shall appertain to them or any of them*’.

In other words, she is bound by oath to hinder what the *Solemn League and Covenant* bound the Monarch to promote!

How obvious then, that the current oath-bound constitution is not the same as that which prevailed after the Second Reformation! How obvious too that the Oath of the Coronation contradicts the Oath of the Covenants!

Accordingly, it appears on the face of it, that we cannot be a party to the system which insists on placing the crown on the head of the monarch on these terms.

But, is it the case that the oath of Allegiance, sworn by all MP’s, really commits to all these things? Could it not be the case that an MP is not really compromising true Reformed principles or violating the ancient constitutional covenants of the land just by taking office?

This takes us to the MP’s Oath of Allegiance.

1. **The Oath of Allegiance**

As we have noted, a person elected by any group of people to represent them in Parliament can only take his seat as a Member of Parliament on the express condition that he swears the Oath of Allegiance to the British Crown – as the constitutional head of the United Kingdom and the protector of that constitution. Anyone elected and attempting to take his seat in the House without taking the Oath is liable to punishment – including forfeiture of his right to the seat.

Of course, the electorate know, or should know, that the first act which their elected representative would need to perform in order to become a Member of Parliament would be to take the Oath of Allegiance to the Monarch – not to the Monarch as a person, but to her and her ‘heirs and successors’ explicitly ‘*according to law’.* Now, if it is wrong and for someone to take this oath, on the basis of an existing allegiance to contrary principles, then reason alone, altogether apart from scriptural principles, should tell us that it is wrong to commission others to do what would be wrong for us to do ourselves.

Hence, on the ground of the nature of the Constitution and the terms of the Oath of Coronation (which binds the Sovereign to support that constitution) as well as the terms of the Oath of Allegiance (which binds her government Ministers to support her in doing so) it seems difficult to avoid the conclusion that the true heirs of the oath-bound Covenanters (whoever they consider themselves to be) *ought not to participate in electing Members of Parliament to the Parliament of the United Kingdom as it is currently constituted*.

Before looking at alternative courses of political action, it is worth examining objections to this position to see whether or not it is the true position that we ought to take. After all, dissent is radical political *activity* (it only *appears* to be inactivity) and, if we consider it to be necessary, we need to be sure of our ground.

# Possible Objections to Political Dissent

1. **The Oath of Allegiance: a mere ‘form’?**

First, it is sometime held that the Oath should be considered as a mere form marking an entrance into office and that the person taking it should not be over anxious about whether he is bound by its terms or not.

This attitude is surprisingly common – and is almost accepted in many Presbyterian Churches today where oaths are taken as a kind of ‘rite of passage’ into ecclesiastical office with little regard for what they say and how they bind.

Of course, if this oath, governing entrance into the Ministry of God in Parliament is a mere form or rite of passage, then how many other oaths are to be considered in the same light? Is the Oath of Coronation itself a ‘form’, to be considered as a kind of ‘rite of passage’ into Monarchy? Or, indeed, the oath administered to jury members or to witnesses in courtrooms? Is the oath taken by men and women in marriage mere ‘rites of passage’ marking entrance into matrimony or, indeed, that taken by parents at baptism marking a ‘rite of passage’ into the visible church?

This attitude trivialises an oath – which ought to be held in all reverence and solemnity. An oath, due to its unique solemnity, is administered with special form (usually while witnesses stand) and is a particularly awesome recognition of Jehovah’s right to judge and is, in effect, *a call upon him to act in a special way according to whether the terms of the oath are respected or not by those who take it.* Clearly, then, on no account should any oath be considered a matter of form.

1. **The Oath of Allegiance: only partially binding**.

Second, it has sometimes been argued that those who take the Oath of Allegiance are not committing themselves to the evils in the constitution but only to such parts of the constitution as they consider good and just.

The glaring difficulty with this argument lies in the fact that the terms of the oath itself make no allowance for any such liberty of interpretation. And that is not to be wondered at. Consider the consequences of adopting this position: one MP will consider himself bound to things which his fellow MP – bound by the same terms of the same oath! – will not see himself bound to at all. One will protect the Monarch’s Headship of the Church of England while his ‘colleague’ will seek to eradicate it. One will strive to remove Prelacy while his colleague – according to the same terms of the same oath! – will seek to keep it established.

In effect, all the MP’s could swear the same allegiance but with potentially widely differing intentions. Surely, in such a case of confusion, would the Monarch not require to be protected from those who are vowing allegiance? This kind of oath taking is, in fact, a profanity – but it is now becoming all too common amongst Protestants who used to take delight in charging this kind of behaviour on Jesuits.

1. **The Oath of Allegiance: taken in order to be overthrown.**

In many respects, this is the most challenging of the objections to political dissent. It is based on the principle that the only way (allegedly) in which a change can be made to the Oath of Allegiance is by striving for such a change from the inside.

This is the principle according to which the Scottish Socialists accepted office in the Scottish Parliament in 1997 – swearing allegiance with a clenched fist (or some similar gesture) in order to demonstrate that they were taking the Oath under some kind of duress and with an express purpose to overthrow it. At least, although this course of action cannot be defended, it has the merit of being open in its intention.

Unfortunately, the same cannot be said of individuals who take specific oaths to uphold certain teachings upon their entrance into the ministry of a church while, simultaneously, harbouring the desire to reject these teachings upon their entrance into office.

In our case, the argument runs as follows: those who desire a reversion to the original constitution should send good men to Parliament in order to remove the evils of the constitution through constitutional means.

So, anyone who wished to remove the Queen’s Headship from the Church, the presence of atheists or Bishops (by virtue of office) from civil government and who wished the restoration of the Covenants as constitutional documents, should stand for election as Member of Parliament. However, if a candidate was to stand for office on such a platform and was to be elected, he would be required to take the oath – but he would do so with an agenda for radical change to the constitution which he is swearing to uphold.

So, in effect, his vow will be as follows: I swear (although I only mean this as a form to qualify me for office) that I will bear faithful and true allegiance to Her Majesty, her Heirs and Successors according to law (but not according to the statutes by which she is invested with the Headship over the Church and with power to appoint Bishops into the civil government of Scotland and Ireland – which laws I propose to strive to abolish).

Is this course of action ethical? Is it consistent with elementary morality, let alone the standards of God’s Holy Word? Is it consistent with the spirit of the one who taught us to be exceedingly careful, in our taking of vows, that our ‘yes’ means ‘yes’ and our ‘no’ means ‘no’? Is it the ‘simplicity that is in Christ Jesus’ or the cunning of the serpent? Is it not the very thing the Apostle Paul warned against when he spoke of doing evil in order that good might come?

Furthermore, the acceptance of such a principle – that it is right to enter an institution whose laws of constitution we disagree with in order to change that institution – is a principle which would allow a Reformed and Presbyterian Christian to enter any association in the world. He could enter the Roman Catholic Church (in order to abolish the Papacy) and the Jehovah’s Witnesses (in order to promote the doctrine of the Divinity of Christ). Significantly, on the principle that the highest amount of good could be achieved by occupying the highest office in such an association, the office of the Papacy would become an office to covet!

This principle, thankfully, is a principle which all right thinking men and women abhor: swearing to accept the statutes governing an institution while seeking to subvert them is as demoralising and corrupt a system as can be thought of. How unethical for a Conservative by conviction to join the Labour party with a view to subversion! How unethical it would be for a Protestant to cloak himself as a Roman Catholic in order to destroy Roman Catholicism!

1. **The Oath of Allegiance: changed with a changing constitution**

Perhaps the most persuasive argument for relaxing the position of the church in this whole area has to do with the fact that the Parliament has altered both the constitution itself as well as the Oath of Allegiance to the Monarch. Indeed, the nature of these changes did in fact lead to the RP church relaxing its position in the 1960’s.

These changes, however, and their true effect upon the voter and the elected Member of Parliament, need to be examined more closely.

First, changes to the ***Oath of Allegiance***

In 1868, the form of oath to be taken changed significantly. Prior to that, the terms of allegiance were extraordinarily detailed and, by way of example, it is worth noting the following form of the oath which was in place in the early 1700’s

*‘I, (John Smith), do truly and sincerely acknowledge, profess, testify and declare in my conscience before God and the world, that our sovereign lord King William is lawful and rightful king of this realm and of all other his majesty's dominions and countries thereunto belonging. And I do solemnly and sincerely declare that I do believe in my conscience that the person pretended to be the prince of Wales during the life of the late King James and since his decease pretending to be and taking upon himself the stile and title of king of England by the name of James the Third, hath not any right or title whatsoever to the crown of this realm or any other the dominions thereto**belonging. And I do renounce, refuse and abjure any allegiance or obedience to him. And I do swear that I will bear faith and true allegiance to his majesty King William, and him will defend to the utmost of my power against all traitorous conspiracies and attempts whatsoever which shall be made against his person, crown or dignity. And I will do my best endeavours to disclose and make known to his majesty and his successors all treasons and traitorous conspiracies which I shall know to be against him or any of them. And I do faithfully promise to the utmost of my power to support, maintain and defend the limitation and succession of the crown against him the said James and all other persons whatsoever as the same is and stands limited (by an act instituted an act declaring the rights and liberties of the subject and settling the succession of the crown) to his majesty during his majesty's life, and, after his majesty's decease, to the Princess Ann of Denmark and the heirs of her body being Protestants, and for default of issue of the said princess and of his majesty respectively, to the Princess Sophia, electoress and duchess dowager of Hanover, and the heirs of her body being Protestants. And all these things I do plainly and sincerely acknowledge and swear according to these express words by me spoken, and according to the plain and common sense understanding of the same words, without any equivocation, mental evasion or secret reservation whatsoever. And I do make this recognition, acknowledgment, abjuration, renunciation and promise, heartily, willingly and truly, upon the true faith of a Christian. So help me God."*

In 1868, by the Promissory Oaths Act, the form of the oath was rather dramatically shortened to the following:

*‘I do swear that I will be faithful and bear true allegiance to her majesty Queen Victoria, her heirs and successors, according to law. So help me God.’*

This is essentially the form of oath still in use today:

*‘I swear by Almighty God that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth, her heirs and successors, according to law’.*

It was probably the rather bland nature of this oath, and its rather stark lack of specificity, which led to increased reluctance on the part of the Reformed Presbyterian Church of Scotland to be too critical of those who took office of state on its terms. After all, it is merely pledging allegiance ‘according to law’. And, of course, the question arises, according to what law?

In other words, what the substance of this reduced oath really amounts to is not easy to say. One could almost be forgiven for seeing it as not really promising anything more than what every citizen of the land is bound to perform anyway – that is, not to commit treason or sedition.

Furthermore, it is possible, in the light of the constitution, that the words ‘according to law’ cover the possibility of the course of succession to the throne itself being legally altered – providing the constitution makes provision for that. All of which brings us, naturally, to the changes which have taken place in the constitution of the United Kingdom itself – *which need to be understood in order to appreciate the Oath of Allegiance more effectively*.

Second, changes to the ***constitution***

Due to changes in the constitution in the latter part of the 19th century and the early part of the 20thcentury, most people would be of the view that the constitution of the United Kingdom has been so altered as to have transferred real sovereignty from the Monarch to the Houses of Parliament – particularly, to the House of Commons by the Parliamentary Acts of 1911 and 1949.

However, it can hardly be denied that while that may be the case in appearance and, to some extent, by convention it does not appear to be the case in law. Although the common view would be that in the event of a ‘stand-off’ between the Crown and the Commons, the Commons would be the winner, true Sovereignty – in law – still lies with the Monarch.

Here, perhaps the decisive point involves Royal *consent* and Royal *assent*: despite all the changes, it remains a stubborn fact that all Acts approved by Parliament *do not become law* without Royal *assent* and, further, and remarkably, Parliament cannot even discuss a matter *which affects the Royal prerogative* without Royal *consent*!

Therefore, while it might indeed be the case that Parliament, in the ordinary form of a Parliamentary Act, could amend or repeal even the Act of Settlement itself (long considered the most fundamental of all current statutes) it could only debate doing so with Royal *consent* and could only legislate to that effect with Royal *assent* – and possibly with the consent of all the other realms under the Monarch’s headship.

This would appear to mean that taking the Oath of Allegiance, according to the current constitution, is effectively *promising to uphold what the Monarch is promising to uphold until the Monarch herself decides otherwise*. After all, the pledge of allegiance is to the Monarch and not to the constitution – which was the alternative pledge advocated forcibly by the late Tony Benn.

Indeed, it would appear that this persistent form of oath, in which allegiance is pledged to the Monarch rather than the constitution as such, provides the key to opening up what lies at the heart of the oath of allegiance: the pledge to the Monarch is not simply because she represents the constitution, as the Head of Parliament, and neither is it simply a pledge to her simply to keep her, and her heirs and successors, on the throne. Rather, the pledge is to the *Monarch in order to retain as hers the particular powers which belong to her as detailed in the existing constitution* and to pledge allegiance to her is particularly *to promise to uphold all her prerogatives until she decides she wishes to relinquish them*.

Put more simply, the current Oath of Allegiance is an oath to preserve the prerogatives of the Monarch *as these are currently invested in her office by the existing constitution* – which prerogatives include the Headship of the Church of England and all the rights and privileges, spiritual and temporal, involved in that Headship.

From the preceding, then, it would appear that taking the Oath of Allegiance remains inconsistent with a genuine commitment to the Covenants.

# Preliminary Conclusion

To summarise: Our representative Parliamentary Democracy means that we participate in government by voting; that we vote for a representative to represent us in government; that our representative is required by law to swear allegiance to the Monarch as Head and representative of the existing British constitution; and that allegiance involves maintaining the Monarch as Head over the Church and the preservation of her right to appoint Bishops into rule over the nation. This existing British constitution is in clear and deliberate violation of previous oath-bound constitutional Covenants adopted in perpetuity for the nation – which are binding upon us.

From the foregoing, then, it would appear that the policy of political dissent practised by the Reformed Presbyterian Church of Scotland up until the 1960’s was not only justified from the time of the Revolution in 1689 until 1868 *but that it remains justified now*.

It is important to note that it is the Oath, *and the Oath alone*, which makes the political process difficult for Reformed Presbyterians. If the Oath was modified, the difficulty would disappear and the freedom to serve would open up.

Before considering what this means for us in terms of political activity – or inactivity – we need to examine the Treaty of Union, passed into law in England in 1706 and then in Scotland in 1707. Clearly, this Treaty is a constitutional document. But how are we to view it? And, should we be involved with the moves to dismantle this Treaty or should we affirm the Treaty? Or should we disengage from the process entirely?

# The Act of Union of 1707

1. **Introduction**

In the light of all we have seen above, it shouldn’t be too difficult to begin to understand why the Covenanters were resolutely opposed to the Act of Union.

In 1707, the forefathers of the Reformed Presbyterian Church of Scotland issued the ‘*Protestation and Testimony against the Incorporating Union with England*’. In this document, their opposition to a ‘*wicked and ruining*’ union was clear and decisive. Indeed, they considered the proceedings of the Scottish Parliament which adopted the Act of Union to be invalid!

1. **Reasons for Protest**

The grounds on which they protested were as follows:

1. **Union Involved Loss of God-given National Sovereignty**

First, they considered the Treaty to be contrary to the fundamental constitutions, laws and liberties of the Kingdom of Scotland ‘*which we, as a free people, have enjoyed for the space of about two thousand years without ever being fully conquered’*.

The terms of union with England meant that the nation of Scotland is ‘*debased and enslaved…its ancient independency lost and gone…the parliamentary power dissolved which was the bulwark and basis of all (Scotland’s) liberties*’.

Furthermore, ‘*the surrender of Parliament and Sovereignty deprive the people of all security* (a security which is) *daily in danger of being encroached upon, altered or subverted by the said British Parliament, managed entirely by the English, who seldom have consulted our welfare…and poor people made liable to taxes, levies and unsupportable burdens, and many other imminent hazards and impositions, all which we here protest against’*.

There is a further warning that the kind of union agreed upon, with the loss of sovereignty entailed, was one which would inevitably yoke the nation of Scotland into ventures and wars at home and abroad which might be in the interests of England but not in the interests of Scotland.

Unmistakeably, then, even apart from the obligations imposed by Covenants of 1638 and 1643, which loomed large in their thinking as we shall see, there is a warning against the evils inherent in an independent nation effectively yielding its own God-given right to sovereignty to another nation.

1. **Union Involved Breach of existing and Binding Covenanted Constitution**

Second, the Union was contrary to the constitutional relationship already established with England under the terms of the *Solemn League and Covenant* (1643).

Indeed, just as the *National Covenant* of 1638 had bound Scotland to the Reformed faith, so the *Solemn League and Covenant* bound the English King and the English Parliament to preserve the Presbyterian and Reformed Faith in Scotland and to pursue the further Reformation of the Church and State in England and Ireland.

As we have seen above, it is beyond dispute that these Covenants, upon their adoption by the Crown and Parliament – on oath – became the foundational constitutional documents of the realm: furthermore, the terms by which they were adopted into the constitution made plain that no-one had a right to reign or govern in the land of Scotland without approving of these covenants. This was the case in connection with the officers of church, state and the army – as is evident, for example, in the terms by which Charles II was recognised as Monarch by the Scots in 1651.

However, the ‘Protestation’ makes plain that the terms upon which Union was agreed with England were in *direct, and serious, breach of these covenantal obligations*. Indeed, according to the ’Protestation’, the terms of the Union made it impossible for the nation of Scotland to fulfil her vows to God!

The particular sources of grievance are the following.

The first article of the *Solemn League and Covenant* bound the nation of Scotland to the further reformation of England in doctrine, worship, discipline and government. The terms of the Union of 1707, however, *forbids this to be done*;

The second article of the *Solemn League and Covenant* abjured prelacy (government by bishops) forever. The terms of the Union of 1707, however, as agreed in both England and Scotland, *established prelacy forever in England*.

The third article of the *Solemn League and Covenant* bound the nation of Scotland to the preservation of the rights, liberties and privileges of Parliament; the terms of the Union of 1707 abolished the Parliament of the Kingdom of Scotland.

The fourth article of the *Solemn League and Covenant* bound the nation to oppose all those who would hinder the work of reformation in the nation; the terms of the Union of 1707 secured the place of unbiblical officers of the church (prelates) in the government of the church and of the nation through their seats in Parliament (in the House of Lords).

In other words, by the terms of the Treaty of Union, officers of the Church of England – Bishops – are entitled to sit in a position of *civil government* over the nation of Scotland! This is contrary both to scripture and to *the Solemn League and Covenant*.

1. **Conclusion**

It is clear, then, that the Treaty of Union only served to exacerbate the defects which had been brought into the Constitution of the Kingdom of Scotland by the Revolution of 1688. Far from improving matters constitutionally, it made them even worse.

# The Present Duty

Where, then does that leave us and, more to the point, what is to be done? What are our political duties as the spiritual heirs of those who believe in the descending obligation of our national covenants?

The following suggests, first, what our duty might be in relation to Scottish Independence and then what it might be in relation to the political process generally.

# The Present Duty: Scottish Independence

From what we have seen above, it would appear to be a straightforward duty to vote for Independence of Scotland in September 2014. After all, doing so would dissolve a Union which we have seen to be sinful in the very terms of its conception. Furthermore, the mere act of voting itself would involve none of the difficulties inherent in the ordinary process of voting for political representation in the United Kingdom. Undoubtedly, in principle, Reformed Presbyterians can vote on whether to remain in the Union or not.

However, there are two complicating factors:

First, it is arguable that the union of the three Kingdoms into one United Kingdom, over 300 years ago, effectively ended the distinct nationhood of all three ancient Kingdoms. There is something about a 300 year unified Kingdom which is difficult to unravel into its original constituent parts.

Second, and following on from the preceding point, the dissolution of the Union would not restore Scotland to the kind of nation it was prior to the Union. The nation which now exists in 2014 is hardly recognisable as the one which existed in 1707. At that time, even though the covenants had been violated and the Church of Scotland re-settled in an unsatisfactory manner, the Word of God still held sway to a considerable extent throughout the nation and the very idea of settling a national constitution without reference to God was simply unthinkable. The Scotland of 2014 presents us with a very different picture – one that is secular, humanistic and, increasingly, anti-Christian.

Of course, at present, we do not know the nature of the *permanent* constitution which would come to be adopted in the event of independence being secured. And, while it is hard to escape the conclusion that there is something rather unjust about that - how can we vote for what we don’t know? – it does present something of a problem.

On the one hand, it could be argued that the current non-existence of the constitution might be seen as an opportunity and, therefore, as a call to exercise faith. After all, both history and the Word of God provide abundant examples of sudden, dramatic and unexpected help from God in providence. For example, who could have predicted the ascent of Cyrus and his decree to allow the Jewish exiles to return (‘we were as men that dreamed’ Psalm 126)? Similarly, when Richard Cameron publicly rejected the Stewart monarchy at Sanquhar, he was derided by a deluded nation, furiously hunted, tortured and executed with hardly a voice of support to be heard. Astonishingly, within ten years, the whole nation agreed with him, renounced its allegiance to the Stewart dynasty and a revolution was born. Is it not just possible, then, that if we unloosen a bond we ought never to have forged that God might intervene for us and, unexpected as it seems, give us a more honourable situation than the one we have at present? Is the fear of the unknown a good enough reason to perpetuate a union that our forefathers described as *‘land-ruining, God-provoking and posterity-enslaving’?*

On the other hand, however, the reality of what life would be like in an Independent Scotland is sadly too predictable to be ignored. There can now be little doubt that the constitution to be adopted would be determinedly, if not aggressively, secular.

This has been made plain by the recent publishing of the proposed interim constitution which plainly asserts the Sovereignty of Man while God is conspicuous only by his absence. This constitution, let it be noted, would function as the *constitution governing Scotland* from the day independence is established, in 2016, until the adoption of a permanent constitution sometime afterwards. In other words, it is increasingly difficult not to see a vote for independence as anything other than a vote for that kind of constitution. Also, it should be noted that we have no right to place ourselves under a secular constitution, even on an interim basis, in the hope that a godly constitution might be forthcoming later.

If these things are so, then a vote for Independence can hardly be seen as a liberation froma *‘land-ruining, God-provoking and posterity-enslaving’* union. Indeed, because of the agenda being offered by the current government of Scotland, and the terms of the proposed interim constitution, the ‘escape’ from the arrangement which provides a modicum of constitutional comfort would be into an arrangement which provided none whatsoever. There can be little doubt, then, in these particular circumstances, in which the Interim constitution is clear but where a possibility to influence a permanent constitution exists, that the best that could be said for a vote for Independence is that it is a vote for the ‘least-worst’ option – and this, as we have seen, is not an option for consistent Reformed Presbyterians at all.

In that light, while it would seem wrong to perpetuate the Union – on its current terms at least – it would appear equally wrong to submit ourselves to a secular constitution. It would therefore be most consistent with our biblical principles to abstain from voting – on the ground that we are not being given a viable alternative – and to keep looking to the Lord for help.

# The Present Duty: The Political Process

1. **Maintaining the Dissent**

First of all, in politics generally, it seems most effective and consistent with our principles to maintain or resume the practice of political dissent at the ballot box – either by refusing to vote or, preferably, by spoiling the ballot paper (which is effectively a way of that saying the we value the right to vote and wish to be able to use it but that we find ourselves unable to do so).

I am conscious that, for many, this may be hard to take and, in some respects, the objection to the effect that this policy of dissent is simply not realistic is the most powerful objection of all. After all, if good men do nothing (in this case, if they don’t vote) then evil men will have their way.

However, just as the fear of possible evil consequences can paralyse would-be reformers from doing right, so it can persuades them into doing wrong.

The antidote to the fear of the evil which might prevail if significant numbers dissented is the same as in all similar moral cases: *the right thing always needs to be done irrespective of the consequences*. The key lies in having faith: after all, we need to remember that these consequences are in the will of God who has foreseen the issues, with all their dilemmas, and who ensures that the right course of action will always secure his own blessing – even if not necessarily our comfort:

‘Perish policy and cunning; perish all that fears the light: Whether losing, whether winning, trust in God and do the right’.

**b. Making the Case**

Although I have attempted to construct the logical outline of our case in this paper, more detailed work needs to be done – if it hasn’t been done already – to identify those laws which ought to be rescinded as well as those which need to be recalled.

For example, the Acts Recissory, which repudiated all the Parliamentary Laws and Statutes confirming the Covenants, require immediate rescinding – as indeed do all the Acts passed during the reigns of Henry VIII, William and Anne which invested the Headship of the Church in the Monarch.

Similarly, all the Parliamentary Laws and Statutes during the reigns of James VI and Charles I, which adopted the Covenants and the Westminster Standards as constitutional documents, need to be revived.

1. **Present the Case**

By ‘present’ I mean ‘present formally’ – in other words, it is the duty of the Reformed Presbyterian Church to bring to the attention of the people, and particularly to that of our rulers, that our constitution is not only defective but *in solemn breach of our original true and sworn constitution*.

This should involve a presentation to the Houses of Parliament, and indeed to the Monarch, of those laws which require either rescinding or recalling and an appeal for such to be made.

We have a duty to call the attention of the people to the issues at stake.

1. **Arguing the Case**

As well as making our case, and formally presenting it, we need to constantly argue for it. We need to explain it and justify it – clearly and cogently.

Small as we are, virtually at the point of being both inaudible and invisible, we should use ‘platform, pulpit and press’ to bring the matter to popular attention. Currently, we are not saying anything to anyone and this tends to leave us somehow complicit in the wrong.

Attractive written tracts, probably accompanied with audio/visual material, need to be made available and to be out into the hands of the people. Our position is more unknown than rejected.

1. **Envisaging an Outcome**

It is probably fair to ask what might happen, or *what we would desire to happen*, if all were to follow this practice of dissent.

First, and foremost, it needs to be emphasised that this form of political activity needs to be accompanied with fervent prayer and preaching. Politics alone, without the blessing of the Lord, will not avail. In this matter as in all others, it is ‘not by might, nor by power but by my Spirit says the Lord’ (Zechariah 4:6). This is especially so when we consider that the political vision of a renewed covenanted nation is not at all likely to appear without significant national repentance and revival.

Second, it needs to be remembered that the practice of intelligent political dissent is political *activity* as opposed to political *inactivity*. Indeed, if it were to be practiced widely and intelligently, it would bring any democratic government crashing to the ground.

Third, if the Lord were to hear the prayers of his people and bless their stand for his covenant by intervening in power, the desired result would be that those who currently hold office – including the Monarch – would come to recognise the unfaithfulness to God inherent in their current position and *return to their previous lawful constitutional obligations*. This would best be secured by the Monarch dissolving Parliament and its members seeking re-election on a platform of altering the Oaths of Coronation and Allegiance and the restoration of the Covenants to their rightful place in the Constitution of the nation. At present, these Covenants are officially dead letters - having been publically burned at the order of Charles II (who had sworn to uphold and keep *the Solemn League and Covenant* himself). Of course, all of those who would not be in favour of such a national return to previous constitutional arrangements would immediately forfeit their office. This process, which would retain the Monarch, and the right of her heirs and successors to rule, would be the position most desired by the Reformed Presbyterian Church.

Fourth, it is possible, in the power of God, that the paralysis brought to the nation by mass majority political dissent would lead to a large scale relinquishing of office – including, if the Monarch was opposed to the change, the possible abdication of the Monarch. In other words, those currently in office would have to recognise that their time was up. This would be rather similar to what happened in 1653 when Oliver Cromwell told the residual body of MP’s sitting in Parliament: ‘You have sat too long for any good...you are no longer a Parliament, I say you are no Parliament. Depart, I say; and let us have done with you. In the name of God, go!’ He then called in the soldiers and ordered them to clear the chamber!

Of course, none of this seems remotely possible – significantly less likely than a Liberal Democrat landslide at the next election. And to many it will seem disturbingly close to a bloodless revolution. However, we would do well to note that the current constitutional arrangements of the United Kingdom are themselves the results of a (thankfully) bloodless revolution. The ‘Glorious Revolution’ of 1688 involved the overthrow of the lawful King at the time, James II, and the establishment of William, Prince of Orange – who was married to Mary Stewart – to take the throne. To this day, Jacobites protest the injustice of this overthrow. Our only point, for now, is that you cannot throw up your hands in horror at the thought of a bloodless constitutional revolution while adhering to an existing constitution which is itself the product of a bloodless revolution!

Our desire in practising dissent, and in encouraging others to do the same, is not to achieve anarchy but a simple *restoration to a previous constitutional arrangement which explicitly honours God*.

The point is, however, that these methods of return to God’s principles for government, precarious as they appear to be, are better by far than the *subterfuge and deceit involved in pretending to support, through oath-taking, what we don’t support at all*.

With that end in mind, we ought to trust God to do for us in his grace and providence what we are unable to do for ourselves. How earnestly we need to call upon God! How we need to plead with him to have respect to his own covenant and to hear us as we seek to be obedient in reviving our own covenantal obligations also!

Meanwhile, as we preach and pray, we dissent. Dissent is circling the walls of Jericho and blowing the ram’s horn; unprincipled participation is trying to pull them down with our own hands.

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