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A political biography of John Witherspoon from 1723-1776

John Thomas anderson
College of William & Mary - Arts & Sciences

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A POLITICAL BIOGRAPHY OF JOHN WITHERSPOON

FROM 1723 TO 1776

A Thesis
Presented to
The Faculty of the Department of History
The College of William and Mary in Virginia

In Partial Fulfillment
Of the Requirements for the Degree of
Master of Arts

by
John Thomas Anderson
1979
APPROVAL SHEET

This thesis is submitted in partial fulfillment of
the requirements for the degree of

Master of Arts

Author

Approved, September 1979

John E. Selby
Michael McGiffert
James J. Thompson, Jr.
To my parents
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ABSTRACT

This thesis is a political biography of John Witherspoon, Scot­tish-born Presbyterian minister, delegate to the General Assembly of the Church of Scotland from 1747 to 1767, president of the College of New Jersey (now Princeton University) from 1768 until his death in 1794, member of the Continental Congress from 1776 to 1782, and a signer of the Declaration of Independence in 1776. It deals with Witherspoon's public life from 1723, the year of his birth, through 1776, when he irrevocably committed himself to the independence of his adopted country.

The author argues that Witherspoon was motivated throughout his early public career by a conviction that a virtuous society could only be sustained if its religious and governmental institutions acted to promote virtue and discourage vice among its members. The work evaluates and explains Witherspoon's thought and action as the leader of the conservative Popular minority in the General Assembly of the Church of Scotland, as the academically innovative president of the College of New Jersey, and as an ardent partisan of American liberty in the colony of New Jersey between the reception of the news of the Intolerable Acts and Independence.
A POLITICAL BIOGRAPHY OF JOHN WITHERSPOON

FROM 1723 TO 1776
INTRODUCTION

On August 2, 1776, John Witherspoon, Presbyterian minister and president of the College of New Jersey (now Princeton University), signed the engrossed parchment copy of the Declaration of Independence as one of the five delegates whom New Jersey had sent to the Continental Congress. Exactly one month before, he had voted for the resolution introduced by Richard Henry Lee of Virginia proclaiming the American colonies independent of Great Britain.

Witherspoon held the distinction of being the only practicing minister and the only practicing educator among the signers of the declaration. He was also, with James Wilson, one of two signers who had been born, raised, and educated in Scotland. Witherspoon had been a minister of the Church of Scotland for twenty-three years, and in each of the twenty years from 1747 to 1767 he had been a delegate to the annual session of the supreme judicial body of his church, the General Assembly.

Witherspoon's fervent commitment to the cause of American independence was not shared by most of his fellow native Scots in America, who retained great affection for Scotland and for the crown of Great Britain. But these Scots had come to America out of motives of economic or political necessity, whereas Witherspoon had voluntarily left behind a pastorate of the established church in the thriving
industrial town of Paisley, near Glasgow in the west of Scotland. There, the affection of his parishioners and of his parish's patrons, the magistrates and town council of Paisley, assured him of the comfortable income and high social status of a successful ministerial career. His ecclesiastical reputation had spread throughout Scotland and beyond its borders.

Yet Witherspoon made the deliberate decision to leave Scotland in 1768 in order to assume the presidency of a small, struggling college across the Atlantic in the colony of New Jersey. Once he and his family were established in Princeton, all his public activities were devoted to the advancement of New Jersey and of the American colonies as a whole. Aside from a preoccupation with the encouragement of Scottish immigration to America, Witherspoon never had consuming interest in the affairs of the land of his birth after he had arrived in America. He wrote in the spring of 1776 that "a man will become an American by residing in the country three months, with a prospect of continuing, more easily and certainly than by reading or hearing of it for three years," an observation that was certainly correct in his case.

Witherspoon had devoted his twenty years as a delegate to the General Assembly of the Church of Scotland to the cause of winning the repeal of the Patronage Act of 1712, which established the legal prerogative of secular patrons to nominate pastors to the parishes of the Church. Witherspoon and his fellow members of the Popular party, of which he was the recognized leader and chief spokesman, regarded the abolition or curtailment of the patronage system and a return to parochial selection of pastors as an indispensable step toward the restoration of
moral piety and doctrinal orthodoxy in the Church of Scotland.

Witherspoon was unable to achieve his goals, and the rival Moderates tightened their control over the Church of Scotland. All that Witherspoon had won by 1766, when he was invited to become president of the College of New Jersey, was the lasting enmity of his Moderate adversaries. Although refusing to despair of ultimate success for the Popular cause, he had come to despair of his own future in Scotland and so chose a new life for himself in a new land.

Abroad Witherspoon's cause—the promotion of virtue in human society—remained the same. He had tried with all his might, and failed, to preserve the "noble, venerable, republican constitution" of the Church of Scotland in the hope of making it a vehicle for the promotion of public virtue in Scotland. When he emigrated to America in 1768, he found there an "equal republican constitution" and determined to preserve it as a foundation for a republic of virtue which, he was confident, America could sustain. 3
CHAPTER I

"OUR NOBLE, VENERABLE, REPUBLICAN CONSTITUTION":

WITHERSPOON IN SCOTLAND, 1723-1768

The ancestral heritage of John Witherspoon and the characteristics of the place where he was born on February 5, 1723, foreshadowed the social setting of his later career as a minister of the established Presbyterian Church of Scotland. The village of Gifford, in the parish of Yester in Haddingtonshire, Scotland, was situated, as was its parish manse, near a stream known as Gifford Water, on the banks of which lay a bleaching ground for flax that was destined for the linen industry. Witherspoon, the eldest son of the Rev. James Witherspoon, Scottish Church pastor of Yester Parish, was the great-grandson of a John Witherspoon who had been one of the signers of the Solemn League and Covenant of 1648, pledging to maintain Presbyterianism as the established faith in Scotland. As a leading figure in the Church of Scotland, young Witherspoon was to endeavor to maintain the involvement of his church as a moral influence among the common people, whose lives were being profoundly changed, not always for the better, by the emergence of urban industry and of more modern methods of agricultural cultivation.

In his biography of Witherspoon, published in 1925, Varnum Lansing Collins describes Witherspoon as "a remarkable boy" by modern standards on account of his having memorized lengthy portions of the
Bible and of Isaac Watts's *Psalms and Hymns*. But Collins adds that Witherspoon's home life was not much different from that of hundreds of boys of his generation, "save that as a parish minister's eldest son his future was more carefully planned" since he was destined for the clergy. Witherspoon was educated at the grammar school of Haddington, four miles from Gifford, where he was drilled in the conventional subjects of mathematics, English grammar, and the classics.

Witherspoon, "considered advanced for his age," according to Collins, entered the University of Edinburgh at the age of thirteen. Some thirty years before, the tutorial system of instruction at Edinburgh had been replaced by the professorial system, under which students attended whatever courses they pleased. With no one overseeing their progress, the number of students graduating in each year steadily fell from a peak of 105 in 1705 to three in 1749. Also in evidence was a general lack of application to studies, except in a handful of cases, one of which was John Witherspoon's.

Of the four-year program at the University toward the degree of Master of Arts, the first year was spent studying Latin, the second, Greek, the third, logic, and the fourth, natural philosophy, with attendance optional at the lectures of the professors of mathematics and moral philosophy. The strongest influence on Witherspoon as a student came from John Stevenson, professor of logic and rhetoric, under whose intellectual guidance the young Witherspoon spent his freshman year. According to Witherspoon's classmate, Alexander Carlyle, a future minister and man of letters, Stevenson introduced his classes to Aristotle's *Poetics*, Longinus's *On the Sublime*, Heineccius's *Logic*, and an abridged
version of Locke's *Essay on Human Understanding*, and read to his students from a history of ancient philosophy.9

After completing the four-year program in three years, Witherspoon, along with four fellow students, one of whom was the future Common Sense philosopher Hugh Blair, made the unusual request of the faculty that they be allowed to print and publicly defend theses in order to receive their degrees. University Principal William Wishart and his colleagues, perceiving an opportunity to restore graduation to its previous dignity, were happy to accept the offer. On February 23, 1739, each of the five students defended his thesis in Latin and impugned those of his fellows. Witherspoon's thesis of twelve quarto pages was entitled *De Mentis Immortalitate*, and his defense of it came just after his sixteenth birthday. Three days later, Witherspoon was laureated Master of Arts.10

Witherspoon subsequently spent four more years in Edinburgh pursuing the theological studies required for those wishing to enter the ministry. When these studies were completed, he was licensed to preach by the Presbytery of Haddington on September 6, 1743.

The pastorate in the parish at Beith in Ayrshire soon fell vacant, and since the Earl of Eglinton, patron of the Beith living, was a minor, his mother the countess exercised his right, under the terms of the Patronage Act of 1712, to present a new minister to the parish. She used an unusual procedure, however, in recommending John Witherspoon and three other candidates to the Presbytery of Irvine, which had jurisdiction over Beith. The countess prescribed that each candidate would be called on to preach in his turn, "in order to give the parish a free
choice and that the merit of the preacher might be the best argument of
the settlement." It was Witherspoon who received the parish's call in
January 1745, signed by a solid majority of the heritors and elders and
consented to by a large number of heads of families. But before he
could be ordained, he had to defend himself before the Presbytery of
Irvine against a charge of unorthodoxy, the substance of which Collins
has left unknown in his biography of Witherspoon. The accusation was
apparently occasioned by the principles of his Edinburgh graduation
thesis. But Witherspoon nonetheless obtained the presbytery's approval
and was ordained pastor at Beith on April 11, 1745.\textsuperscript{11}

Later that year, the Young Pretender to the British throne,
Charles Edward Stuart, landed in Scotland in initiate the ill-fated
Rebellion of 1745. In its early stages the uprising amounted to a
Scottish civil war between the Pretender's partisans, most of whom were
Highlanders and mainly Episcopal in religion, and Lowland Scots true
to Presbyterianism and the House of Hanover, who abhorred the Catholic
"Bonnie Prince Charlie" and despised the Highlanders as half-barbaric.
Most loyal presbyteries of the Church of Scotland passed resolutions
similar to that of the Presbytery of Irvine, under whose jurisdiction
Witherspoon's parish of Beith lay. That body, after spending considerable
time in prayer, on January 7, 1746,

\begin{quote}
unanimously Resolved, primo, to do all in their power for in­
fluencing such as are within their Bounds to exert themselves
in support of the present Government; Secundo, That they will
in conjunction with their own parishes contribute for raising
some Volunteers for that purpose if it be found necessary;
Tertio, if the Duke of Cumberland shall come to Scotland,
They will, on being informed thereof, meet to appoint some
to wait upon him . . . \textsuperscript{12}
\end{quote}
Witherspoon thereupon took the initiative to draw up, on behalf of the owners and tenants of the barony of Broadstone in his parish, an appeal for contributions to defray the expenses of Beith militia whom he proposed to lead to Stirling to join the royal forces, "for the support of our religion and liberty, and in defence of our only rightful, and lawful Sovereign, King George, against his enemies engaged in the present rebellion." Witherspoon collected £88.15s, and enlisted about 150 militiamen to serve for thirty days. But when the party reached Glasgow, the military authorities told them that their services were not needed and advised them to return home. Witherspoon dismissed his band, but he himself, full of youthful zeal for kirk and king, and accompanied by his parish beadle bearing a sword, followed the British army to Falkirk, where, on January 17, 1746, he witnessed its defeat. 13

Both Witherspoon and the beadle were captured by the Pretender's forces and, on the evidence of the latter's sword, made prisoners of war. After a week of accompanying the rebel army on the march, Witherspoon was put into Castle Doune, near Stirling, a dilapidated structure where he and fifteen other prisoners were housed in a "large, ghastly room" at the top of the castle's western tower. After about two weeks' confinement, Witherspoon was released, although not without having suffered lasting damage to his nervous system from the whole experience. He related later that he would not have felt able to continue in the ministry except for his father's encouragement. A short biography that prefaced the 1804 Edinburgh edition of Witherspoon's works, which drew its information mainly from a sermon preached on the occasion of Witherspoon's death ten years before by the Rev. John Rodgers in New York,
asserts that Witherspoon's nervous condition obliged him, from his earliest entrance on public life, to impose a strict restraint upon his sensibility. He was therefore under the necessity of substituting gravity and seriousness of manner in public speaking, in room of that warmth and fire of which he was so capable by nature, and which he so much admired in others when managed with prudence.14

* * *

In 1747, Witherspoon was elected a delegate to the General Assembly of the Church of Scotland, the supreme Presbyterian ecclesiastical body, where he was to sit for twenty years. He entered the assembly at a time when the enforcement of the Patronage Act was becoming a divisive issue. This statute, passed by the British Parliament in 1712, granted the lay patrons of the parishes of the Scottish Church the prerogative of nominating their pastors, after consultation with the congregation, and presenting them to the presbyteries for ordination and induction if their qualifications were found satisfactory. These provisions replaced those of a Scottish law of 1690 which had vested the right of nomination in the landowners and elders who constituted the kirk-session of each parish. Of some 950 parishes of the Church of Scotland, the British crown was patron of over 550, and the remainder of the livings were at the disposal of noblemen, gentry, and town councils.15

The potential injustice of the Patronage Act was masked for about two decades after its passage by a shortage of ministers, by the patrons' continued respect for the wishes of congregations, and by the frequent declaration of church courts that a presentee to a pastorate must have a call from the parish before he could accept a pastoral charge. But in 1729 the church's General Assembly had provided for special "riding
committees," who were so called because of both their disregard for the wishes of parishioners and their constant travel throughout Scotland to induct unpopular nominees who had appealed to the assembly for appointment to their parishes. The phenomenon of "forced settlements" of unwanted clergymen, sometimes with the help of British soldiers, was becoming more and more frequent.16

About two years after Witherspoon took his seat in the General Assembly, the clergy of the Church of Scotland began to demand that Parliament increase their stipends, which they deemed insufficient to maintain an adequate standard of living. The additional revenue for that purpose would have to come out of the pockets of the landed interests, including many parish elders and heritors, and members of Parliament and Scottish peers, whose support the Newcastle-Pelham ministry needed in order to stay in office. As a result, the General Assembly was told by the Government in London that if clerical stipends were increased, the Patronage Act would have to be more rigorously applied as a quid pro quo to the parish heritors, who would have to bear the cost of the higher stipends.17

This incident made plain the Scottish Church's lack of political power to prevent external interference in its affairs by the state. The presence of officials of the British Government as lay delegates to the General Assembly, who, fearful that the spirit of rebellion unleashed in 1745 had not been fully suppressed, frequently intervened in its debates to prevent any public expressions of religious disharmony in the church, was further evidence of the Kirk's political weakness.18 In response to this state of affairs, a party developed in the Church of Scotland whose
members called themselves Moderates, since they aimed at moderating both
the hostile attitude of clergy and layman toward strict enforcement of
the Patronage Act, and also the conservative, doctrinaire positions on
faith and morals that they believed underlay such hostility.

The Moderate position on the Patronage Act had taken shape sev­
eral years before William Robertson, who was chosen the party's leader
in 1752, five years after Witherspoon entered the General Assembly,
articulated it. Robertson and his colleagues held that if the Church
of Scotland vigorously enforced the Patronage Act in its parishes, it
would win the confidence of the British Government, gain greater autonomy
from state manipulation, obtain an increase in clerical stipends, and
promote greater unity and order in the church. Although acknowledging
that the church was a voluntary society, the Moderates held that it
could not exist without obedience by its members to its own authority.
They demanded that the synods and presbyteries of the Church of Scotland
carry out all decisions of the General Assembly, particularly those in­
stalling ministers in accordance with the terms of the Patronage Act.
They feared that failure by the church to accept patronage as the law of
the land would lead either to conflict with the state or the emergence
of a system of unofficial local independency under which each congrega-
tion called its own nominee while leaving the church stipend in the hands
of the lawful presentee. 19

The Moderates saw a partisan side to the patronage system, too,
in that it would encourage the appointment of ministers of more liberal
education and higher social status, who presumably would increase the
Moderates' numbers. Such ministers would also help to achieve the Moderate
goal of lowering the barriers to full clerical participation in secular intellectual life and of putting the church as a whole in harmony with contemporary intellectual currents. Moderate clergy came to participate extensively in secular intellectual activity during the early eighteenth century, a development that can be explained by a relative decline in religious bitterness among the Scottish upper classes, by the fact that traditionally Scottish theology was deeply concerned with social behavior, and by the paucity of careers in preindustrial Scotland. Educated men saw in the ministry of the Church of Scotland under the Moderate regime a way of life which permitted them to indulge their intellectual interests, even though many lacked a true religious calling. Since authors could not survive solely on the royalties from their writings, careers in the Church offered a select few entrance into intellectual life and opportunities for university chairs that would return them to secular life.

The opposition to the Moderates was called the Popular party because of its contention that the people of each parish should retain a voice in the selection of their pastor despite the Patronage Act. It was this party that Witherspoon joined soon after he began sitting in the General Assembly. The Popular party charged that the Moderate majority in the General Assembly was forcing unwanted ministers on parishes even in cases where the Patronage Act did not clearly mandate settlements. They charged that the procedure violated the church's constitution and drove thousands of disaffected members into the congregations of the Seceders. By 1773 there were 190 Seceding congregations, numbering about 100,000 members. The Moderate policy on patronage may have prevented the emergence of unofficial local independency, but it helped to create an
official local independency. The Popular opposition also accused the Moderates of being more concerned that a lawful presentee be ordained and settled in a parish than whether or not he met the necessary qualifications for the ministry, including subscription to the tenets of the Westminster Confession. Consequently, they charged, vicious, heretical, and unbelieving pastors were being installed in the ministry.\(^{21}\)

Moreover, even if the Moderate party had refrained entirely from injustice to parishes and disregard of the faults of prospective ministers, the Popular party would still have held the Moderates in contempt for their substitution of secular moral teachings for Christian dogmas and of secular literature for Scripture. Witherspoon, for example, though he "had listened to John Stevenson too attentively" to be opposed to good philosophical literature, according to Collins, yet "he refused to admit that the pulpit was the place for its exploitation." The Popular ministers felt that all ministers of the Protestant faith, if they would be true to their office, must not ignore the fundamental teachings of Christianity in their sermons.\(^{22}\)

A final, but crucial, point of dispute between the Moderate and Popular parties, which provided both groups an early occasion for conflict in 1752, was whether or not the church should discipline members of synods and presbyteries who refused to assist in the ordination of unpopular presentees. The presbytery of Dumferline refused to ordain one Andrew Richardson to the parish of Inverkeithing because of the people's objections there. Richardson appealed to the General Assembly, and when his case came before the commission, or standing committee, it ordered the presbytery to carry out the ordination. Still it refused.
At the March 1752 meeting of the assembly commission, its members fairly faced the issue at stake in the case. While the Moderates won acknowledgment that the presbytery had not carried out the commission's decision, they failed to obtain a majority in favor of a vote of censure. The Moderate minority then protested the commission's failure to censure to the full Assembly. They explained their case in *Reasons for Dissent*, and the Popular majority responded by appointing a committee to draw up *Answers to the Reasons for Dissent*. William Robertson was the author of the Moderates' manifesto, and John Witherspoon, though not himself a member of the commission, was the principal author of the Popular party's reply. When the General Assembly met that May, it accepted the Moderate argument, and singled out for punishment one member of the presbytery of Dumferline, the Rev. Thomas Gillespie, who was removed from his pastorate at Carnock. Many ministers considered this action excessive, but their widespread agitation of the issue failed to have Gillespie reinstated.\(^\text{23}\)

Witherspoon saw this episode as another example of the abuse of church authority by the Moderate majority in the General Assembly that was bringing about a public neglect of religion in Scotland. Concluding that Moderate minds were not amenable to reason, and stung by the criticism of an anonymous pamphlet published in early 1753 that accused the ministers of the Popular party of acting not from conscience but from love of popularity, Witherspoon turned to ridicule. He published anonymously at Glasgow in October 1753 a pamphlet that satirized the common image of Moderate behavior, *Ecclesiastical Characteristics*.\(^\text{24}\) According to its subtitle, the pamphlet offered "A Plain and Easy Way of Attaining to the
Character of a Moderate Man, as at Present in Repute in the Church of Scotland." The text consisted of illustrations of thirteen alleged maxims of Moderate conduct. Witherspoon made his satire especially biting by implying that the logic of Moderate toleration of heretics within the clergy led to intolerance toward opponents of heresy, contempt for the common people, and fawning over aristocratic parish patrons. The goal, he alleged, was simply to win an increase in clerical stipends. Since, indeed, the Moderates were probably more intent on winning increased stipends than in tolerating heresy, Witherspoon's satire was stinging.25

"All moderate men," Witherspoon wrote, "have a kind of fellow-feeling with heresy, and as soon as they hear of any one suspected, or in danger of being prosecuted for it, they zealously and unanimously rise up in his defence."26 After all, the Westminster Confession, "which we are now all laid under a disagreeable necessity to subscribe, was framed in times of hot religious zeal; and therefore it can hardly be supposed to contain any thing agreeable to our sentiments, in these cool and refreshing days of moderation."27 Witherspoon disposed of the objection that Moderate subscription to the Confession sacrificed the virtue of sincerity to "private gain and advantage" by answering

That the objection proves too much, and therefore must be false, and can prove nothing: for, allowing the justice of the objection, it would follow, that a vast number, perhaps a majority, of the clergy of the church of England are villains; their printed sermons being, many of them, diametrically opposite to the articles which they subscribe. Now, as this supposition can never be admitted by any charitable man, the objection from whence it flows, as a necessary consequence, must fall to the ground.28
The most suitable profession of faith for Moderates to subscribe to, continued Witherspoon, was "The Athenian Creed," which read in part as follows:

I believe in the beauty and comely proportions of Dame Nature, and in almighty Fate, her only parent and guardian; for it hath been most graciously obliged (blessed be its name) to make us all very good.

I believe that the universe is a huge machine, would up from everlasting by necessity, and consisting of an infinite number of links and chains, each in a progressive motion towards the zenith of perfection, and meridian of glory; . . . .

I believe that there is no ill in the universe, nor any such thing as virtue absolutely considered; that those things vulgarly called sins, are only errors in the judgment, and foils to set off the beauty of nature, or patches to adorn her face; that the whole race of intelligent beings, even the devils themselves, (if there are any,) shall finally be happy; so that Judas Iscariot is by this time a glorified saint, and it is good for him that he hath been born . . . .

In making settlements of ministers in parishes, the wishes of the people, according to the *Characteristics*, must be utterly disregarded, "for the people are all declared enemies of moderation, in its principle and practice; and therefore if moderation be right, they must be wrong." Nor could ministers refuse, on grounds of conscience, to take part in the ordination of an unpopular presentee, for obedience to authority must be unconditional, with no exceptions on account of "scruples of conscience," which was not a legitimate objection in any case. Otherwise, "there would be an end to all government in an instant" in the Church of Scotland.

The members of the Popular party, unlike Witherspoon's Moderates, practiced their brand of church politics out of hypocritical and selfish motives.

They please the people; we please, at least endeavour to please, those of high rank. Now there are many remarkable advantages they gain by pleasing the people; whereas it is evident,
ex post facto, that we gain nothing by pleasing the gentry; for they never trampled upon us so much as of late; and have entirely defeated our application to parliament for augmentation of the stipend. . . . Now, as we, men of reason, could not but foresee this, it is plain, nothing but the most disinterested virtue could lead us to act as we have done. . . ."32

Near the end of the Characteristics, Witherspoon pondered the "improvements" in the Church of Scotland that adherence to his thirteen maxims of Moderate conduct will bring about.

O what noble, sublime, and impenetrable sermons shall now be preached! What victories and triumphs shall be obtained over the stupid populace, by forced settlements, which never have such a beautiful and orderly form, as when finished by soldiers, marching in comely array, with shining arms: a perfect image of the church militant! And what perfectly virtuous and sinless lives shall be led by those clergy, who with steady eye, regard the good of this vast whole, which never yet went wrong! There is nothing indeed that any way tarnishes the beauty of this prospect, but the miscarriage of the augmentation scheme; over which I could now lament in elegiac strains, but that my hope is not yet extinct; for who can tell whether, when we shall have brought moderation to perfection, when we shall have driven away the whole common people to the Seceders, who alone are fit for them, and captivated the hearts of the gentry to a love of our solitary temples, they may not be pleased to allow us more stipends, because we shall have nothing to do but spend them?33

Witherspoon's work, according to Collins, "took the Popular party by storm," going through five editions within two years. It enraged many Moderates, who unleashed a torrent of vituperation against Ecclesiastical Characteristics and its anonymous author. The secret of the pamphlet's authorship, however, had leaked out before June 15, 1754, when the Rev. Samuel Davies of Virginia, visiting Scotland with Gilbert Tennent to raise funds for the College of New Jersey, wrote in his diary, "There is a piece published, under the title of 'Ecclesiastical Characteristics,' ascribed to one Mr. Witherspoon, a young minister. It is a burlesque
upon the high flyers under the ironical name of moderate men; and I think the humour is nothing inferior to Dean Swift."  

The uproar over the Characteristics had not died down when in June 1756 the magistrates and town council of Paisley, near Glasgow, issued a call to Witherspoon to assume the pastorate of the Laigh Kirk of Low Church in the town, with the concurrence of both the kirk-session and the citizenry at large. The Presbytery of Paisley, however, refused to grant the call, because, it later developed, its members had taken offense at Ecclesiastical Characteristics, which they considered injurious to the interests of religion and to the characters of many ministers of the church. The Paisley town council appealed to the Synod of Glasgow and Ayr, before which Witherspoon defended himself against the accusation of being the author of the Characteristics. He skillfully avoided having to admit that he had written the pamphlet, though the synod knew that he had, and denounced the injustice and "ecclesiastical tyranny" of the Paisley presbytery's proceeding against him on the basis of an unconfirmed rumor.  

At length the synod ordered the presbytery to moderate Witherspoon's call without either discussing the presbytery's right to inquire into the rumor of Witherspoon's authorship of the Characteristics or approving or disapproving the presbytery's action in the case. Witherspoon's moderation took place in his new parish on December 9, with the cordial approbation of the townspeople, though it took six months more to arrange his release from his former pastorate at Beith.  

In the meantime, just five days after Witherspoon's moderation, social, literary, and clerical Edinburgh was thrown into an uproar by
the debut on December 14 of *Douglas*, a play based on an episode of Scottish history. The uproar was over the fact that the play had been written by a minister of the Church of Scotland in good standing, the Rev. John Home, who had been Witherspoon's college-mate at Edinburgh and fellow prisoner in Castle Doune. A heated debate ensued over the propriety of ministers writing and patronizing stage plays, with numerous sermons, essays, and satirical verse produced by partisans of each side of the issue. The Moderate and Popular church parties respectively sided with and against the public stage.\textsuperscript{37}

Varnum Lansing Collins regards Witherspoon's *A Serious Inquiry into the Nature and Effects of the Stage* as "the best type of the antitheater essay" of that time, which summed up the orthodox position that supporting the theater was inconsistent with Christian character "as soberly, and really as fairly as the times permitted."\textsuperscript{38} The style of the *Inquiry* lacked the literary inspiration of Witherspoon's other polemic writings, and may have been produced more out of a sense of Popular party loyalty than concern for the allegedly harmful spiritual effects of the stage.

Witherspoon defended his position with a lengthy exposition of his views on the nature and effects of the public theater, evading the question of the morality of students performing plays for educational purposes. He argued that "public theatrical representations, either tragedy or comedy" should not be attended by Christians for three reasons. First, the stage, as a protracted amusement, was a waste of time and money, a vehicle for agitating the "passions and affections" which every Christian should keep "within due bounds," and a means of leading people
into temptation. It hindered men from their duty to glorify God "by cultivating holy dispositions, and doing pious and useful actions."

Second, the theater was "wholly unnecessary" for human spiritual improvement, because the Scriptures were sufficient for that purpose, and because "the purity of the theater can never be carried farther by the taste of the audience, than what is required in conversation with the polite and fashionable world." Third, Christians who attended the theater encouraged others to sin in two ways, by encouraging those of slighter moral fortitude to attend and be tempted, and by supporting actors in their "unchristian" occupation of "perpetual amusement." Witherspoon pleaded for the abolition of the public theater, which existed only by evasion of "a clear and late act of parliament." He argued that writing or attending public plays was "unbecoming the character of a minister of Christ," and expressed the hope that "surely, the world in judging of characters, or a church court in judging of the conduct of its members, will pay no regard to the poor and shameful evasion."39

The Douglas affair ended in a victory of sorts for the Popular party, since the Moderates could not ignore or explain away the fact that supporting the theater was a violation of explicit rules of ministerial conduct in the Scottish Church. The Presbytery of Edinburgh issued an Admonition and Exhortation to church members within its bounds that they should not patronize the stage, and imposed a mild penalty on one of its members who had attended the premiere of Douglas. Other ministers who had attended were rebuked by their own presbyteries. The hapless author of Douglas resigned from the ministry to save what remained of his reputation, after delivering a tearful farewell sermon.40
After this affair, Witherspoon was finally released from his old charge at Beith and installed as co-pastor of the Laigh Kirk in Paisley. He soon won the townspeople's enthusiastic support for his ministry through his obvious concern for their spiritual welfare. In 1759, he declined a call to the pastorate of the Scottish church at Rotterdam in Holland, though that church had elected him unanimously. In early 1762, the town of Dundee moderated a call to Witherspoon and applied to the presbytery of Paisley to have him transported, but after receiving strongly worded resolutions opposing Witherspoon's departure from the magistrates and town council, from the "Society of Weavers, Taylors, Shoe Makers and Wrights," and from other groups in Paisley, the presbytery referred the case to the General Assembly, which decided to let Witherspoon remain in Paisley.

Witherspoon and his co-pastor, one Rev. Mr. Baine, were eventually to boast in the General Assembly that Paisley was unsurpassed by any town of its size in Scotland for oversight of morals. But Witherspoon's own zeal led him into an affair in March 1762 that damaged his ecclesiastical prestige and landed him in legal difficulties. On a Saturday night before Communion Sunday, John Snodgrass, a Paisley sheriff's clerk, and five other young men of the town met to hold a private drinking bout, in the course of which they not only became noisy and profane, thereby attracting a crowd, but also allegedly mimicked their ministers and held a mock celebration of the Eucharist. When Witherspoon heard about the incident, he reported it to the kirk-session of the Laigh Kirk, which began an examination of the accused. While the investigation was in progress Witherspoon preached a sermon entitled Seasonable Advice to
Young Persons, which represented the defendants as men of vicious habits and character. The kirk-session found the accused guilty, and sentenced them to public rebuke before the congregation as well as to whatever further censure the presbytery might inflict. 42

At the meeting of the presbytery of Paisley, Witherspoon, "evidently still under strong emotion" according to Collins, threatened to print his sermon with names and evidence unless the presbytery's censure matched, as he saw it, the magnitude of the offense. But the presbytery decided that the sacrilegious celebration was not proven and merely ordered the moderator to rebuke the accused before the bar of presbytery. Witherspoon announced that he would appeal to the assembly, and in May 1762 he had his sermon printed and placed it on sale at thirteen bookshops around Scotland. Soon afterwards, according to Collins, "cooler heads" persuaded Witherspoon that his action was unjustifiable. Gathering up all the copies of his sermon he could find, he stopped its sale until the next session of the assembly (the same one at which the question of his call to Dundee was being decided) was over. Immediately afterwards, however, he put his printed sermon back on sale, and as a result, the young men became objects of public odium in Paisley and received threats to their physical safety. The six thereupon filed civil suit against Witherspoon, charging him with criminal libel and demanding 100 pounds each in damages and 100 pounds costs. In November 1764 the court ruled that, while the preaching of the sermon was justified, publication was illegal, unwarranted, and injurious, and held Witherspoon liable for damages and costs. Since the court found that the sermon was occasioned by the plaintiffs'
improper conduct, and publication was the result of Witherspoon's intemperate zeal, it set damages at only £30 and costs at £88.10s. On appeal, however, the damages were increased to £150 and the costs to £100.43

Witherspoon found it difficult to pay this heavy judgment, despite receiving some £40 sterling in contributions, many of them anonymous. Not until February 1776 was he able, through friends in Scotland, to arrange a compromise settlement of his debt.44 The greatest damage was to Witherspoon's ecclesiastical reputation, making him appear to his fellow ministers as the kind of moral fanatic whom the Moderates loved to ridicule as an example of what the philosophy of the Popular opposition led to. Moreover, Witherspoon's Moderate opponents had not allowed the controversy over the still popular Ecclesiastical Characteristics to die down.45

In an attempt to salvage his reputation, Witherspoon anonymously published in 1763 A Serious Apology for the Ecclesiastical Characteristics: By the Real Author of That Performance. He dedicated the pamphlet to "the Nobility and Gentry of Scotland; Particularly, Such of Them as are Elders of the Church, and Frequently Members of the General Assembly," since "certainly none have it so much in their power to preserve or improve the constitution, both in church and state, as your Lordships and Worships." Witherspoon bluntly asked those noblemen and gentlemen who sat as lay members in the General Assembly of the Church of Scotland "whether you ought any longer to give countenance to the measures which have for some time generally prevailed," and expressed his firm belief that they would abandon their support of the Moderate
clergy and seek to eliminate the abuses for which the Moderates found sanction under the Patronage Act. As for the Moderates themselves, he despaired of persuading them to abandon their mistaken ways.

Individuals may, but, in the present state of human nature, it ought not to be expected, that the majority of any body of men will give up private benefit in wealth, power, or ease, for public good. Therefore, when once the clergy are corrupted, their reformation can be looked for from the laity only, and not from themselves. 46

In the Apology, Witherspoon still declined to throw off the cloak of anonymity. He admitted that he had written Ecclesiastical Characteristics to puncture the inflated self-importance of many ministers, and defended his decision to publish his work anonymously because he anticipated that the pamphlet would make enemies for its author. He then had written the Apology, he declared, to refute the accusation that the Characteristics were "contrary to the interest of religion" and "inconsistent with the Christian temper." In fact, he said, he had written Ecclesiastical Characteristics out of "a deep concern for the declining interest of religion in the Church of Scotland, mixed with some indignation at what appeared to me a strange abuse of church-authority in the years 1751 and 1752," a reference to the Gillespie case. 47

Witherspoon defended the rightness both of censuring ministers for vicious conduct and of his own use of satire as the vehicle for such censure. Failure to censure ministers when they deserved it "provokes men to conclude the clergy are all combined together, like 'Demetrius and the craftsmen,' and more concerned for their own power and credit, than for the interest and benefit of those committed to their charge." If Ecclesiastical Characteristics had done any damage
to the reputation of the clergy in general "among the quality and gentry,"
far more damage had already been done by the knowledge of clerical mis-
conduct in those circles, where "commonly . . . the most free conver-
sation and unclerical carriage is found among gentlemen of the sacred
order."48

Witherspoon asserted the legitimacy of his use of satire by
citing examples of its use from Scripture and from Patristic writings.
He postulated the existence of "a pride and self-sufficiency in men
under the dominion of error, which makes them deaf to advice, and im-
pregnable to grave and serious reasoning," and which had to be leveled
by the weapon of satire before people could be convinced of their errors.
He had chosen the mode of satire to perform his censure with two con-
siderations in mind. The first was the existence of "a certain levity
of mind" that "prevails at present among all ranks; which makes it very
hard to fix their attention on any thing that is serious." The second
was the prevalence of "sloth, or an unwillingness to bestow great or
long application of mind upon any subject, be what it will."49

The use of satire was also rendered appropriate and necessary by
the deafness of the Moderate party to popular and ecclesiastical pro-
tests against their high-handed methods of enforcing the Patronage Act.
"This induced me," wrote Witherspoon, "to write in a manner that has
obliged them to hear whether they will or not." He had also wanted to
subject his Moderate opponents to an application of the quotation from
Lord Shaftesbury that they were fond of repeating, "Ridicule is the test
of truth." Witherspoon reported with some satisfaction that, "if they have
not renounced this opinion, they at least keep it more to themselves, and
are less insolent upon it in their treatment of others."50
Witherspoon acknowledged that "many worthy and good men" had, for various reasons, supported the Moderate ecclesiastical policies, and that "one great end of the Characteristics was, to open the eyes of such persons, both on their employment and company." He sadly noted that the fierce partisanship within the Scottish Church had produced "extremes . . . on both hands" and a decline in "concern for religion."

Persons of fierce and violent tempers, in their zeal, throw out indiscriminate reflections; and those engaged in another interest, turn a deaf ear to every accusation, as the mere effect of party-malice and resentment. Witherspoon saw a more fundamental cause of the decline of religion in the Scottish Church in the "uninterrupted outward prosperity" and "favour and protection of the civil power" that the church had enjoyed for over seventy years. It would be "a miracle . . . contrary to the natural course of things" if such prosperity had not resulted in "a depravation of our manners."

So long as a minister is only in the post of greatest danger, there will be less hazard of worldly men endeavouring to push themselves into that situation; but as soon as that office begins to be considered as a quiet and safe settlement for this life, how can it be but many, from no higher end than worldly interest, will get and keep possession of it? Therefore, though I were living in Japan, and knew nothing else of the church of Scotland, but that she had enjoyed such a course of outward prosperity, I would as certainly conclude, that a corruption of manners was affecting even the clergy, as I would that iron which had been long out of the furnace, and had not been rubbed or scoured, would be growing rusty.

The "present state of the church of Scotland," according to Witherspoon, was worthy of criticism in the areas of doctrine, discipline, and government. Witherspoon accused many of his fellow ministers of unbelief in, or inability to preach upon, the fundamental doctrines of Protestantism as contained in the Westminster Confession. Yet the
evidence was no more substantial than the assertion that the "great difference in point of doctrine" between Popular and Moderate clergy-men meant that "if the one sort therefore preach the doctrine contained in the Westminster Confession of Faith, undoubtedly the others either contradict or omit it." Witherspoon did not cite particular examples of ministers preaching heresy because, he said, they could not be convicted of such an offense in the civil courts, but he denounced them in general terms as absurdly insincere in subscribing to religious doctrines in which they did not actually believe.

Regarding discipline, Witherspoon charged the church with laxity in punishing clergy who transgressed accepted standards of ministerial conduct. The resulting "levity and worldly conversation, with a neglect of the duties of the sacred office" not only encouraged moral corruption among ministers, but served to discourage "zeal and piety" in the best among them. Ministers were obligated by their station to follow a higher standard of personal conduct than were other people, for "if the morals of the clergy themselves are corrupted . . . . the reins of discipline will be slackened as to the disorders of others."

In the area of church government, and particularly on the subject of Moderate enforcement of the Patronage Act, Witherspoon predicted that continued "forced settlements" of ministers, which already had contributed to division within the Church of Scotland, will have the most certain and powerful influence in banishing religion and decency, and bringing us into a situation of which I charitably believe, many who prosecute these measures have not the least suspicion. Willingly therefore, were it in my power, would I contribute to open the eyes of some of my brethren, on the pernicious consequences of their own conduct. But I have the discouragement to reflect, that the force of custom, and the power of prejudice, will probably shut their ears to any thing I have to offer.
Nonetheless, Witherspoon proceeded to offer his opinion on the matter. He denied the "ridiculous and absurd" idea that all Christians had the right, purchased by Christ through His death, to call their own ministers, "and therefore that they ought to assert this right, though in the most seditious and disorderly manner."

We know perfectly well, that it is a question, not of right but of fact, Who has a title to call a minister to enjoy the public maintenance? and that none have any title to it at all, excepting those to whom the law gives it.

The question then rests precisely on this single point: Does the law as it now stands, compel us to make all these settlements without exception, and without expostulation? If it does, what is the benefit, and what is the meaning of the separate independent jurisdiction of our church courts, to which the decision of such causes is committed by law, and secured by the treaty of union?

Since the final decision as to whether or not a minister should be installed in a parish still lay with the church, and had not been transferred to parish patrons by the Patronage Act, the final responsibility for the evil of forced settlements was the Scottish Church's own. Those who justified the practice, "who in their hearts are averse from parochial elections, only pretend the law as a colour for their conduct."

I believe, this is the first instance that ever happened, of churchmen surrendering the power and influence which the law gave them, into other hands, without resistance, and without complaint: nay, many of them zealously contending for it, and establishing it by their own repeated decisions. It would be no hard matter to point out the real cause or causes of this conduct; but at present I forbear, and leave it to every man to assign them for himself; only I cannot help lamenting, that our noble, venerable, republican constitution, seems to be so near its period. Whether it is likely to undergo any outward change is of little moment: when the spirit is gone, the remaining name and form is not worth being contended for.

The only regret that Witherspoon expressed for having written Ecclesiastical Characteristics was over his lack of "prudence, which
should have directed me to avoid bringing such a load of malice and resentment upon myself." Commenting further on his career since the publication of the work, he wrote,

This has afforded me one observation not very honourable to human nature, viz. That the rage of enemies is always more active and more lasting than the affection of friends. It often happens, that some who are very much pleased to find one stand forth as a champion for their political opinions, and ready to go, as it were, to the front of the battle; when their enemies, smarting with the wounds he has given them, traduce and vilify his character, these esteemed friends often, in a great measure, give it up, and discover much satisfaction with themselves, that they had acted in a wiser and more cautious manner.59

Witherspoon concluded by urging those of his readers who agreed with his opinions about the state of the Church of Scotland "to exert themselves with zeal and activity for her preservation and recovery." He urged them not to despair for the state of religion, reminding them that prior to 1638, the year of the Scottish revolution against Charles I, the church had been "overspread" with the same evils that now prevailed, "and yet, in a little time, she appeared in greater purity and in greater dignity than she had done before . . . . Let no Christian, therefore, give way to desponding thoughts. We plead the cause that shall at last prevail."60

Meanwhile, Witherspoon was "gaining in fame abroad and losing none of his popularity at home," according to Collins. He received an honorary degree of Doctor of Divinity from the University of St. Andrews in June 1764. Yet privately he was falling into a sense of despair about his personal future. He remained confident that the Popular cause would ultimately prevail in the Church of Scotland, but apparently felt that as a result of the Snodgrass affair and the continuing Moderate rancor over Ecclesiastical Characteristics, he himself could no longer
render any valuable service to the Popular cause. His sense of personal despair is reflected in the tone of his only work of fiction, which he again published anonymously in 1765. The *History of a Corporation of Servants* was an allegorical satire on the history of the Christian church in general, and of the Church of Scotland in particular.  

Witherspoon's *History*, ostensibly describing the fortunes of a body of servants in an imaginary kingdom in the interior of Brazil, is related by the survivors of a British expedition shipwrecked in that country in 1741. Its allegorical character is easily recognized. The servants in this kingdom (representing Christian ministers) originally "were chosen or hired by every family as they pleased" and generally derived more satisfaction from their work than from their wages. Then a prince (the Emperor Constantine) showed the servants favor by ordering that their wages be increased, that they be better educated for their tasks, and that they be organized "into a large corporation, containing many smaller bodies and societies within it" with authority over its individual members (the Roman Catholic Church). With increased wages, the servants neglected their work and indulged themselves in pleasure. Their numbers increased "almost to an incredible number." Some of the servants became "overseers" and "sub-overseers" (archbishops and bishops) and organized a hierarchical organization headed by one of the overseers as "emperor" (the Pope). The corporation of servants soon came to dominate the kingdom and possess most of its wealth. This state of affairs continued until "one of the lower servants" (Luther) attacked the conduct of his colleagues on the principle "that servants were obliged to promote at all times the real
interest of their masters." Subsequently, "several provinces of the empire" resolved to cast off "the yoke of the emperor" (during the Protestant Reformation), and there ensued a "civil war" which ended when "some provinces agreed to keep the old way, and some established the new" (at the Peace of Westphalia). 62

"In one Northern province" (Scotland) the corporation of servants was reorganized on a new basis.

They not only renounced the authority of the emperor; but all overseers, arch-overseers, auditors, controllers, accountants, keepers of records, and other unnecessary officers were banished at once, and none suffered to continue but useful working servants . . . . That regulation was abolished, as extremely pernicious, which permitted lords or great men to name servants to others, so that every family chose such as best pleased themselves, and such as were well qualified for the business for which they were hired. The exorbitant increase of their wages was reduced as well as all extravagant perquisites, and only a moderate provision continued and settled. 63

Things went well in the province for some time, under this new system, despite an unsuccessful attempt "to introduce overseers and arch-overseers among them, from a neighbouring province England which had retained these officers, though they would not suffer them to be subject to the emperor." But "ambition, avarice, and luxury . . . found a way of introducing themselves, under cover of the form that then prevailed," when the law was re-established "which empowered great men to nominate servants to inferior families" (the Patronage Act of 1712).

The consequence of this was, an excessive impropriety in the appointment of servants to different families. If a poor ordinary family wanted a household servant, sometimes a Lord would send them a foreign cook out of his own kitchen. This fellow would speak such minced broken language, that they could not understand him; and the meat he dressed for them they could not endure to look upon. When they desired him to
provide plain solid food, such as they had been in use to
eat, and in sufficient quantity to fill their bellies, he
would serve them up a course of flimsy dishes, finely gar­
nished, but entirely disguised, so that the poor people
could not imagine what they contained. If at any time
they made complaint of this, he triumphed over their
clownish ignorance and unrefined taste, and would offer
to prove to the satisfaction of all men of sense, that he
perfectly understood his art. 64

Witherspoon even satirized himself, and the controversy over
Ecclesiastical Characteristics, by describing how a servant who opposed
"the prevailing measures" of the corporation attempted to convince his
fellow servants of their error by means of "a singular device."

Being possessed of a vein of humour, and knowing a little of
the art of painting, he drew a picture of the droll or ludi­
crous kind, in which, by aenigmatical characters, he repre­
sented the various impositions of the servants in general.
He also took off the likenesses of the principal and most ac­
tive leaders of the corporation, and put them in the most com­
ical postures imaginable . . . .

This picture was stuck up, in the night-time, near a pub­
lic road leading to a great town. As the persons were all
very well known, it is not to be imagined what entertainment
it afforded to the people. No body could look upon it with­
out laughing; and whenever any of the servants, honoured with
a place in it, were seen upon the streets, the boys gathered
about them in crowds, and, to their unspeakable mortification,
mimicked the postures in which they had been represented . . . .

The fury and resentment of the servants, on the publica­
tion of this piece, is not to be conceived. The author had
done it with much caution and secrecy, that they could not get
him legally convicted. However, they either discovered, or
at least thought they had discovered who he was, and employed
themselves night and day, in devising methods of revenge . . . .
In the mean time, they all agreed in telling lies upon him
without ceasing . . . . It was ten years after the fact was
committed, that my informer left the country; and he declared
that their resentment had not abated in the least degree: a
circumstance which, I observed, had made a deep impression
upon his mind; so that he would often say, From the fury of
an enraged servant, good Lord deliver me . . . . 65

"Being divided among themselves," the general public was unable
to use its influence to bring about a change in the conduct of the
servants. One group with "high pretensions to reason and penetration"
(religious skeptics inspired by Enlightenment thought) responded to
the situation by holding that all servants were vicious and that the
world would be better off without them. They imagined the possibility
of having "a whole nation of lords, without one person among them of
inferior degree." A second group acted "according to plain common
sense" and sought to obtain honest and faithful servants "agreeably to
the laws of the corporation" (the supporters of the Popular party).
When this was not possible, "or when a good-for-nothing fellow was
buckled to the salary, they put themselves to the additional expence
of hiring one according to their own mind" (the Seceding congregations),
while continuing to pay the "established" servants the wages due them.
The rest of the nation "reflected very little upon their condition,
but took such servants as were sent to them, and rubbed on as well as
they could."66

Witherspoon concluded his satirical opus by holding out "a glimpse
of hope" for reformation among the servants through "the gentlemen who
had been chosen to the office of helpers" (the lay delegates in the
General Assembly) who at last realized the true state of the corpo­
ration. He rejoiced "that we are perfectly free from impositions of the
same or any similar kind."67

*     *     *

Impatient for action against an external enemy of the religious
and political order of his native Scottish Lowlands, John Witherspoon's
response to the invasion of the Young Pretender in 1745 was direct,
forceful, and zealous. As prisoner of war, he not only suffered damage
to his nervous system from imprisonment, but learned that his tendency
toward impatience and excessive zeal would get him into trouble if he did not keep it under tight rein.

That lesson proved its value to him during his twenty years as a delegate to the General Assembly of the Church of Scotland. As leader for most of this period of the minority Popular party in the assembly, he was able to form his party into a disciplined, if generally unsuccessful, loyal opposition to the dominant Moderates. Yet his impatient zeal remained with him, and grew as he proved unable to break the Moderates' grip on the government of the Church of Scotland. Direct and forceful action was unsuited for the ecclesiastical politics in which he operated.

Witherspoon's impatience found outlets in his anonymous satires on the Moderate ecclesiastical regime and in the Snodgrass affair, in which his frantic concern for the public morals of his parish embroiled him in legal difficulties. Their consequence, for Witherspoon, was to damage his political standing in the Scottish Church to the extent that he came to despair for the future of his own career, though his reputation in the Popular party remained strong, and his congregation in Paisley still held him in high esteem. For all his restrained eloquence and astute parliamentary tactics, he and his party had been unable to modify enforcement of the Patronage Act, which, Witherspoon was convinced, was destroying the "noble, venerable, republican constitution" of the Church of Scotland. Witherspoon remained confident of the Popular party's eventual success, but he held only one slim hope for himself, as he revealed in a remark in A Serious Apology for the Ecclesiastical Characteristics,
Perhaps (though I see no reason for affirming it) the quantity of human virtue, through the whole earth, may be nearly the same in every age; yet certainly it often changes its residence, and leaves one nation, to settle in another.
CHAPTER II

"AN EQUAL REPUBLICAN CONSTITUTION": 69

WITHERSPOON IN NEW JERSEY, 1768-1776

With the death of President Samuel Finley in July 1766, the trustees of the College of New Jersey in Princeton felt it imperative to select a new president eminent enough to gain the support of both the New Side and Old Side factions which had divided the Presbyterian church in America since the Great Awakening. Only in 1758 had the two factions ended a seventeen-year schism over the issue of whether to support or oppose the spirit of revivalism that the Awakening had unleashed upon Protestant churches in the colonies. The New Side Presbyterians, mostly of New England Puritan origin, believed that Christian evangelism should be the foundation of the church, while their Old Side opponents, mostly Scots-Irish, held that church members should adhere to the orthodox doctrines of the Westminster Confession. The antagonism between the two factions remained strong even after the end of their formal schism and was exceeded only by the antagonism of both toward the Anglican church in America, which they referred to as "the enemy." 70

Though the College of New Jersey (renamed Princeton University in 1896) possessed a non-sectarian charter, its board of trustees had always been jealously dominated by New Side Presbyterians. In 1766, they were fearful that they would lose control of their sole academic
bastion. There were rumors of the impending creation of an Anglican bishopric in America, and it was feared that New Jersey’s royal governor, William Franklin, the illegitimate son of Benjamin Franklin, and *ex officio* chairman of the college’s board of trustees, might turn the college over to the Anglicans.71

The New Side adherents at Princeton became alarmed when the news leaked of an Old Side plan to force the selection of Dr. Francis Alison of the College of Philadelphia as president. In return, Alison’s supporters were to provide substantial financial support for the struggling institution. Alison was ready to leave the College of Philadelphia, which, he claimed, had fallen under Anglican domination. He complained that graduates of Philadelphia who were candidates for the Presbyterian ministry were grilled so intensely by New Side examiners that a number of them took Anglican orders. Alison and his fellow Old Side clergy, wanting to preserve doctrinal orthodoxy in their ranks, sought to take over the College of New Jersey for their theological seminary. Moreover, Alison’s outspoken hostility toward New Side Presbyterians made his accession to the presidency of Princeton an alarming prospect for the college trustees. At the same time, the urgent demands for Presbyterian unity in the face of the Anglican menace might force them to yield unless they could produce a suitable candidate of their own.72

Since no American religious leader possessed the qualities necessary, the trustees turned to John Witherspoon in Scotland. Having no part in the disputes between Old Side and New Side, Witherspoon would be acceptable to both parties. The trustees knew nothing of Witherspoon’s academic abilities, but they were undoubtedly acquainted with his
Three of his published works, *Ecclesiastical Characteristics*, *A Treatise on Justification*, and the *Inquiry into the Stage*, had crossed the Atlantic and won admiration in America. Varnum Lansing Collins, Witherspoon's biographer, believes that Witherspoon's name "must have been frequently on the pens of those Scottish divines who periodically exchanged with their transatlantic brethren interminable epistles on the state of religion." American Presbyterians would have agreed with Witherspoon's stand in Scotland against patronage, abuse of church authority, and degeneration of religious life.  

On November 19, 1766, the college trustees agreed to receive a five-member Old Side delegation from Philadelphia. But meeting behind closed doors, they elected Witherspoon to the presidency of the college before admitting their guests, whom they then informed of the decision. Witherspoon was notified of his election by letter and was persuaded to accept the offer by the college's alumnus Richard Stockton, who visited him in Paisley the following February. The immense opportunities for his ministry that residence in America would offer were outlined for Witherspoon in a letter from the Rev. Dr. John Rodgers of New York, dated December 24, 1766. Rodgers advised Witherspoon that acceptance would assist the training of ministers, place him at the head of a growing Presbyterian church in America, and give him the chance "to advance the Cause of Christian* Liberty."  

It was Witherspoon's wife who proved reluctant to leave home and relatives behind. She feared, among other things, that her husband might soon die and leave his family alone in a strange land. Witherspoon would not force her to leave against her will, and Stockton could not win her  

*"Xtian" in original MS.*
over. By April, Witherspoon had decided to decline Princeton's offer, and in October 1767 the trustees elected the Rev. Samuel Blair, Jr., of Boston. Meanwhile, another alumnus, the young physician Benjamin Rush, who was completing his medical studies in Edinburgh, was determined to bring Witherspoon to the College of New Jersey to save the institution from Old Side ruin. In August 1767, Rush succeeded in obtaining Mrs. Witherspoon's consent to the move to America, should Witherspoon be re-elected. In November, when that word was received at Princeton, the young Samuel Blair, who, according to historian Thomas J. Wertenbaker, "had been facing the responsibilities of the presidency with justifiable misgivings," declined his election.75

Witherspoon and his family sailed for America on May 18, 1768. Already the news had appeared in the Pennsylvania Gazette of May 8. Witherspoon docked at Philadelphia on August 7 and "found himself the cause of a good natured rivalry" over who would have him and his family as guests for a few days, according to Collins. When the prominent merchant Andrew Hodge won the contest, his house became "the Mecca of all ranks and persuasions coming . . . to pay their respects to a divine of such repute" for the duration of Witherspoon's stay.76 The Witherspoon left for Princeton on August 12 and were met a mile or so from the town by the entire student body and faculty, who escorted the newcomers to the home of the lawyer and future revolutionary Richard Stockton. The Witherspoon remained Stockton's guests until the President's House of the college was ready for them.77

* * *

Witherspoon found New Jersey in 1768 still much affected by the emotions of the Stamp Act crisis three years before. Relative to the
growth of resistance in other colonies opposition to the Stamp Act had not sprung up immediately in New Jersey, but it did expand during the summer of 1765 until it became virtually universal. News that the act had been repealed triggered celebrations throughout the colony. In 1767, when the ministry tried once more to raise a revenue in America by adopting the Townshend duties on paper, glass, painter's lead, and tea, New Jerseyans became convinced of a sinister conspiracy against their traditional liberties and rights of self-government. Although John Witherspoon never came to share his neighbors' suspicions of British conspiracy, he did share their concern for their rights and liberties and their willingness to go to the brink of revolution—and beyond—in order to preserve them. 78

As president of the College of New Jersey, Witherspoon headed an institution whose main supporters, like those of Queen's College (now Rutgers University) in New Brunswick, New Jersey, were members of non-English minorities with no ancient traditions of loyalty to the British crown. Well-to-do Anglicans and Quakers in New Jersey had little interest in either institution, having more congenial colleges available in New York and Philadelphia. Consequently, the College of New Jersey would have been a bastion of American protest against Britain's post-1763 imperial reforms even without Witherspoon. At the commencement of September 28, 1768, the first at which Witherspoon officiated, for example, two of four graduating students defended theses asserting that "It is to the interest of any nation to have the trade of its new countries as free from embarrassment as possible," and "It is lawful for every man, and in many cases, his indispensable duty, to hazard his
life in defence of his civil liberty." At commencement the next year, the trustees of the college conferred honorary doctorates of law on John Dickinson of Pennsylvania, author of the famous protest against the Townshend duties, Letters from a Pennsylvania Farmer, and on Joseph Galloway, then speaker of the Pennsylvania Assembly and, although eventually a loyalist, at this time famous for his hostility to the Stamp Act. The college also conferred an honorary master's degree on the patriot John Hancock of Massachusetts.

Witherspoon's major contribution to Princeton's Whiggish reputation was his senior course on moral philosophy and politics, through which he also introduced the lecture system to the College of New Jersey. Previously, the college's New Side trustees, concerned that education be conveyed so as to allow for the maximum contact between professor and student, had withstood the trend toward the lecture method that had begun at the Scottish universities around the middle of the eighteenth century, and which Francis Alison, rejected as president of the college in favor of Witherspoon, had successfully introduced at the Old Sides' Newark Academy. Witherspoon required that his students transcribe entire lectures into their notebooks (from which notes Witherspoon's Lectures on Moral Philosophy were reconstructed and published after his death), but the college's promotional literature insisted that this task was not burdensome to students.

Witherspoon's lectures had their intellectual foundation in the Scottish Enlightenment and in the Common Sense school. In that respect it differed little, according to the historian Andrew Hook, from "what the humblest Scottish graduate schoolteacher had to offer." Witherspoon
was one of many natives of Scotland who played leading roles in the educational and cultural life of the American colonies during the late colonial period, and whose influence has led intellectual historian Garry Wills to remark that "America in general had gone to school to the Scots" during this period. The uniqueness of Witherspoon's lectures lay in his incorporation of contemporary political topics into his lecture material. He significantly departed in one respect from the mainstream of Enlightenment thought in asserting that the social and the political contract were one and the same, and that human society, or "civil society," depended from the first on political institutions for its preservation. This indicates, according to historians Elizabeth Flower and Murray G. Murphey, that Witherspoon "clearly had in mind the American experience" when he composed the lectures.82

Witherspoon continued the emphasis that one of his predecessors as president of the College of New Jersey, the Rev. Samuel Davies of Virginia, had placed on oratorical training in order to enable students in their future careers to inspire others to virtuous action. But while Davies had required his students to deliver public orations from the ancients, Witherspoon encouraged his students to deliver orations of their own composition as well. Under the influence of Witherspoon's lectures and of the reading that he recommended, political works by writers such as Grotius, Pufendorf, Harrington, Locke, Sidney, Montesquieu, Hobbes, and Machiavelli, and writers of the Scottish Common Sense school such as Adam Ferguson and Lord Kames, students of the College of New Jersey did not hesitate to discuss the burning issues of their day in the light of contemporary theories of the rights of man. The secular
emphasis of Witherspoon's educational efforts led him to find intellectual virtues in the works of the Common Sense writers that he would not have acknowledged in Scotland, where these men were theologically aligned with Witherspoon's Moderate adversaries in the Scottish Church.\textsuperscript{83}

Owing to Witherspoon's ecclesiastical prominence in Scotland, the Presbytery of New Brunswick received him warmly in April 1769 when he attended to present his letter of dismissal from Paisley. The presbytery elected him a delegate to the Synod of New York and Philadelphia, the supreme governing body of American Presbyterianism, which held its next annual meeting the following May. Witherspoon was honored there by being named to eight different committees, and by being chosen to head a delegation from the synod to a convention with the associated Congregational churches of Connecticut in September. The latter synod was the fourth since 1766 designed to unite the dissenting churches in America against proposals for the introduction of an Anglican episcopate in the colonies.\textsuperscript{84}

When Witherspoon assumed the presidency, he found the College of New Jersey suffering from a shortage of funds, both because of an unsuccessful investment policy and an insufficient number of students. Immediately after the 1769 commencement he went to Virginia, intending, according to a letter that he personally delivered from the young James Madison of that colony to Madison's father, to obtain contributions "and perhaps to form some acquaintance to induce Gentlemen to send their sons to this College."\textsuperscript{85} On a Sunday afternoon in late October, when Witherspoon was to preach in Williamsburg, no building as large enough to hold his audience, and he delivered his sermon in the yard of the Capitol.
Afterwards, the collection amounted to 66 pounds, to which the governor of Virginia added 20 pounds more. On this and subsequent excursions through the colonies to the north and south of New Jersey, Witherspoon succeeded in raising over £7,000 for the college, and acquired new acquaintances whose esteem for him was of great benefit to his later career in the Continental Congress.86

Political concerns disturbed both the colony and College of New Jersey during the summer of 1770. It is ironic that disorder over the Townshend duties did not break out in New Jersey until after Parliament had repealed all except that on tea. The unrest was in response to the abandonment of the boycott of British goods by the merchants of New York in July 1770 upon news of the partial repeal. With few merchants within its own borders, New Jersey could afford to maintain a hard line on nonimportation, and New Jerseyans became indignant at New York's desertion of the general boycott. Students at Princeton intercepted a letter that an express rider was bearing from the New York merchants to their counterparts in Philadelphia, informing them of the intention to break the boycott. According to the New-York Gazette, the students, "fired with a just Indignation," dressed in their black academic gowns and at the tolling of the College Bell, went in Procession to a Place fronting the College, and burnt the Letter by the Hands of a Hangman, hired for the Purpose, with hearty Wishes, that the Names of all Promoters of such a daring Breach of Faith, may be blasted in the Eyes of every Lover of Liberty, and their Names handed down to Posterity, as Betrayers of their Country.87

Witherspoon's failure to interfere suggests that he approved of his students' zealous display of American patriotism.
More violent responses to New York's rupture of the boycott took place in Middlesex County. At Woodbridge, where the Sons of Liberty were particularly active, a quantity of tar and feathers was kept on hand to intimidate New York merchants, and at New Brunswick in early August, townspeople physically abused two merchants from that city. But as other colonies defected from the boycott, New Jersey could not stand alone, and by September the nonimportation movement was over.88

The 1770 commencement took place in the same month. One of the graduating seniors was Witherspoon's son, James, who defended the thesis, in Latin, that subjects were bound to resist their king and defend their liberties if he ignored the laws of the state or treated his subjects cruelly. Another debate took place in Latin on the thesis that "All men by law of nature are free," and a third, in English, on the proposition that the nonimportation agreement reflected glory on the merchants and was a noble exertion of self-denial and public spirit. All these expressions of Whiggish fervor took place in the presence of Governor William Franklin, an honored guest at the commencement.89

Witherspoon approved of his students' zeal for liberty, but was concerned lest it be channeled into destructive and disorderly activities. As he wrote in 1772 to a member of the British aristocracy,

There are now under my care, many who in a very short time will be at the head of affairs in their several provinces, and I have already and shall continue to temper the spirit of liberty, which breathes high in their country, with just sentiments, not only of loyalty to our excellent sovereign, in which they do not seem to be defective, but with a love of order and an aversion to that outrage and sedition into which the spirit of liberty when not reined is sometimes apt to degenerate.90

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Beginning in late 1773, intercolonial issues began to make first claim again on New Jerseyans' attention. Opinion in the colony generally deplored the disorderly conduct of the participants in the Boston Tea Party, according to historian Larry R. Gerlach, though students at Princeton showed their solidarity with Boston in January 1774 by burning the college's tea supply—all twelve pounds of it—along with an effigy of Massachusetts Governor Thomas Hutchinson with a tea canister tied around his neck. But whatever their initial opinion of the Tea Party, most people in the colony took Parliament's response, known to history as the Intolerable Acts, as further evidence of British hostility and oppression.

Even before Parliament took action on these laws, the New Jersey General Assembly, preparing for the worst possible consequences, had created a nine-member committee of correspondence on February 8, 1774, to help co-ordinate possible protest activities with those in other colonies. But the people of New Jersey moved more quickly than their legislators to organize resistance. On June 6, the citizens of Lower Freehold in Monmouth County held a town meeting, where they resolved that the cause of Boston was the cause of all, called for the repeal of the Boston Port Bill, and formed a committee of correspondence. Essex County followed suit five days later and, in addition, called for a nonimportation agreement and an intercolonial congress. The counties of Bergen, Morris, Hunterdon, Middlesex, Sussex, and Monmouth also formed committees, and in Somerset, John Witherspoon was one of nine men appointed on July 4 to the county committee at a meeting of freeholders and inhabitants in the town of Millstone, though what part he took in the proceedings is unknown.
Without holding additional elections, committees of correspondence from eleven of New Jersey's thirteen counties met in a provincial congress at New Brunswick for two days beginning July 21. In this meeting the Somerset delegation, led by Witherspoon, wielded disproportionate influence. In a series of resolutions, the seventy-two delegates avowed their allegiance to the king and their detestation of independence, but declared Parliament's claim to legislate for them and to impose taxes on them "unconstitutional and oppressive." They expressed their alarm over the Boston Port Act and their willingness to unite with other colonies in obtaining its repeal. They declared that the best method of doing so was to convene a continental congress by whose resolutions all the colonies should abide. They also recommended the adoption of non-importation and non-exportation agreements, appointed a committee to send immediate relief to Boston, thanked America's friends in the British Parliament, and chose delegates to the first continental congress scheduled for early September in Philadelphia. 93

During the intervening months, the upcoming Continental Congress was the prime topic of discussion in New Jersey. People debated the congress's nature, the principal issues that it should consider, and the proper courses of action that it should take. It was probably in August that John Witherspoon wrote an essay, "Thoughts on American Liberty," which, however, he did not publish. The essay reflected a very "national" view of the Anglo-American crisis. Witherspoon asserted that the Continental Congress represented the people of the American colonies as a whole, and was distinct in both its nature and its business from the colonial assemblies.
It is certain that this Congress is different from any regular exertion, in the accustomed forms of a quiet, approved, settled constitution. It is an interruption or suspension of the usual forms, and an appeal to the great law of reason, the first principles of the social union, and the multitude collectively, for whose benefit all the particular laws and customs of a constituted state, are supposed to have been originally established.

Witherspoon doubted the efficacy of Congress's petitioning the king or Parliament, and thought that such appeals would only give the British a means of dampening American resistance.

There is not the least reason, as yet, to think that either the king, the parliament, or even the people of Great Britain, have been able to enter into the great principles of universal liberty, or are willing to hear the discussion of the point of right, without prejudice. They have not only taken no pains to convince us that submission to their claim is consistent with liberty among us, but it is doubtful whether they expect or desire we should be convinced of it. It seems rather that they mean to force us to be absolute slaves .... If this is not their meaning, and they wish us to believe that our properties and lives are quite safe in the absolute disposal of the British Parliament, the acts with respect to Boston ... are certainly arguments of a very singular nature.

Therefore it follows, that the great object of the approaching Congress should be to unite the colonies, and make them as one body, in any measure of self-defence, to assure the people of Great Britain that we will not submit voluntarily, and convince them that it would be either impossible or unprofitable for them to compel us by open violence.

Witherspoon went on to recommend that the assembled colonies assume certain functions of government ordinarily characteristic of sovereign states. In the political realm, this policy involved uncompromising resistance, even with armed violence, to the British Parliament's unconstitutional claims of authority and the maintenance of inter-colonial unity until a final settlement had been reached. In economic affairs, Witherspoon advocated that the colonies adopt immediate nonimportation and nonconsumption agreements, and that they promote industry
and manufacturing through financial incentives and encourage the immigration of skilled manufacturers and laborers. In military matters, he wrote, the congress should provide for the strengthening of each colony's militia, recommend that all Americans provide themselves with arms, and appoint a committee "to draw up an earnest and affectionate address to the British army and navy, putting them in mind of their character as Britons, the reproach which they will bring upon themselves, and the danger to which they will be exposed, if they allow themselves to be the instruments of enslaving their country." Finally, the congress should lay down a permanent plan of union for the colonies to facilitate their cooperation in the common defense.

Witherspoon had already come to terms with the logical consequences proceeding from the uncompromising positions on both sides of the Anglo-American dispute and was far in advance of public opinion in New Jersey. Other Whigs as ardent as he dreaded the possibility that the crisis might escalate to armed conflict and hoped for reconciliation. It was in late August that John Adams met Witherspoon on the way to Philadelphia. Adams was with the Massachusetts delegation and was taking the measure of public opinion from leading citizens along the route. Witherspoon he considered "as high a son of liberty as any in America."

Witherspoon shortly followed the Massachusetts delegation to Philadelphia, where he encountered Adams again on September 3 at breakfast at the home of Dr. Edward Shippen. During conversation at the table, which was otherwise dominated by Richard Henry Lee of Virginia, Witherspoon, according to Adams's diary, entered "with great spirit into the American
cause" and demonstrated to Adams's satisfaction that he supported that cause as strongly "as any of the natives." That evening, Witherspoon joined Adams, Lee, Benjamin Harrison of Virginia, the two Rutledges from South Carolina, Dr. Shippen, and others at a supper in the home of Thomas Mifflin. It is not known how long Witherspoon stayed in Philadelphia on this occasion, or what else he did while he was there. But his zeal for the American cause would not have seemed excessive to his students. At the 1774 commencement in late September, one of them, Thomas H. MacCaule, delivered the Latin salutatory on the thesis, "War is to be preferred to slavery," while others spoke on "Liberty" and the "Horrors of War." 98

After the adjournment of the First Continental Congress, anti-British feeling intensified in New Jersey. On November 28, the Essex County committee of correspondence called upon the freeholders to meet in Elizabethtown (now Elizabeth), Newark, Acquackanonk (now Passaic) to form local committees to enforce the Continental Association, which called for nonimportation and nonconsumption of British goods after December 1. With other counties following Essex's lead, the Association was soon in effect throughout the colony. 99

Governor Franklin called the General Assembly into session on January 13, 1775, gambling that he could stem the proliferation of extralegal organizations and activities without the legislature aggravating the problem by endorsing the program of the Continental Congress. Franklin's stratagem was countered by New Jersey congressional delegates William Livingston, John deHart, and Elias Boudinot. The New Jersey assembly on January 24 endorsed the congress's actions unanimously and
sent a petition to the king for redress of grievances. When Governor Franklin refused to transmit the petition, the assembly forwarded it through its London agent, the governor's father, Benjamin Franklin.  

The dreaded news of bloodshed between British troops and Americans reached Princeton, New Jersey, on the morning of April 24. A town meeting in which, in the opinion of Collins, John Witherspoon undoubtedly took an active part was immediately summoned. The meeting was the first in the colony to call for a second provincial congress. The resolution was sent to the committees of correspondence of Elizabethtown, New Brunswick, and Woodbridge. New Jerseyans now realized that they would have to fight to secure their liberties. On May 2 the provincial committee of correspondence met at New Brunswick and set May 23 as the date for the next provincial congress to meet. Alarmed by a rumor that a British man-of-war off Sandy Hook was planning to send a detachment to raid Perth Amboy and carry off the provincial treasury and records, the Freehold committee of correspondence and thirty militiamen marched under arms to defend the eastern capital. The men refused to return home until they reached Perth Amboy and saw that all was well. Militia began to form and drill throughout New Jersey.

Now that the conflict between Great Britain and her colonies had come to violence, the Synod of New York and Philadelphia, of which Witherspoon was a member, felt compelled to state its views at its annual meeting in May 1775. It appointed a committee to draft a pastoral letter to be read by ministers to their congregations. As chairman of the committee, Witherspoon was principal author. Though the letter's text was included in the 1804 Edinburgh edition of Witherspoon's works,
apparently not one of the approximately five hundred copies of the letter that were printed and disseminated throughout the Presbyterian community has been preserved. The letter urged "all of every rank," in view of the prospect of protracted and bloody armed conflict between the colonies and Great Britain, "seriously to consider the things that belong to their eternal peace," and to remember that "there is no soldier so undaunted as the pious man, no army so formidable as those who are superior to the fear of death." It urged its readers to take "every opportunity . . . to express your attachment and respect to our sovereign king George, and to the revolution principles by which his august family was seated on the British throne," to maintain colonial unity, to be vigilant in safeguarding private morality and public order, to show "humanity and mercy" in battle, and to "continue habitually in the exercise of prayer . . . ." It concluded with the hope "that the present unnatural dispute may be speedily terminated by an equitable and lasting settlement on constitutional principles."

Governor Franklin made a last-ditch effort to head off Whig extremism by convening the General Assembly on May 15 in the western capital of Burlington, where the high proportion of pacifistic Quakers in the population promised less turmoil. Despite Franklin's urging, the assembly rejected Lord North's conciliation resolution, which provided that, if any colony placed funds for its own government and defense at the disposal of Parliament, Parliament would relieve it of all duties and taxes except those for the regulation of commerce. Three days after the General Assembly adjourned, the Provincial Congress met at Trenton. Although Witherspoon was not a delegate, the Somerset County delegation
remained foremost in zeal. The congress approved the assembly’s choice of delegates to the Second Continental Congress. Its declaration of obedience to the measures of the Provincial and Continental Congresses, even where they conflicted with existing laws, forced Jerseymen to decide where their primary allegiance lay.\textsuperscript{103}

About the time the Provincial Congress reassembled on August 5, Witherspoon was re-elected to the Somerset County committee of correspondence and became chairman. Although there is no direct evidence existing on his term as chairman, there is no reason not to think he did not keep pace with the development of opposition thought. The Provincial Congress in its August session provided for annual election every September of five delegates from each county. This development foreshadowed the end of the royal assembly and indicated the extent to which the Provincial Congress was usurping the functions of the established government. The congress also ordered the recruitment of sixteen regiments, seven independent battalions, and a company of rangers.\textsuperscript{104}

When the second Provincial Congress met on October 3, Governor Franklin countered by calling the more moderate General Assembly into session in Burlington on November 15. It responded by drafting a petition to the king and disavowing any tendency toward independence. Fearful that New York might follow New Jersey out of the fold, the Continental Congress resolved that it was dangerous to colonial unity for any colony to separately petition the king or Parliament and dispatched a delegation who dissuaded the New Jersey legislators from sending the petition. That session of the General Assembly was to be its last. When Franklin wrote to Lord Dartmouth asking whether he
should leave the colony, William Alexander, the self-styled Lord Stirling, who was in charge of rounding up loyalists, sent a militia company to arrest the governor at his residence in Perth Amboy at two o'clock on the morning of January 8, 1776. Giving his parole not to leave the colony, Franklin was allowed to remain in his residence and retain his now powerless position as royal governor. 105

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Witherspoon, meanwhile, had become chairman of the Somerset County committee of correspondence. Seeking to promote home industry to sustain the coming war effort against Great Britain, the committee on February 14 followed his suggestion to re-establish market days for wool and linen, arranged so that every part of the county would have a market day every week. Regular market days in New Jersey had ceased to be popular before the Revolution and had been abolished by an act of the General Assembly in 1772. Witherspoon hoped that the practice would encourage the production of linen as it traditionally had in his native Scotland. The effort proved a failure. 106

In the first three months of 1776, public opinion was noticeably shifting toward independence, influenced by such writings as Thomas Paine's *Common Sense* and by tracts written by the Rev. Jacob Green of Hanover in Morris County and by Francis Hopkinson. Another influence, noted by Larry R. Gerlach, was the actual waging of war against British forces, which acted "as a catalyst in transferring a defensive war of rebellion into an offensive war for independence: the battlefield was itself a point of no return." Moreover, the increased participation in the political process of large numbers of men who were politically active
for the first time "eventually translated itself into philosophical commitments to popular sovereignty and republicanism." 

By April, John Witherspoon had committed himself to the cause of independence, but he was to find out, to his humiliation, that most leading Whigs in New Jersey had not progressed that far in their thinking. The Somerset County committee, of which he was chairman, attempted to organize an effort to promote candidates who supported independence in the May elections to a third Provincial Congress. On March 27, the committee sent letters to each of the other county committees inviting them to send delegates to a conference in New Brunswick on April 18 to discuss "some matters of great importance." Elias Boudinot, a member of the Board of Trustees of the College of New Jersey, passed through New Brunswick that day while returning from a meeting of the board, from which, because of his political activities, Witherspoon had been absent after the first day. In New Brunswick Boudinot met an acquaintance from Bergen County who had come from the conference in New Brunswick, where Witherspoon had informed those present that the meeting of county delegates was intended, according to Boudinot's memoirs, "to consider the peculiar situation of the Province, and the propriety of declaring a separation from Great Brittain [sic], and forming an independent Constitution for ourselves."

Boudinot and his fellow traveler and trustee, Samuel Peartree Smith, decided to stay in New Brunswick.

We accordingly attended the Meeting in the Afternoon when Dr. Witherspoon rose and in a very able and elegant speech of one hour and a half endeavoured to convince the audience & the Committee of the absurdity of opposing the extravagant demands of Great Brittain, while we were professing a perfect allegiance to her Authority and supporting her courts of Justice. The Character of the speaker, his great influence among
the People, his known attachment to the liberties of the People, and the artful manner in which he represented the whole subject, as worthy of their attention, had an effect, on the assembly that astonished me.

Boudinot, embarrassed and alarmed by Witherspoon's extreme position, gained the floor soon after the other yielded it to rebut the speech. He said that the Continental Congress was best qualified to make the decision for independence, and that New Jersey "had no right to involve them in distress and trouble by plunging ourselves into measures of so delicate a nature." Witherspoon responded for about twenty minutes before realizing that he was giving offense to those present. He called for adjournment and asked the committee members to return home to consult with their constituents. Boudinot demanded instead that a vote be taken on Witherspoon's proposition, and when this was done over Witherspoon's objections, only three or four of 36 members voted in favor, "the rest rejecting it with great warmth."108

Rendered more circumspect in his public statements by this incident, Witherspoon withheld from publication during his lifetime a brief essay that he wrote in April or May, On the Controversy About Independence, in which he set forth his analysis of the unconscionable conduct of the king, Parliament, and people of Great Britain toward the American colonies. First, Witherspoon asserted that the British people were blinded by inbred national prejudice to the true situation in America, enabling the British government to inflict heavy oppressions on the colonies while never failing to proclaim their "lenity" toward America.

I do not infer from this, that the king, parliament and people of Great Britain are all barbarians and savages—the inference is unnecessary and unjust: But I infer the misery of the people of America, if they must submit in all cases whatsoever, to the decisions of a body of the sons of Adam, so distant from them, and who have an interest in oppressing them.
Second, the British people and government had been "exceedingly ignorant" of the true situation in America through the biases of official information that they received from the colonies.

For this reason, their measures have been ridiculous in the highest degree, and the issue disgraceful. There are some who will not believe that they are ignorant—they tell us, how can this be? Have they got multitudes in this country who gave them intelligence from the beginning? Yes, they have; but they would trust none but what they called official intelligence, that is to say, from obsequious, interested tools of government; many of them knew little of the true state of things themselves, and when they did, would not tell it, lest it should be disagreeable . . . . They conversed with few but those of their own way of thinking, and according to the common deception of little minds, mistook the sentiments prevailing within the circle of their own acquaintance, for the judgment of the public."

The New Brunswick meeting's disapprobation of independence may have prompted Governor Franklin on May 13 to issue a call for the General Assembly to convene on June 20. Yet this strategy boomeranged by underscoring the fact that the upcoming elections on May 28 to the third Provincial Congress would be a referendum on independence, a prospect that, despite Elias Boudinot, more and more people in New Jersey were finally contemplating with equanimity. The Continental Congress had recommended on May 10 that the people of each of the colonies form new governments, and five days later, in what was a de facto declaration of independence, added a preamble to the resolution recommending "that every kind of government under the Crown, should be suppressed."

Apparently feeling that he should prepare the people of New Jersey spiritually for the dire consequences that an armed struggle would have for the colony, Witherspoon delivered what was perhaps the best sermon of his life, The Dominion of Providence Over the Passions of Men,
which, when printed, further enhanced his reputation in New Jersey. Expounding on the Scriptural text: "Surely the wrath of man shall praise Thee; the remainder of wrath shalt Thou restrain (Psalms 76:10)," Witherspoon warned his listeners that God would be in ultimate control of events in the forthcoming struggle and would cause them to magnify His glory, regardless of human intent. If Americans desired Divine aid in their struggle, they not only had to avoid unwarranted malice toward their British enemies, they also had to cultivate the personal virtues of moral decency, industry, and frugality which made for both individual and national strength.

Upon the whole, I beseech you to make a wise improvement of the present threatening aspect of public affairs, and to remember that your duty to God, to your country, to your families, and to yourselves, is the same. True religion is nothing else but an inward temper and outward conduct at any time. And as peace with God and conformity to him, adds to the sweetness of created comforts while we possess them, so in times of difficulty and trial, it is the man of piety and inward principle that we may expect to find the uncorrupted patriot, the useful citizen, and the invincible soldier.

What was at stake in the current crisis, Witherspoon reminded his listeners, was not only the preservation of their temporal liberty but, more important, the salvation of their eternal souls. Yet achieving the latter goal depended in great measure upon achieving the former as well.

Is it of much moment whether you and your children shall be rich or poor, at liberty or in bonds? Is it of much moment whether this beautiful country shall increase in fruitfulness from year to year being cultivated by active industry, and possessed by independent freemen, or the scanty produce of the neglected fields shall be eaten up by hungry publicans, while the timid owner trembles at the tax gatherer's approach? And is it of less moment my brethren, whether you shall be the heirs of glory or the heirs of hell?

*  *  *
The knowledge of God and his truths have from the beginning of the world been chiefly, if not entirely confined to those
parts of the earth, where some degree of liberty and political justice were to be seen, and great were the difficulties with which they had to struggle from the imperfection of human society, and the unjust decisions of unsurped authority. There is not a single instance in history in which civil liberty was lost, and religious liberty preserved entire. If therefore, we yield up our temporal property, we at the same time deliver the conscience into bondage.\textsuperscript{112}

Witherspoon concluded that the distance of America from Great Britain, and British ignorance of American interests, made it impossible for the colonies to remain dependent upon British authority, and noted the impossibility of these great and growing states, being safe and happy, when every part of their internal polity is dependent on Great-Britain. If, on account of their distance, and ignorance of their situation, they could not conduct their own quarrel with propriety for one year, how can they give direction and vigor to every department of our civil constitutions from age to age? There are fixed bounds to every human thing. When the branches of a tree grow very large and weighty they fall off from the trunk. The sharpest sword will not pierce where it cannot reach. And there is a certain distance from the seat of government, where an attempt to rule will either produce tyranny and helpless subjection, or provoke resistance and effect a separation.\textsuperscript{113}

The elections to the third Provincial Congress on May 23 returned a majority of delegates in favor in independence, one of whom was Witherspoon. When the congress met on June 10, its first order of business was to resolve that Governor Franklin's call for a session of the General Assembly should not be obeyed. Franklin, it declared, "by such proclamation, has acted in direct contempt and violation of the resolve of the Continental Congress of the fifteenth day of May last." It ordered that the governor's salary be stopped and sent militia colonel Nathaniel Heard to bring him to Burlington to appear before the congress. On June 17, the body ordered Franklin to give his parole to remain at Princeton, Bordentown, or on his own farm at Rancocas, or else be placed under arrest. Franklin refused and was confined in
Burlington until the Continental Congress recommended that he be sent to Connecticut. Witherspoon was present when the Provincial Congress questioned Governor Franklin, and became angry when Franklin refused to answer any of the questions put to him, denying the congress's authority to question him. Lapsing into his native Scottish dialect, Witherspoon delivered a reply, the contents of which are not known but which, according to tradition, "caused the boldest to hold his breath in astonishment." He reportedly ended his tirade by referring sarcastically to Franklin's illegitimate origins, saying to the Speaker, "On the whole Sir, I think Governor Franklin has made a speech every way worthy his exalted birth and refined education." Witherspoon is reputed to have later regretted his outburst and unsuccessfully sought an opportunity to apologize to Franklin.

On June 22, the Provincial Congress appointed an entirely new delegation to the Continental Congress, Abraham Clark, John Hart, Francis Hopkinson, Richard Stockton, and John Witherspoon, whom it authorized to vote for independence if they deemed it necessary and for all measures necessary to maintain it. The delegation arrived in Philadelphia on June 28, in time to participate in the last stages of the debate on Richard Henry Lee's famous resolution for independence. Ashbel Green, an alumnus and later professor of the College of New Jersey, recounted in his manuscript biography of Witherspoon that Witherspoon asserted during the debate that the country "had been for some time past loud in its demand for the proposed declaration and in his judgment, it was not only ripe for the measure but in danger of becoming rotten for the
want of it." The New Jersey delegation voted unanimously for Lee's resolution, and later all five signed the Declaration of Independence. But before the Declaration was adopted, Witherspoon protested that its charge of tyranny against King George III was false and undignified. 116

Witherspoon soon justified his decision to support independence in a pamphlet intended to secure the loyalty of his fellow Scottish-born Americans, Address to the Natives of Scotland Residing in America. In it, he described the British Parliament's imperial reforms as oppressive usurpations by Parliament of authority that rightfully belonged to the colonial assemblies.

And can any man deny, that if they [the Americans] had yielded to the claims of the British parliament, they would have been no better than a parcel of tributary states, ruled by lordly tyrants, and exhausted by unfeeling pensioners, under the commission of one too distant to hear the cry to oppression, and surrounded by those who had an interest in deceiving him.

Once Americans had taken up arms in resistance to the British measures, and the British king had declared the colonies in rebellion and outside his protection, they were in the awkward legal position of being "under the name and form of a government which we had taken up arms to oppose." It being impossible to preserve civil order without legitimate authority, the colonies declared themselves independent states "with the full approbation, and indeed at the ardent desire of the public at large." 117

Witherspoon was hopeful that independence would be of great political benefit to America.

We shall have the opportunity of forming plans of government upon the most rational, just, and equal principles. I confess I have always looked upon this with a kind of enthusiastic satisfaction. The case never happened before since the world began. All the governments we have read of in former ages were settled by caprice or accident, by the influence of prevailing parties, or particular persons, or prescribed by a
conqueror. Important improvements indeed have been forced upon some constitutions by the spirit of daring men, supported by successful insurrections. But to see government in large and populous countries settled from its foundation, by deliberate counsel, and directed immediately to the public good of the present and future generations, while the people are waiting for the decision with full confidence in the wisdom and impartiality of those to whom they have committed the important trust, is certainly altogether new.\textsuperscript{118}

But Witherspoon's enthusiasm was tempered by his realization that with the liberty and opportunity that independence and free government would bring, would also come the responsibility to avoid misusing liberty and to maintain the republican virtues necessary for the preservation of liberty. Throughout the Revolutionary War Witherspoon adhered to the convictions that he expressed in 1783 in a sermon of thanksgiving upon the occasion of peace:

\begin{quote}
Let us endeavour to bring into, and keep in credit and reputation, every thing that may serve to give vigor to an equal republican constitution. Let us cherish a love of piety, order, industry, frugality. Let us check every disposition to luxury, effeminacy, and the pleasures of a dissipated life. Let us in public measures put honor upon modesty, and self-denial, which is the index of real merit. And in our families let us do the best by religious instruction, to sow the seeds which may bear fruit in the next generation.\textsuperscript{119}
\end{quote}

* * *

Witherspoon left his life in Scotland behind when he emigrated to America and took up the entirely new task of educating college students for the ministry and the professions. He put his best intellectual efforts into his lectures on moral philosophy, for he realized soon after his arrival in New Jersey that his own Presbyterian denomination was only one of many denominations competing for the adherence of professing Christians in New Jersey and in America as a whole. Hence, in his ministerial capacity, Witherspoon could not exercise the sort of moral
censorship over the secular community that he had exercised as a pastor of the Church of Scotland. Nor could his church ever serve as a vehicle for the promotion of public virtue in the larger society, as he had wanted the Church of Scotland to serve.

Witherspoon came to the unspoken conclusion that he could only help to preserve and promote public virtue in America through the established political order in the American colonies. It was this concern, rather than the widespread fear of a British ministerial conspiracy, that motivated Witherspoon to sympathize with the American cause of his students and neighbors against the claims of the British Parliament from shortly after his arrival in New Jersey. When the news of the Intolerable Acts began the final Anglo-American crisis, Witherspoon was prepared even to wage war against Great Britain, if not to establish American independence from the British crown.

Witherspoon gave free rein to his impatient zeal once the conflict came to blows, and it got him into trouble once again, though this time only his reputation suffered. He had committed himself to independence for the American colonies by April 1776, when he attempted to bring about a unilateral declaration of independence by New Jersey in the hope that the other colonies would quickly follow suit. But Elias Boudinot and other more moderate patriots thwarted Witherspoon in this effort, to the humiliation of the president of the College of New Jersey.

Nevertheless, this incident may have been a factor in the decision of the third Provincial Congress of New Jersey to elect Witherspoon to the colony's delegation to the Continental Congress in June 1776, with instructions to vote for independence. Witherspoon made use of his
stature as a champion of independence to warn his fellow Americans until his death in 1794 that maintaining their independence and freedom would require faith in the Providence of God, a high standard of individual and collective behavior, a willingness to sacrifice all for the common good, and all other things that would strengthen "an equal republican constitution\textsuperscript{120} in America.
NOTES

INTRODUCTION


3Ibid., VI, 275; V, 224-225.

CHAPTER I

4Witherspoon, Works, VI, 275.

5Collins, Witherspoon, I, 3-5.

6Ibid., 11-12.

7Ibid., 12.

8Ibid., 12-13, 15.

9Ibid., 13, 16.

10Ibid., 17-18.

11Ibid., 18, 20-21.

12Ibid., 21-22.

13Ibid., 22.

14Ibid., 22-24; Witherspoon, Works, I, xxxi.


23. Ibid., 33-34.

24. Ibid., 34-35.

25. Witherspoon, Works, VI, 139-222 passim.


27. Ibid., 162-163.

28. Ibid., 164-165.

29. Ibid., 185.

30. Ibid., 174-175.

31. Ibid., 196-203.

32. Ibid., 208-209.

33. Ibid., 219-220.


35. Witherspoon, Works, VIII, 255-257; Collins, Witherspoon, I, 41-44.

36. Collins, Witherspoon, I, 44.
Notes to pages 20-32

37 Ibid., 44-45.
38 Ibid., 45.
40 Collins, Witherspoon, I, 48.
41 Ibid., 49-51, 56-57, 58-59.
42 Ibid., 59-60; Witherspoon, Works, V, 90-125 passim.
43 Collins, Witherspoon, I, 60-61.
44 Ibid., 61-62.
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48 Ibid., 233-236.
49 Ibid., 244-249.
50 Ibid., 249-252.
51 Ibid., 254-256, 259-260.
52 Ibid., 257-258.
53 Ibid., 261-263.
54 Ibid., 263-265.
55 Ibid., 266-267, 269-271.
56 Ibid., 273.
57 Ibid., 273-275.
58 Ibid., 275.
59 Ibid., 283.
60 Ibid., 283-284.
61 Collins, Witherspoon, I, 64-66.
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71. Ibid., 48.

72. Butterfield, Witherspoon Comes to America, I, 3; Wertenhaker, Princeton, 48.


74. Wertenhaker, Princeton, 51; Butterfield, Witherspoon Comes to America, 22.


77. Collins, Witherspoon, I, 103-104.

78. Kemmerer, Path to Freedom, 287-288, 289-291; John A. Neuenschwan­

80 Collins, Witherspoon, I, 125.


84 Collins, Witherspoon, I, 123, 139.

85 Ibid., 125-126.

86 Ibid., 126-127; Miller, Revolutionary College, 73.


89 Collins, Witherspoon, I, 133-134.

90 Ibid., 141.


94 Witherspoon, Works, IX, 73-74.

95 Ibid., 73-75.
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98 Collins, Witherspoon, I, 166-167.


101 Collins, Witherspoon, I, 169-172; Kemmerer, Path to Freedom, 327-328; Pomfret, Colonial New Jersey, 251-252.


104 Collins, Witherspoon, I, 177; Kemmerer, Path to Freedom, 334-335; Pomfret, Colonial New Jersey, 255-256.


109 Witherspoon, Works, IX, 79-82.


112 Ibid., 196, 203.

113 Ibid., 203-205.


118 Ibid., 226.

119 Ibid., 269-270.

120 Ibid., 269.
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VITA

John Thomas Anderson

Born in Burlington, Iowa, February 7, 1955. Graduated from West High School in Waterloo, Iowa, May 1973. B.A. in history and political science, University of Northern Iowa, 1976. M.A. candidate in history, College of William and Mary, with a concentration in Early American History. The author is presently fulfilling the requirements for the Ph.D. candidacy in history at the University of Virginia, and will afterwards pursue the dissertation topic, in the field of U.S. diplomatic history, of Senator Burton K. Wheeler of Montana and United States foreign relations.

In the early summer of 1975, the author attended the Institute on Comparative Political and Economic Systems at Georgetown University in Washington, D.C., and during the same period served as an intern in the Washington office of Representative Charles E. Grassley of Iowa. During the Spring 1979 semester at the University of Virginia, he was employed by the College of Arts and Sciences as an instructor of an undergraduate seminar on the historiography of the origins of U.S. military intervention abroad since 1898. For approximately one month in the early summer of 1979, he was employed by the Office of the Summer Session of the University of Virginia to do research for a forthcoming history of the Summer Session.

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