Title: "In the Execution of his Office": Lay Officials and the Exercise of Ecclesiastical Discipline in Scotland, c. 1600-1660

Abstract

Consistorial discipline was central to the application of Reformed theology in early-modern Scotland. This article argues that both elders and deacons were frequently drawn into personal disputes that were more communal than theological. Neighbours' complaints served to emphasise Reformed ideals of honesty and good reputation but could also undermine the foundations of Reformed discipline. In response, consistories across Scotland came to identify disputes involving one official as slights on the entire session. While officials were reliant on an increasing sense of corporate identity to protect them, neighbours' involvement shows the degree of lay support and participation in the Reformed Church.

Keywords

Calvinism; discipline; Reformation; Scotland

In March 1653, the kirk session of Dunfermline received a written complaint from John Pirrie, a parishioner in the Crossgates suburb about three and a half miles to the east of the burgh church. Pirrie complained that his neighbour Tobias Murebek, a deacon of the parish, had slandered him "calling him a receptor of theeves and stolen geir". Murebek had reported Pirrie to the session the previous week for selling alcohol to two local colliers who then brawled in Pirrie's house. Murebek was present as the clerk read the complaint and he offered to prove that Pirrie had lied under oath to the burgh magistrates and was indeed in possession of stolen goods..[1] He travelled to the nearby coastal parishes of Culross and Aberdour, asking local kirk sessions to find witnesses to testify against Pirrie. Upon his return on 17 May, Murebek came armed with handwritten depositions from half a dozen witnesses all confirming that Pirrie had knowingly received stolen clothes from a thief in Aberdour. [2] Moreover, the witnesses confirmed that Pirrie was implicated in the theft of one of Murebek's cows. The session found Pirrie guilty and ordered his master, Robert Stanehouse, to terminate his employment and remove him from his house in the Crossgates. The session's moderator passed Pirrie's case to the civil magistrates and closed the process by declaring him "unworthie of any benefeet of kirk" from that day forward..[3]

Disputes between Murebek and his neighbours in the Crossgates had a longer provenance and began before Murebek was appointed as a parish deacon. In January 1646, Murebek complained that William Drylay, Drylay's wife and sister-in-law had verbally abused him. Drylay and his family appeared frequently before the session to respond to allegations that they drank heavily and missed sermons. Murebek was at the heart of the network of parishioners who reported their misdeeds. Drylay's wife confessed that she threatened Murebek by claiming that "hir husband [would] lye in waite at a dykside and…slay the said Tobias". Murebek made regular reports to the session. In March 1648, the session summoned Elspeth Eiyatt, John Pirrie's wife, because they had received a report that she rented rooms to known prostitutes and sold "aill on the Sabbath in tyme of

preaching'. Eiyatt and Pirrie quickly realised who had reported the crime when the session asked Tobias Murebek and several local colliers to testify what they had seen. Murebek reported that Eiyatt had uttered "railing and malicious speaches" against him when she had discovered that he was to stand as a witness. The session clerk recorded that there was "some appeirand malice and old discord" between Murebek and Eiyatt and the session ordered both, "in token of agrieance", to take the other by the hand and agree to live peacefully as good neighbours. Six months later, the session clerk recorded that Pirrie and Eiyatt continued their "quontentious living". Murebek appeared before the session and told the elders that Eiyatt had expressed many "slanderous, railing, cursing and reproachfull speaches" about him and threatened him with "violent stroks". The session ruled in favour of Murebek despite Pirrie's attempt to stress that he or his wife "hade givin no wrong to any of them bot rather receavit [offence] fra them specially fra Tobias Murebek". The session ordered that Pirrie and Eiyatt should leave the Crossgates and relocate to another part of the parish.

Officials like Murebek acted as an interface through which communities experienced the rigours of Reformed Protestantism. The interplay between authorities and parishioners served as a familiar face for the new theology. Andrew Pettegree offered a convincing portrait of Reformation as a process where old institutions were manipulated to serve new purposes or where new Reformed orthodoxies were accommodated within existing communal structures.[4] Assessing how Reformed Christianity interacted with different local and national contexts has proved a valuable analytical framework for scholars addressing the spread of Reformed ideas across Europe.[5] Indeed, in a Scottish historiographical context, the idea of local negotiation is particularly important. In the absence of a strong central authority, proponents of Reform relied heavily on a process of persuasion at the parish level. Margo Todd's wide-ranging and deeply researched *The Culture of Protestantism in Early Modern Scotland* advocated a closer analysis of local kirk

session records to establish how Reformed change happened. Todd's interest was in "the process" of Protestant Reformation: the way lay concerns could contort, resist or promote the Reformed agenda and the way authorities responded to such scenarios.[6]

Lay officials, living in the parish and understanding the needs of the population, were pivotal in translating Reformed Christianity to the local context. Consistories across Europe relied on small armies of largely unpaid laymen to fulfil such positions. Raymond Mentzer stressed that elders shared with the minister the "responsibility for the transformation of the ideology embodied in Protestantism into a functioning system of everyday practices and attitudes".[7] Members of the consistory performed a range of other activities in addition to reporting and investigating moral crimes. Elders helped to promulgate the catechism, policed access to the communion, informed the minister of prominent illnesses and visited the sick as a proxy for the minister.[8] Investigations into these processes are beginning to unearth the range of activities undertaken by elders and deacons and just how busy the more scrupulous among them would have been. These men were certainly, for the most part, "dedicated amateurs".[9]

How members of the kirk session (consistory) interacted as laymen with their neighbours, while undertaking their various duties, remains open to debate, though. Margo Todd stressed that the founders of the Reformed Church in Scotland saw elders as holding a spiritual function and an "anomalous position" with a "nearly clerical status".[10] Officers relied on their local knowledge and connections to perform their duties. They operated in what Keith Wrightson described as the constant, messy, state of negotiation and renegotiation between neighbours. While Todd accepted that verbal and physical attacks on elders, deacons and clerics reflected *ad hominem* challenges, she found that the populace at large still preserved a "special reverence" for members of the session.[11] Other studies have reinforced the idea that elders and deacons held a quasi-clerical role.[12]

Such approaches often overlook the challenges officeholders faced when they interacted with other members of the laity and the importance of lay consent in their activities. As Jenny Wormald observed in 2012, we know remarkably little about the men who imposed discipline and the terms in which they operated at the local level in the early-modern period.[13] As members of the parish community, elders and deacons could not remove themselves from the usual array of communal obligations and social expectations of the parish.[14] Elders and deacons interacted in different ways with friendship networks, credit agreements, childcare obligations or the myriad of other bonds and relationships that pervaded early-modern societies than their clerical colleagues.[15] Their behaviour was governed by popular consent and confidence that they could maintain communal norms. Michael Graham has argued persuasively that elders' social status became particularly problematic when faced with a disciplinary case with a social superior.[16] Moreover, as other parishioners might have recourse to justice to settle disputes or to improve their own standing, so too might officials use their status to promote their own goals or protect their own interests.[17] While scholars working on continental Calvinism appreciate how ecclesiastical discipline was valued for maintaining communal norms of decency and honour, scholarship exploring the interaction between ecclesiastical discipline and the complexities of the Scottish neighbourhood context remains limited.[18]

This article accepts that lay officials gained strength from their knowledge of the parish but contends that their existing relationships with neighbours also presented difficulties that scholars frequently overlook. By exploring records from the lowest tiers of the church court structure – kirk sessions and presbyteries – this article argues that ties of friendship and kinship affected how an official went about their job. Ultimately, friction between local kirk session and community frequently stemmed from interpersonal disputes between lay elders, deacons and their neighbours, rather than a general mistrust of Reformed discipline. Parishioners' expectations of lay officials were high but the language

they used to criticise elders and deacons contained familiar themes of repute, honesty and esteem that blurred the line between the officials' ecclesiastical function and their everyday lives. Aware of this trend, sessions increasingly presented themselves as united entitities – a slight on one official was an attack on the whole session.

Parish officials and expectations

Protestant thinkers in sixteenth- and seventeenth-century Scotland emphasised discipline as one of the three defining features of a "truly reformed" Church alongside preaching and the correct administration of the sacraments.[19] From the sixteenth-century, parish sessions were staffed by paid ministers alongside lay elders and deacons who policed local discipline and attended to ecclesiastical business. Indeed, Kirk leaders intended these men to be deeply embedded into the day-to-day activities of their parishes. Upon accepting the office, elders and deacons swore an oath of fidelity to publicly signal their new status in the congregation and were subject to periodic examinations of their conduct. The oath of fidelity, did not remove these men from the trappings of their parish context but served to highlight their new position in the community.

The *First Book of Discipline* of 1560 established how parishes should appoint elders and deacons to sit on the local kirk session with the minister(s) of the parish. Lay officials should be "of best knowledge of God's word and of cleanest life…faithful, and of most honest conversation that can be found" in the area.[20] Sessions were to sit for one year and then face re-election although "it hurts not that one man is retained in office more years than one". Critically, elders and deacons received no public stipend because "reasonably they may attend upon their domestical business" so officials continued to rely on existing business relationships to earn money. In theory, there was a clear distinction between the role of elder and deacon. The *Second Book of Discipline* in 1578 urged parishes to appoint

elders for maintaining good order and deacons to oversee ecclesiastical property and alms.[21] The role of deacon was specifically intended to protect a parish's resource from "private men's uses" or wrongful distribution. However, in practice, because the deacon sat on the parish session and continued to operate within the parish setting, the two roles frequently blurred into each other.[22] Despite their different roles, the *First Book of Discipline* held both elders and deacons to the same standards of behaviour stipulating that "their own conversation ought to be irreprehensible".[23]

The size of a parish session could vary. The *Second Book of Discipline* stated that the number of parish officials "cane not be weill limitat, bot sould be according to the boundis and necessitie of the peple".[24] Moreover, while elders and deacons took up their roles for life, they were not expected to serve continuously and could be relieved for "ane reasonable space".[25] The constitution of the local consistory remained variable by the middle of the seventeenth century. In Dunfermline in March 1646, the session outlined how it should be composed in future

that the elders and deacones should be distinct offices viz. the elders to oversie the maners of the people admonish and reprove them, to visite thair quarters, to delate delinquents and to hald hand to the punishing of sinne. And the deaconns in sieing to the necessities of the poore, in collecting the almes and in distributing the same with consent of the sessioun to the poore within ther quarters. Nixt that ther should be twa elders in everie quarter except quhair the quarters are large there should be thrie, least over manie should be on the Sessioun.[26]

A determined push to enforce discipline might result in the expansion of a session as in Anstruther Wester in 1647 when the session added three new elders to its number "for advancing pietie and for bearing doune of sinne".[27] However, concerns over a session's

sustainability could just as easily result in a reduction in size. In December 1651, the session of the Canongate, just outside Edinburgh, decided to reduce the number of officials sitting on the session "finding that tuelffe elders and 12 deacones are too great a number to sitt in sessioun". The outgoing session decided that eight deacons and eight elders was sufficient.[28] Such requirements were based entirely on the needs of the parish.

The details of how sessions nominated men for the office of elder or deacon were also based on what best suited the parish. The *First Book of Discipline* did not define the method of an official's nomination and election, only noting "how the votes and suffrages may be best received…every several church may take such order as best seems to them".[29] In practice, the out-going session provided names of those best suited to the job. The note in the session book of Kinghorn, Kirkcaldy Presbytery, in 1646 that "that men meet for the office of eldership might be looked out to be elected and their names given in" is quite common.[30] There are glimpses of how this process worked elsewhere. In the Canongate, the minister demanded that members of the current session "living and present within the towne" should convene to select a new session in January 1646.[31] To avoid such discussions affecting regular session meetings, in Dunfermline, the session established a committee to meet with the ministers of the burgh to nominate men who they considered honest, godly and reliable. In these examples, the current session was tasked with finding suitable men to serve as officials. The congregation held the power to veto the nomination of a prospective elder or deacon. Following the outgoing session's nomination, ministers asked their congregations to inform them of any known scandal involving prospective elders before their appointment. Unless bad weather or other circumstances intervened, parishioners usually had one week to express their concerns.

Elders and deacons entered their respective office in a public ceremony. Central to this public display was the oath of fidelity that took place during a Sunday service. The minister exhorted the men on their duties and then took their oath of office. In December

1627, the newly-elected session of Holy Rude, Stirling, sat in the prominent merchants' loft and were asked "to hold up their hands befoir the congregatioune in signe and token of thair fidelitie in the said office of the Eldarschip".[32] So critical was the public oath of fidelity that nominees who were absent from the first ceremony would still need to come before the congregation before undertaking the duties of an elder or deacon.[33] If the prospect of breaking a vow gave such oaths power, swearing fidelity in public exposed officials to a greater deal of public scrutiny in their affairs.[34]

The ceremony vested authority in the new officials with the consent of the congregation. Parish clerks took great pains to record how the officials' authority stemmed directly from the people. At the election of elders and deacons in Abbotshall, Kirkcaldy Presbytery, in November 1650, the session book notes how the nominated men were "received by the minister in presence of the whole Congregation with preaching of the word concerning there dueties and prayer concerning the spirit of there calling to be pouered out upon them that the pleasure of the Lord might prosper in there hand".[35] The presence of the congregation served to emphasise who held authority in the relationship between session and parish. In Ceres, Cupar Presbytery, the new session sat in front of the pulpit – "in face of the congregation" – as the minister delivered a sermon in 1652 "touching the government of the Kirk appointed by Christ" from Romans 12: 6-8.[36] While outlining officers' responsibilities, Romans reminded those listening that the congregation "are one body in Christ" and that power passed from God to the congregation rather than to the individual officer directly. The session of St Cuthbert's in Edinburgh underwent a similar ceremony later in the year as the minister "did receive and admit the elders and deacones…publicklie befor the congregatione".[37] The minister's role was limited to accepting the nominations and then admitting them to the office. In practice, the selection of a session largely ignored complex debates about who held true authority within the

Church. While the session may have selected the nominees, the power of the keys belonged exclusively to the congregation.[38]

Discipline, one of the defining features of a "true Kirk", relied almost entirely on local efforts. Those selected to serve on local kirk sessions were drawn exclusively from the parish in which they served. Lay officials were selected by the outgoing session from a local pool. Local knowledge and repute were essential criteria in their selection. Throughout the seventeenth century, elders and deacons owed their authority to who they knew, what people thought about them and, above all, the congregation itself: a fact that was scripted into the performative aspects of their admission. Being an elder or deacon represented a public declaration about one's identity that placed a parishioner under a greater level of scrutiny. The language of honesty and fidelity – explicit in the selection process – would invariably affect how these local men interacted with the rest of their community.

Local disputes

Despite their responsibilities, elders and deacons remained members of the laity. Indeed, it was essential that they resided in the very quarters of the parish which they oversaw to fulfil their duties. This brought lay officials into conflict with their neighbours, particularly if they were isolated or away from the legitimising power of the session house. Elders and deacons struggled to divorce their private lives from their roles as parish officials. Parishioners had recourse to a wide vocabulary of interaction with session officials, mocking their vaunted status or allowing old quarrels to resurface. However, while some of these altercations were based on petty disputes, neighbours rarely rejected the idea of discipline. On the contrary, neighbours frequently sought to police excessive discipline or other aspects of an official's performance. These responses were based on communal *expectations* regarding discipline rather than any outright rejection of it. Parishioners

expected officials to be able to judge how best to apply discipline in the community. Disagreements occurred when the parishioner's understanding of correct and fair discipline did not correspond with the local official's view. Elders and deacons personified ecclesiastical discipline but they remained inextricably linked to the structures and expectations of their parish.

An official's position of authority could bring them into spontaneous conflict with a small number of parishioners. Foreseeing such problems, in late 1598, the session at Elgin ordered that any parishioner that "injures the officiaris and memberis of the sessioun" with "ony lathlifull speiches" should pay forty shillings for their offence.[39] Despite such prohibitions, confrontations continued to occur at the point of an elder's intervention. Demands for financial contributions at the church door were particularly problematic in this regard as the setting gave parishioners the chance to exert a degree of agency to challenge the official in a semi-public setting among peers. In December 1609, as John Johnston entered the parish church of North Leith he encountered Robert Henderson, a parish deacon, holding the collection bowl by the church porch. Being asked by Henderson to contribute something, Johnston said "he sould give him ane offering in ane uther place".[40] Whether this related to a threat to "offer" Henderson violence or if Johnston meant that he would contribute to the collection outside of the church service, the session felt sufficiently offended to investigate Johnston's outburst. Elders' efforts to encourage their neighbours' generosity could backfire if parishioners felt strongly about the cause for which the money was being collected. For example, in December 1639, the session at Belhelvie, Aberdeen Presbytery, ordered a large collection drive to purchase a new bell for the church and attempted to ask parishioners for contributions at the end of the sermon. Thomas Smith responded by telling one of the elders that John Lyon, Second Earl of Kinghorn, the main patron of the parish, "hade payed already and intimating thereby that they were sacrilegious seeking it againe". Alexander Davidson, from a different

part of the parish, responded by saying "when God himselfe came to him to seeke something hee would give it to him, bot not till then". The session cited a third man, George Tailor, for "uttering some unmanerlie speaches anent the said sam matter".[41] Such a strong response reflects a degree of tension over who should pay for the bell and anger when prompted by the elders or deacons to do so.

Parishioners could react angrily to the informal interventions that made up much of an elder's activities.[42] For example, Andrew Burnett, an elder in St Nicholas parish, Aberdeen, observed George Watson "strugling with ane woman in ane seller" and reproved Watson for his behaviour. Watson turned and gave the elder an "indiscreit anser".[43] Parishioners were particularly resistant to an official's intervention if it had a financial consequence. On a Sunday in June 1657, an elder and deacon of the Old Kirk parish, Edinburgh, asked Peter Sympson to close his shop and observe the Sabbath more precisely. While the session clerk did not note if Sympson closed his stall, he noted that the trader "abused theme with unreverend talk".[44] Elders and deacons were more vulnerable when wandering through the parish but we cannot know the frequency of such cases. A great deal of such activity went unrecorded.

In such intimate settings, officials faced intimidation from parishioners who did not want to be brought before the session. In November 1608, Robert Ogill, a parishioner in North Leith, verbally assaulted one of the parish elders, Robert Cairnes, by saying that "he wissit that…he and the said Robert had met togidder quhair none had bene to [break] them".[45] Cairnes had not been cited to the session before but such private settings provided space for parishioners to utter far more threatening speeches than they would otherwise express. In June 1634, the session at Anstruther Wester, St Andrews Presbytery, investigated Katherine Cook for verbally abusing Norman Fairfull, one of the local elders. The session clerk, horrified by Cook's behaviour, simply noted that she uttered "vyle, filthie and sklanderus speiches not worthie to be hard, red or penit".[46] Inebriated

parishioners raised similar challenges. Causing such a public scandal through drunken slurs on the intervening elder made proving such allegations more straightforward. In February 1646, an inebriated Catherine Macclehouse "abused" one of the elders of South Leith when he reproved her for her behaviour.[47] Several witnesses confirmed the allegation. The semi-private settings in which elders and deacons often operated left them exposed to intimidation, violence or other antisocial behaviours.

Social differences exacerbated such tensions.[48] Elders and deacons entered a wider nexus of communal relations while they tried to enforce parish discipline but their position on the local session did not always provide sufficient gravitas. In May 1649, the clerk at St Monance, St Andrews Presbytery, recorded how the session struggled to cite Jean Crichton, Lady Abercrombie, to investigate rumours of an adulterous relationship. Her husband, Sir James Sandilands, Lord Abercrombie, "beatt the beddell and ane elder" when they had tried to cite her on two previous occasions.[49] In some cases, even lower-status parishioners could invoke a sense of social superiority against the elders and deacons. In January 1646, a drunk David Kilgour, a parishioner in the mining community of Leven, verbally assaulted one of the local elders "swearing that he should strik him", calling him "old, ill favoured wolff carle". Kilgour asked the elder, rhetorically, "quhat hade he adoe to reprove him, he was not under [the elder's] correction" and insisted that he would only answer to the coalgreive – the manager of the local colliery on whose land Kilgour's residence sat.[50] These cases reflect a tension beyond social class. Elders and deacons had to deal with parishioners who felt that had sufficient social capital to challenge them or who, at least, felt other connections or associations in the parish took precedence over the session.

The kin, friends and business associates of an official could become embroiled in disciplinary disputes. Their unpaid status meant that officials had to maintain these contacts by necessity. and elders and deacons often struggled to keep such relationships

separate from their disciplinary duties. The most frequent target was an elder's wife. In the case of Henry Ogill in North Leith, noted above, Ogill attacked one of the elder's wives "saying the devil tak him and his wyff".[51] In July 1646, the Canongate session investigated Robert Graham for public drunkenness and slandering "honest men and women at diverse tymes…in speciall of Susanna Peiris spous to James Robertson ane of the elderis".[52] Just over a year later, the session at South Leith punished Janet Shaw for "abusing" the wife and step daughter of John Fiddes, a long-serving elder in the parish.[53] The wives of officials clearly played an important, if under-researched, role in parish discipline that left them vulnerable to attack. In the case that opened the article, the family of Tobias Murebek continued to face the echoes of his conduct long after his appointment as a deacon in Dunfermline. In 1651, a poor man, John Lawson, shouted that Murebek's wife, Christian Cant, was a "perjured woman" because of her association with her husband's litigious past.[54] It is highly likely that the friends and confidants of parish officials became involved in other cases but they are not recorded in the extant court records.

Local disputes normally reflected expectations of how an official should best apply ecclesiastical discipline. Cases where an elder or church officer had resorted to physical actions against a parishioner could traverse the line between acceptable and unacceptable use of force. In March 1650, Richard Syme, an elder in Auchtermuchy, Cupar Presbytery, oversaw the conduct of parishioners in one of the lofts in the parish church. Upon seeing a neighbour, Walter Sibbald, sleeping, Syme approached and tried to wake him. Sibbald felt that Syme had "strak him roughlie" to rouse him and told the elder that "[you] durst not stricken one if we had bene in an uther place". Sitting near to Sibbald, another parishioner, Andrew Burt, warned Syme that "if he caryed himself so sum man wald dang him over the loft". The session found that Sibbald was indeed sleeping and that Syme was doing "nothing but his dewtie as became ane elder". Interestingly, the clerk recorded that Sibbald "miscaried groslie both to [Syme] and to uthers sitting by him".[55] Clearly, some of the

neighbours sided with Syme and not with Sibbald or Burt. A lack of circumspection or sensitivity on the part of an elder or deacon was particularly likely to receive short shrift from parishioners. In December 1653, John Cowan appeared before Edinburgh's Trinity College session for excessive drinking and abusing his wife. Cowan's wife – who remains unnamed in the session register – reacted angrily to the citation fearing that their marital strife would become common knowledge. The session cited her for "abusing the elder and deacon", and later the whole session, "with reproaching words".[56] Members of the laity had a vested interest in ensuring that consistorial discipline was perceived as both fair and proportionate in its use of force.

Parishioners could display a remarkable intimacy with the disciplinary process and complained when an elder or deacon had failed to follow due process. In March 1649, James Gray appeared before the session of Dunfermline for alleged drunkenness. Gray challenged the session "that he was much wrongit be them" as his local elder had failed to "first privatlie admonish" him or listen to his plea through an intermediary like the Dean of Guild. When the session decided to pass Gray's case to the Presbytery for advice, he mocked the session's decision by knocking his hand on his head and claiming "he wald get men of better judgement" at the Presbytery.[57] When the elders of Edinkillie, Forres Presbytery, ordered one of their former colleagues, James Cranstone, to publicly repent for his drunkenness, he protested that the elders' procedure was invalid. When appearing before the session, Cranstone explained that the elders were "transgressing the methode of Chryst" in failing to admonish him in private at his first offence. The minister was quick to reprove the former elder and informed him that "publict and scandalous sinnes cannot be taken away by ane private admonition" and proceeded to discipline him.[58] These cases may be exceptional but they illustrate how parishioners could understand, and sometimes parody, aspects of parochial discipline.

Elders and deacons applied Reformed discipline amid a complex parish setting. Consequently, elders and deacons had to tailor their behaviour accordingly. The parish was no static tableau as officials' neighbours, friends and enemies engaged in the disciplinary process. Elders and deacons faced opposition when intervening in their neighbours' affairs and traversed social distinctions and the divisions created by parish politics. The effects of alcohol provided another challenge in the application of Reformed discipline. Underlying all of this, however, was a distinct lay understanding of discipline. Parishioners knew their rights in the disciplinary relationship and often expressed their expectations of what constituted legitimate force or intervention.

Individual and Collective Reputation

Confrontations between officers and parishioners reveal the importance of consent and moderation in discipline. Most revealing in this relationship was how frequently parishioners resorted to attacking the honesty or repute of the elder in verbal confrontations. Comments relating to an elder's honesty reflect a concern to maintain the local credibility of the session. Having a trustworthy session was essential in ensuring that ecclesiastical and social services ran smoothly. Moreover, parishioners tacitly reminded elders and deacons of the obligations contained in their oaths of office but could, in the course of a confrontation, question the position of the entire session. In response, sessions closed ranks and were increasingly likely to present a united front – equating an attack on one official as a slight on the entire session. Indeed, in the most public disputes, sessions positioned themselves as the protectors of communal norms. Local ecclesiastical authorities traversed a fine line: between presenting themselves as a homogenous and

reliable body on the one hand and as a body of familiar faces ensconced within the relationships of the community on the other.

Following early-modern conventions, interpersonal disputes between elders, deacons and parishioners frequently included references to honesty and repute that crossed class boundaries.[59] In 28 December 1654, Marion Rutherford in Trinity parish, Edinburgh, responded angrily when one of the session's elders, David Hume, reproved her for swearing on the wounds of Christ. Rutherford snapped back that Hume was a "mansworne knave". In the weeks that followed Rutherford – and her husband on her behalf – admitted that her comments were spoken in anger and did not reflect genuine concerns about David Hume's honesty.[60] Like the case of Rutherford and Hume, comments that elders and deacons had committed perjury – either against their oath of fidelity or against another public agreement (like a promise before a secular law court or an oral agreement) – were common.

The most common slander against an elder or deacon was to suggest that he did not warrant his place on the session. Such comments underline how parishioners viewed honesty as an important trait in *both* deacons and elders. In September 1613, Janet Blair, a parishioner in the Canongate responded angrily to William Sibbald, one of the local elders, when he spoke to her about her lax Sabbath observance. In her tirade, Blair asserted that Sibbald "was not worthie to sit in session".[61] Parishioners frequently invoked concepts of worthiness in their attacks on elders. In July 1652, Helen Wright, a parishioner in the coastal parish of Scoonie, Kirkcaldy Presbytery, claimed that George Thomson was "not worthie to be called an elder". While some of these cases may have been following convention, other indictments of an elders' honesty were more specific and rested on the idea that the official had somehow contravened their oath of fidelity. In Edinburgh in 1645, the session of St Cuthbert's investigated how George Boig claimed that John Hunter was "unworthy to carie the charg of ane deacone" and that he was a "perjured man".[62]

Parishioners, looking for a way to criticise the official, searched for ways to accuse them of either breaking their oath of fidelity or somehow contradicting it. Complainers urged their own honesty by attacking the credibility of an official. Sometimes, the complainer could take such devices too far. For example, when William Sibbald, an elder in the Canongate, reproved Janet Brown for working one Sunday in September 1613, she replied that "he was not worthie to sit in session and that scho keipit als honest ane hous as any in the sessioun".[63] Unsurprisingly, the session showed little appreciation for Brown's comments.

Beyond local point scoring, confrontations against an individual elder or deacon usually reflected a desire to emphasise the supposed purity – and trustworthiness – of the session. In January 1648, one of the elders of the Canongate, James Scott, complained that a local gardener named James Cuthbertson had "called him ane false knave". Critically, witnesses proved that Cuthbertson went on to claim that Scott was "not worthie to be ane elder neither was these worthie who put him in the place of ane elder".[64] Such cases are usually frustrating in their lack of detail, although the exceptional case of John Cunningham in Kirknewton, Edinburgh Presbytery, 1650 reveals a more determined effort on the part of some parishioners to police the behaviour of lay officials. Cunningham appeared before the session following an allegation that he said "that there is some elders here not worthie to be in the place of eldershipp". Following his citation, Cunningham stood to his assertion "that there are some elders not worthie to sitt in the session". Cunningham returned two weeks later and focused his attention on one particular elder, James Child. Cunningham claimed that Child had failed to condemn the royalist army that passed nearby, that he kept "servands churning milk upon the Lord's day" and that "the said James heares banning and swearing and does not reprove the same". Cunningham insisted that "he had nothing to say against any of the rest of the elders or sessioners".[65] In the days that followed, neighbours of James Child confirmed that they sometimes "heard a rumbling [noise] on the Sabbaths night in James Childes house but knew not what it is" but could not agree if

Child was genuinely drunk or not.[66] The session eventually rebuked the elder for his behaviour and accepted the judgement of his neighbours. Neighbours had the opportunity to observe the day-to-day activities of their local officials and bring them to bear in public disputes.

As in the case of Cunningham and Child, attacks on an official's honesty frequently related to other social or economic transactions that took place between parishioners and officials. As Nikki Macdonald has recently suggested, the overlap between civic, ecclesiastical and economic offices was a source of frequent tension.[67] In verbal attacks, parishioners expected elders and deacons to be paragons of virtue in their functions on the session as well as in their everyday business. In July 1649, an elder and hammerman of Canongate, Mungo Mossman, accused a local woman, Jean Gellar, of publicly abusing his honesty. Gellar shouted that Mossman was "ane famous mansworne man" and that she would stand by her words until "the hour of her death". Gellar's husband, George Turner, was also a member of the prominent guild of hammermen.[68] Mossman alleged that Gellar had told neighbours that he had "tooke out her husband to debosche and drink with him" and that, at various points she had cursed "the hail hammermentrade".[69] When Mossman reproved Gellar for a moral crime, Gellar used information from his role as a hammerman to attack his credibility. That Gellar failed to present any relevant information to support her claim suggests that her complaints did not relate to ecclesiastical matters.

The imputation that an individual official or whole session was dishonest – even if proved untrue – was hugely damaging. In 1646, the session of St Cuthbert's, Edinburgh, rallied around the case of John Parker for brawling in the parish and insulting the elder who tried to rebuke him. Upon his first appearance before the session, the clerk recorded how Parker, in a "boasting way", showed no "respect to the ministers or sessioune and abused both clerk and officer befor the sessioune and wold not heir ather proof nor rebuik, bot in ane furie went his way without having censure and wold not returne". Parker

appeared again later in the month but "in ane most furious and outrageous railing way begane to abuse and abuse and accuse the wholl Sessioune". Parker was drunk and, as the minister reproved him, he "wold not heir him at all bot ranne his way". Despite being "quomandit to returne", Parker "obstinantilie refused with outrageous and bitter words". Shocked, the clerk recorded that the session "never finding the lyk miscariag so grosse in any" immediately asked for advice from neighbouring ministers and the Presbytery of Edinburgh. In an admission of the seriousness of the case, the session book records this "is not ane ordinarie bussines".[70]

Authorities equated slurs on one of their officials as attacks on the entire session. Seventeenth-century session clerks frequently invoked a sense of corporate identity that hid any potential for division or difference within the session.[71] In June 1609, the elders at North Leith prosecuted Martin Smith for "putting violent hand" on one of the elders when in the churchyard. The clerk recorded how Martin's punishment related to "his disobedience and quontempt of the members of the session", adding that he had subsequently gone about in "trubling the kirkyaird" and "trubling the toune" afterwards.[72] Clearly, the session considered the attack on one of its members as an attack on all the parish elders. A united response following such acts was essential for the maintenance of local discipline. In May 1621, the session of the Canongate heard that Henry Livingston had attacked the kirk officer, Patrick Law, "to the effusioun of his blood and gritt quantitie". Livingston pushed Law away from him during an altercation, somehow causing "him to rusche out of blood at his noys". The session concluded that Livingston's offence was "not onlie to be done to the said Patrick bot to thame selffis". The clerk stressed that the session "all in ane voice without discrepancie" agreed that they would agree on Livingston's punishment once the kirk officer had recovered his health.[73] The idea of collective reputation could serve to protect individual elders. For example, in 1638, when James Hart and his wife appeared before the session at Stirling for "abusing of the minister

and elders with their tongues", the session warned them that they would be subject to further censure if they "misbehave…in word or deed to the minister or *any* of the elders heirefter".[74]

The lives of elders and deacons were open to scrutiny in very different ways to clerics. Such high expectations reveal how parishioners sought to strengthen rather than undermine discipline.[75] The oath of fidelity gave parishioners agency to question the behaviour of officials in their confrontations with elders and deacons. Even in cases where the allegations were clearly false, the oath of fidelity provided a yardstick with which parishioners could measure the morality of elders and deacons. Whether malicious or well meaning, wider scrutiny urged the same ideals of purity and diligence espoused by the reformers themselves. Sessions protected elders and deacons with the collective blanket of the session while keeping the officials' main form of power: local knowledge.

Conclusion

Elders and deacons worked as ecclesiastical officials in parallel with their other roles as neighbours, they lived among other members of the laity, held the same prejudices, entered the same kinds of agreements and made friends and enemies like any other parishioner. This was both beneficial – in that they knew the terrain and the nature of relationships – and problematic in that neighbours could raise old feuds or verbally attack them when they were away from the session. Elders and deacons were intimately connected to their parishes. These men did not retire into a world of relaxed isolation when the kirk session closed its weekly meeting.

While the laity negotiated the rigours of Reformed Christianity, it was largely down to the interpersonal relationships between parish and individual official that sat at the sharp edge of reform. The application of Reformed dogma came with a familiar face and

percolated into a the two most essential and familiar facets of early-modern life: locality / region and family / kindred.[76] Acceptance or rejection of Reformed dogma and practice was underpinned by the reputation and creditworthiness of individuals – elders and deacons – in much the same way as any other form of pre-modern transaction or office holding. Officials struggled to keep their personal lives separate from their roles as elders or deacons of the parish. In confrontations, parishioners would frequently raise questions about an official's repute by citing details from other parts of their lives.

Parishioners' criticisms of a lay officer's conduct reveal the extent of communal consent implicit in Reformed discipline. Neighbours *expected* elders to be trustworthy because of the important functions offered by the session. Lay complaints about the behaviour of elders and deacons usually represented an attempt to police the moral standards of the consistory rather than a concerted effort to bring it down. Elders and deacons, with their raft of additional powers, were ripe targets for abuse, particularly accusations of hypocrisy, but this did not reflect a genuine desire to remove the session from the ups and downs of parish life. Quite the opposite.

Nevertheless, sessions across Scotland defended themselves against attacks against their moral primacy. Ecclesiastical authorities – consisting of laymen and clerics – invoked a sense of unity, rather than emphasising the individuals who sat within them, to rebuff criticism against a single elder or deacon. Moreover, in prominent cases, sessions rightly defined themselves as arbiters of communal values – casting the offender as an opponent of the parish not just Reformed discipline. Like secular councils, sessions sought to reflect existing cultural values as well as propagating new, Reformed, ones.[77] However, despite this attempt to show sessions as united entities, elders and deacons remained devoted amateurs.[78] In most parishes, elders were simply too ensconced within the lives of their neighbours to successfully extract themselves from it.

Bibliography

Abbott, W. M. "Ruling Eldership in Civil War England, the Scottish Kirk, and Early New England: A Comparative Study of Secular and Spiritual Aspects." *Church History* 75, no. 1 (2006): 38-68.

Atkinson, D. W. "Zachary Boyd as Minister of the Barony Parish: A Commentator on the Late Reformation Church." *Records of the Scottish Church History Society* 24 (1990): 19-32

Balfour, J. *The Scots Peerage: Founded on Wood's Edition of Sir Robert Douglas's "Peerage of Scotland"*, Edinburgh: David Douglas, 1904.

Chareyre, P. "Consistoire et catéchèse: l'exemple de Nîmes XVI-XVIIe siècles". In *Catéchismes et confessions de foi, VIIIe colloque Jean Boisset, XIIIe colloque du Centre d'Histoire des Réformes et du Protestantisme, 11-14 octobre 1993*, Montpellier: Presses de l'Université Paul-Valéry-Montpellier III, 1995.

Cornell, H. J. "Gender, Sex and Social Control: East Lothian, 1610-1640." PhD diss., University of Edinburgh, 2012.

Dawson, J. "Discipline and the Making of Protestant Scotland." In *Worship and Liturgy in Context: Studies and Case Studies in Theology and Practice*, edited by D. B. Forrester and D. Gay, 123-36. London: SCM, 2009.

Dawson, J. *Scotland Re-Formed 1488*-1587, Edinburgh: Edinburgh University Press, 2007

Falconer, J. R. D. *Crime and Community in Reformation Scotland*, London: Pickering & Chatto, 2013.

Glaze, A. "Women and Kirk Discipline: Prosecution, Negotiation, and the Limits of Control." *Journal of Scottish Historical Studies* 36, no. 2 (2016): 125-42

Goodare, J. "Scotland". In *The Reformation in National Context*, edited by R. Scribner, R. Porter and M. Teich, 95-110. Cambridge: CUP, 1994.

Graham, M. F. "Conflict and Sacred Space in Reformation-Era Scotland." *Albion* 33, no. 3 (2001): 371-87.

Graham, M. F. "Equality Before the Kirk? Church discipline and the Elite in Reformation-Era Scotland." *Archiv für Reformationsgeschichte* 84 (1993): 289-310.

Hanham, A. *The Sinners of Cramond: The Struggle to Impose Godly Behaviour on a Scottish Community 1651-1851*, Edinburgh: John Donald, 2005

Houston, R. A. *Bride Ales and Penny Weddings: Recreations, Reciprocity, and Regions in Britain from the Sixteenth to the Nineteenth Century*, Oxford: Oxford University Press, 2014.

Kingdon, R. M. *Adultery and Divorce in Calvin's Geneva*, Cambridge, MA: Harvard University Press, 1995

Langley, C. R. *Worship, Civil War and Community, 1638-1660*, London: Routledge, 2016

Macdonald, N. M. "Reconciling Performance: The Drama of Discipline in Early Modern Scotland, 1560-1610." PhD diss., University of Edinburgh, 2013

Manetsch, S. M. "Pastoral Care East of Eden: The Consistory of Geneva, 1568-82." *Church History* 75 no. 2 (2006): 274-313.

McMillan, C. E. "Keeping the Kirk: The Practice and Experience of Faith in North East Scotland, 1560-1610." PhD diss., University of Edinburgh, 2016.

Mentzer, R. A. "Ecclesiastical Discipline and Communal Reorganisation among the Protestants of Southern France." *European History Quarterly* 21, no. 2 (1991): 163-83.

Pettegree, A. *Reformation and the Culture of Persuasion*, Cambridge: Cambridge University Press, 2005.

Pettegree, A. "The Clergy and the Reformation: From 'Devilish Priesthood' to New Professional Elite." In *The Reformation of the Parishes: The Ministry and the Reformation in Town and Country*, edited by A. Pettegree, 1-21. Manchester: Manchester University Press, 1993.

Pettegree, A. "The spread of Calvin's thought." In *The Cambridge Companion to John Calvin*, edited by D. K. McKim, 207-24. Cambridge: Cambridge University Press, 2004.

Pollmann, J. "Off the Record: Problems in the Quantification of Calvinist Church Discipline." *Sixteenth Century Journal* 33, no. 2 (2002): 423-38.

Powell, H. *The Crisis of British Protestantism: Church Power in the Puritan Revolution, 1638-1644* Manchester: Manchester University Press, 2015.

Ryrie, A. *Being Protestant in Reformation Britain*, Oxford: Oxford University Press, 2013.

Scribner, R. 'A Comparative Overview." In *The Reformation in National Context*, edited by R. Scribner, R. Porter and M. Teich, 215-27. Cambridge: Cambridge University Press, 1994.

Shepard, A. "Honesty, Worth and Gender in Early Modern England 1560-1640." In *Identity and Agency in England, 1500-1800*, edited by H. French & J. Barry, 87-105. Basingstoke: Palgrave, 2004.

Symms, P. S. M. "Social Control in a Sixteenth-Century Burgh: A Study of the Burgh Court Book of Selkirk 1503-1545." PhD diss., University of Edinburgh, 1986

The First Book of Discipline, edited by J. K. Cameron. Edinburgh: St Andrew Press, 1972

The Records of Elgin 1234-1800, edited by W. Cramond. Aberdeen: New Spalding Club, 1908.

The Second Book of Discipline, edited by J. Kirk. Edinburgh: Zeticula, 1990.

Todd, M. *The Culture of Protestantism in Early Modern Scotland*, New Haven: Yale University Press, 2002.

Todd, M. "What's in a Name? Language, Image, and Urban Identity in Early Modern Perth." *Nederlands Archief poor Kerkgeschiedenis* 85 (2005) : 379-95.

Verschuur, M. B. "Enforcing the Discipline of the Kirk: Patrick Galloway's Early Years as Minister at Perth." In *Later Calvinism: International Perspectives*, edited by W. F. Graham, 215-36. Missouri: Sixteenth Century Journal Publishers, 1994.

Whyte, I. "Ministers and Society in Scotland 1560-c1800." In Vol. 2 of the *Scottish Life and Society: A Compendium of Scottish Ethnology*, edited by C. MacLean & K. Veitch, 433-51. Edinburgh: John Donald, 2006

Wormald, J. "Reformed and Godly Scotland?" In *The Oxford Handbook of Modern Scottish History, edited by* T. M. Devine and J. Wormald, 204-19. Oxford: Oxford University Press, 2012

Wrightson, K. *English Society 1580-1680*, New Brunswick: Rutgers University Press, 1992.

[1] National Records of Scotland, Edinburgh, CH2/592/1/1, f. 133v.

[2] NRS, CH2/3/1, f. 38v; NRS, CH2/592/1/1, f. 134v.

[3] NRS, CH2/592/1/1, f. 141.

[4] Pettegree, *Reformation and the Culture*, 212-14.

[5] Scribner, "A comparative overview", 215-8.

[6] Todd, "What's in a name?", 379-81; Todd, *Culture of Protestantism.*

[7] Mentzer, "Ecclesiastical discipline", 164.

[8] Chareyre, "Consistoire et catéchèse", 403-23; Graham, "Conflict and sacred space", 375.

[9] Abbott, "Ruling eldership", 38-68.

[10] Todd, *Culture of Protestantism*, 362; *Second Book of Discipline*, 192.

[11] Todd, *Culture of Protestantism*, 392.

[12] Macdonald, "Reconciling performance".

[13] Wormald, "Reformed and Godly Scotland?", 204-19.

[14] Cornell, "Gender, sex and social control", 21; McMillan, "Keeping the Kirk", 5-8; Shepard, "Honesty, worth and gender", 92.

[15] Todd, *Culture of Protestantism*, 369-85; Wrightson, *English Society*, 30-35; Houston, *Bride Ales*, 219-225.

[16] Graham, "Equality before the Kirk?", 289-310.

[17] Falconer, *Crime and Community*, 9-15.

[18] Historians addressing this context frequently explore clerical relationships with the parish and not those of parish officeholders. For a sample, see Atkinson, "Zachary Boyd", 19-32; Verschuur, "Enforcing the discipline". 215-36; Whyte, "Ministers and society", 433-51. For studies of elsewhere see Manetsch, "Pastoral care", 294; Mentzer, "Ecclesiastical discipline", 89-115.

[19] Dawson, "Discipline", 123-5.

[20] *First Book of Discipline*, 174.

[21] *Second Book of Discipline*, 205-6.

[22] Pettegree, "Calvin's thought", 219.

[23] *First Book of Discipline*, 174

[24] *Second Book of Discipline*, 193.

[25] *Second Book of Discipline*, 192.

[26] NRS, CH2/592/1/1, f. 41v.

[27] NRS, CH2/624/3, f. 225.

[28] NRS, CH2/122/4, f. 66.

[29] *First Book of Discipline*, 174.

[30] NRS, CH2/472/2, f. 194.

[31] NRS, CH2/122/3, f. 560.

[32] NRS, CH2/1026/3, f. 17.

[33] For examples, see NRS, CH2/689/1, f. 140.

[34] Ryrie, *Being Protestant*, 136-8.

[35] NRS, CH2/225/1, f. 2.

[36] NRS, CH2/65/1, f. 86-8. "Seeing then that we have gifts that are divers, according to the grace that is given unto us, whether we have prophecy, let us prophesy according to the portion of faith. Or an office, let us wait on the office; or he that teacheth, on teaching: Or he that exhorteth, on exhortation: he that distributeth, let him do it with simplicity: he that ruleth, with diligence: he that showeth mercy, with cheerfulness".

[37] NRS, CH2/718/6, f. 76.

[38] Powell, *British Protestantism*, 40-7.

[39] *Records of Elgin*, 68.

[40] NRS, CH2/621/1/1, f. 205.

[41] NRS, CH2/32/1, f. 87.

[42] Pollmann, "Off the record", 437.

[43] NRS, CH2/448/2, f. 300.

[44] NRS, CH2/133/1, f. 84.

[45] NRS, CH2/621/1/1, f. 170.

[46] NRS, CH2/624/3, f. 81.

[47] NRS, CH2/716/5, f. 153.

[48] Graham, "Equality before the Kirk?", p. 84; Kingdon, *Adultery and Divorce,* 16-17.

[49] Balfour *The Scots Peerage*, 79-80; NRS, CH2/1056/2, f. 71.

[50] NRS, CH2/326/1, f. 127.

[51] NRS, CH2/621/1/1, f. 170.

[52] NRS, CH2/122/3, f. 581.

[53] NRS, CH2/716/5, f. 341.

[54] NRS, CH2/592/1/1, f. 92v.

[55] NRS, CH2/24/1, f. 14.

[56] NRS, CH2/141/2, ff. 12-14.

[57] NRS, CH2/592/1/1, ff. 91v-91.

[58] Langley, *Worship, Civil War and Community*, 19.

[59] Glaze, "Women and kirk discipline", 134-5; Shepard, "Honesty, worth and gender", pp. 90-2; Todd, *Culture of Protestantism*, 237-40.

[60] NRS, CH2/141/2, f. 61.

[61] NRS, CH2/122/1, f. 53.

[62] NRS, CH2/718/5, f. 333.

[63] NRS, CH2/122/1, f. 52.

[64] NRS, CH2/122/3, f. 634.

[65] NRS, CH2/412/1, f. 77.

[66] NRS, CH2/412/1, f. 82.

[67] MacDonald, "Reconciling performance", 72.

[68] NRS, CH2/122/4, f. 7.

[69] NRS, CH2/122/4, f. 14.

[70] NRS, CH2/718/5, ff. 356-9.

[71] McMillan, "Keeping the kirk", p. 67; Hanham, *The Sinners of Cramond*, 11.

[72] NRS, CH2/621/1/1, f. 186.

[73] NRS, CH2/122/2, f. 90.

[74] NRS, CH2/1026/3, f. 301. My emphasis.

[75] Goodare, "Scotland", 103.

[76] Dawson, *Scotland Re-formed*, 1.

[77] Symms, 'Social control', introduction.

[78] Pettegree, "The clergy and the Reformation", 1-2.