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English Politics and the Blasphemy Act of 1698*

On 27 May 1698, Gilbert Burnet, bishop of Salisbury and intimate of King William III, sent a letter to the Dutch Arminian Philipp van Limborch. He described with concern the state of religion in England. The usual ‘argumentative theologians’ were stirring up trouble.¹ But, Burnet conceded, the ‘occasion of their anger is this time more just’, for many who had long worn the ‘mask’ of Socinianism had started ‘openly inciting scepticism’.² These sceptics were ‘interceding with all their strength against the passing of a law against the impious and blasphemers’, claiming it was a ‘foretaste of persecution’.³ Burnet was referring to the Blasphemy Bill of 1698, which stipulated penalties for Christians who, by ‘writing printing or advised speaking’, denied any person in the Trinity, asserted there to be ‘more Gods than one’, or cast doubt on the truth of

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¹ Bodleian Library, Oxford [hereafter Bodl.], MS. Eng. th. c. 23 fo. 13, ‘theologos rixeros’. For a partial English translation, see H.C. Foxcroft, *A Life of Gilbert Burnet II: England 1674–1715* (Cambridge, 1907), pp. 346–8. Originals at Remonstrants’ Library, Amsterdam.

² Bodl. MS. Eng. th. c. 23 fo. 13, ‘justior est iam stomachandi occasio’, ‘larvam’, ‘Scepticismum plane induceant’.

³ Ibid., ‘summis viribus intercedunt ne lex feratur contra Impios et Blasphemos’, ‘persecutionis initia’.

Christianity or the divine authority of the Bible.⁴ According to Burnet, the Bill was eminently reasonable, for ‘none were to be by [it] condemned, except those who sin maliciously and deliberately’.⁵

Van Limborch was unimpressed. He swiftly wrote disapproving letters to John Locke and Jean Le Clerc, as convinced as the Bill’s parliamentary opponents that it represented a form of persecution.⁶ Burnet replied, reiterating his belief that the Blasphemy Act – since passed – would not punish anyone for mere opinion. Indeed, he reassured the Dutchman, there were as yet no convictions.⁷ This pattern would continue: the Act would be repealed only in 1967, with not a single indictment brought during its 269 years on the statute books.⁸ For all the Act’s ultimate toothlessness, the dispute between Burnet and van Limborch points towards an intriguing chapter in the religious history of the 1690s. Burnet was a leading ideologue of the Revolution of 1688. His distinctive version of Anglicanism provided a strong base on which William III’s authority could rest. Despite its importance, Burnet’s theological stance is hard to categorise. To his enemies, he was ‘latitudinarian’, manipulating scripture to encompass an ever-broader range of interpretations; to his friends this was admirable ‘moderation’.⁹ Burnet’s letters

⁴ Parliamentary Archives [hereafter Parl.], HL/PO/PU/1/1697/9&10W3n75, 9 William III, c. 35, 1697. First-time offenders forfeited civil, military and ecclesiastical office; second-time offenders faced three-years imprisonment and further loss of legal rights. Offences had to be reported within four days; pardons were offered after public renunciation.

⁵ Bodl. MS. Eng. th. c. 23 fo. 13, ‘nec sunt ulli vi legis damnandi nisi qui malitiose et data opera peccant’.

⁶ Le Clerc to Locke, 7/17 Jun. 1698; Van Limborch to Locke, 8/18 Aug. 1698; Locke to Van Limborch, 5 Sept. 1699, in *The Correspondence of John Locke*, ed. E.S. de Beer (8 vols., Oxford, 1976–89), vi. 424, 460–61 and 680–81.

⁷ Burnet to van Limborch, undated, Bodl. MS. Eng. th. c. 23 fo. 15.

⁸ The Trinitarian clause was removed in 1813 (53 Geo. 3 c.160); the rest was repealed by The Criminal Law Act, 1967, schedule 4, part 1; C. Kenny, ‘The Evolution of the Law of Blasphemy’, *The Cambridge Law Journal* (1922), p. 132; D. Manning, ‘Blasphemy in England, c.1660–1730’ (Univ. of Cambridge, PhD thesis, 2008), p. 40.

⁹ For discussion of Burnet’s latitudinarianism, see T. Claydon, ‘Latitudinarianism and Apocalyptic History in the Worldview of Gilbert Burnet, 1643–1715’, *Historical Journal*, li (2008), pp. 577–97; for the polemical valence of ‘moderation’, see E. Shagan, *The Rule of Moderation* (Cambridge, 2011), esp., p. 324.

on the Blasphemy Act show his position under strain. Defending the Act forced him to distinguish between acceptable and unacceptable ways of questioning religious orthodoxy. This was the sharp end of his so-called ‘latitudinarianism’.

This split between Burnet and van Limborch is symptomatic of a broader splintering of whiggism along religious lines in the late 1690s. After the Revolution of 1688, the whigs – like the tories – faced a period of realignment, as they adapted to new political realities. Whiggism had been a philosophy of protest; now, if the whigs wanted power, they needed to become a party of government. This was never going to be a seamless process, and by the late 1690s, William’s court whig ministers were the targets of bitter polemics, accusing them of betraying the principles of 1688. The crisis of court whig legitimacy culminated in the standing army crisis of 1697–9, which saw self-proclaimed ‘old whigs’ decry whig ministers for imposing a permanent land force, just like the tyrants of previous reigns. As John Pocock has argued, this old whig challenge prompted court whigs to develop new ‘varieties of whiggism’, drawing on ideas of commerce and sociability, which would sustain whiggism as a powerful ideological force throughout the eighteenth century.¹⁰ The context of the Blasphemy Act of 1698 was a comparable (and related) challenge to court whig religious legitimacy, which resulted in a splintering of several distinct religious whiggisms.

The Blasphemy Bill enjoyed broad support from the court. Indeed, it seems highly likely that the Bill was a Court initiative, which aimed to recoup the moral authority of the king, his bishops and his ministers. According to parliamentary diarist Narcissus Luttrell, the original Bill was introduced to the Lords by the Archbishop of Canterbury, Thomas Tenison; an account which is backed up by tory MP Thomas Rowney, who described the Bill as originating with ‘the Bishops’ in a letter of 5 March

¹⁰ J.G.A. Pocock, *Virtue, Commerce and History* (Cambridge, 1985), pp. 215–310.

1698.¹¹ The bishops were probably acting as agents of the King. It was William himself who first suggested that the session of 1697–8 take new steps ‘effectually to discourage Prophaneness and Immorality’ in his opening speech to Parliament on 3 December 1697.¹² The Commons picked up on this theme, and the following February presented an address to the king requesting further action.¹³ William responded with ‘A Proclamation for preventing and punishing immorality and profaneness’ on 24 February, the same day that a Bill ‘for the more Effectual Suppressing of Atheisme, Blasphemy and Prophaneness’ was introduced in the Lords.¹⁴ The Blasphemy Act seems to have represented one strand of court efforts to take back the initiative from two major movements for religious reform with origins beyond the sphere of royal patronage: the moral reform movement and Convocation campaign.

As David Hayton, Tony Claydon and others have persuasively argued, the ‘moral reform’ movement – a campaign to complete the work begun by the Reformation and purge the nation of immorality – had substantial parliamentary influence by the late 1690s.¹⁵ Blasphemy was one of many perceived vices which sparked reformers’ ire; in part, the Blasphemy Act was related to a range of long-standing reformer concerns such as swearing, and the lapse of the Licensing Act in 1695.¹⁶ But there was also a distinct moral panic focused specifically on blasphemy, prompted by several high profile challenges to

¹¹ Narcissus Luttrell, *A brief historical relation of state affairs* (6 vols., Oxford, 1857), iv. 347; Bodl., MS. Ballard 38, fo. 186r.

¹² *His Majesties most Gracious Speech To both Houses of Parliament, On Friday the Third Day of December, 1697* (London, 1697), p. 4.

¹³ *Journals of the House of Commons* [hereafter *CJ*], xii. 93, 102–7.

¹⁴ *C[alendar] [of] S[tate] P[apers] D[omestic]*, ix. 107; *Journals of the House of Lords* [hereafter *LJ*], xvi. 217.

¹⁵ D. Hayton, ‘Moral Reform and Country Politics in the Late Seventeenth-Century House of Commons’, *Past & Present*, cxxviii (1990), pp. 48–9; T. Claydon, *William III and the Godly Revolution* (Cambridge, 1996). See also C. Rose, ‘Providence, Protestant Union and Godly Reformation in the 1690s’, *Transactions of the Royal Historical Society*, iii (1993), pp. 151–69.

¹⁶ Blasphemy and press regulation were treated as related but not synonymous issues: on the same day the Lords first read their Blasphemy Bill, they also ordered the preparation of a bill ‘to restrain the Licentiousness of the Press’. *LJ*, xvi. 217; Manning, ‘Blasphemy in England’, p. 42.

the Trinity: the publication of Stephen Nye's and William Freke's defences of unitarianism in 1687 and 1690; Thomas Aikenhead's spoken blasphemy, for which he was hanged in Scotland in 1697; and John Toland's publication of *Christianity not Mysterious* (1696).¹⁷ Toland fled to Ireland to escape investigation by the Middlesex grand jury, only for the Irish Parliament to condemn his book too in 1697.¹⁸ The bold actions of the Scottish and Irish authorities encouraged anti-blasphemy polemicists, notably the Presbyterian John Gailhard, to call for action from the English Parliament too.¹⁹ Many of the Blasphemy Act's parliamentary supporters, including Sir John Philipps and Edward Harley, who had been agitating for new legislation against profanity even before the Lords' Bill reached the Commons, are easily identifiable as advocates of moral reform.²⁰ The back and forth between King and MPs prior to the Bill's introduction represents another manifestation of the shrewd tactics identified by Claydon, which saw King and Court seize the reforming mantle as their own, creating the impression that it had sprung directly from royal patronage all along.²¹ Such tactics became particularly valuable after William signed the Treaty of Ryswick in summer 1697, ending the Nine Years War (1688–97), replacing righteous war against Catholic France in William's peacetime propaganda arsenal. The King's opening speech of December 1697 was the first of six addressing questions of immorality.²²

¹⁷ Stephen Nye, *A Brief History of the Unitarians...* ([London], 1687); William Freke, *A Vindication of the Unitarians...* (London, 1690); M. Graham, *The Blasphemies of Thomas Aikenhead* (Edinburgh, 2008), pp. 102–3 and 66; John Toland, *Christianity not Mysterious* (London, 1696).

¹⁸ S.H. Daniel, 'Toland, John', *Oxford Dictionary of National Biography* [hereafter *ODNB*].

¹⁹ For Scotland, see 'The Epistle Dedicatory' in J. Gailhard, *The blasphemous Socinian heresie disproved...* (London, 1697); for Ireland, see id., *The epistle and preface to the book against the blasphemous Socinian heresie vindicated...* (London, 1698).

²⁰ Both came from notably puritan families: see biographies in E. Cruickshanks, S. Handley and D.W. Hayton, eds., *The History of Parliament: The House of Commons 1690–1715* [Hereafter *HP*] (5 vols., Cambridge, 2002), v. 138–41 and iv. 233–40.

²¹ Claydon, *Godly Revolution*, pp. 112–15.

²² Ibid., 115; *LJ*, xvi. 175, 344, 352, 366, 476 and xvii. 6.

The sense that the doctrine of the Trinity was under threat also contributed to the development of a second major religious challenge to court whiggery. This was the brewing controversy over demands for a meeting of Convocation, the Church of England's traditional council of bishops. This movement was distinct from, though related to, the wider moral reform movement; advocates of Convocation were generally high church Tories, who felt excluded from what they labelled the 'latitudinarian' post-1688 religious order. In response, they developed, as Martin Grieg and Brent Sirota have ably highlighted, a distinct ecclesiological – and political – agenda.²³ The most influential statement of the case was an anonymous pamphlet, *Letter to a convocation man*, published in November 1696, generally attributed to Francis Atterbury, which attacked leading Williamite bishops for undermining the fundamental doctrines of Trinitarian orthodoxy.²⁴ At stake was the question of who held final authority over Anglican doctrine. Tory pamphleteers argued that authority should be grounded in ecclesiastical institutions,; whigs, by contrast, claimed that the royal supremacy meant authority flowed directly from the king and his patronage.²⁵

Court whigs thus faced a two-pronged religious challenge, from both moral reformers and high church Tories. They were also under pressure from the 'country' alliance, which brought together opponents of the government from various political backgrounds, including whig, Tory and moral reform. The blasphemy debates took place alongside the early rumblings of the famous standing army controversy, one of the great set-pieces in the history of English politics and political thought. With Charles II of

²³ M. Grieg, 'Heresy Hunt: Gilbert Burnet and the Convocation Controversy of 1701', *Historical Journal*, xxxvii (1994), pp. 569–92; B.S. Sirota, 'The Trinitarian Crisis in Church and State: Religious Controversy and the Making of the Postrevolutionary Church of England, 1687–1702', *Journal of British Studies*, lii (2013), pp. 26–54.

²⁴ [Francis Atterbury], *A letter to a convocation man...* (London, 1967); Grieg, 'Heresy Hunt', pp. 570 and 583.

²⁵ Sirota, 'Trinitarian Crisis', pp. 52–3.

Spain's health ever more fragile, William was not convinced that peace would last. His December 1697 speech struck a note of triumph, but also caution. He urged on the Commons the need to maintain a sizeable land force in case England was plunged back into conflict with France; the Commons, tired by many years of war and the consequent increases in taxation, was sceptical. Fierce controversy between MPs and ministers ensued. The standing army debate was a battle between court and country, local militias and a central armed force, between domestic liberty and European influence: these were the birth pangs of the 'fiscal-military state', and the culmination of a decade of political upheaval caused by William's seizure of power in 1688.²⁶

The army dispute was traditionally seen as part of a secular modernising programme, which a new whig elite could implement only after the Toleration Act (1689) settled disruptive religious disputes. Historians have repeatedly undermined this outdated account, noting the continued power of religious polemic throughout the 1690s, yet claims that the secularisation of politics was a necessary ingredient of financial and military reform persist.²⁷ The case of the Blasphemy Act provides further riposte, reaffirming the importance of religious justifications for rule in the fractured political world of post-1688 England. For court whig propagandists of the standing army, the Blasphemy Act was no mere irrelevance; opposition to its passage was used to portray pro-disbandment country MPs as irreligious, and thus shore up the moral authority of the government.

To understand the political valence of blasphemy, we need to understand what the word meant in early modern England. Blasphemy had a distinct place in Christian theology. It was understood not just as the use of God's name to swear; such profanities could be a symptom of blasphemy, or could be mere carelessness, a lesser sin.²⁸

²⁶ J. Brewer, *The Sinews of Power* (London, 1989).

²⁷ Notably S. Pincus, *1688: The First Modern Revolution* (New Haven, CT, 2009), esp. pp. 452–61.

²⁸ Manning, 'Blasphemy in England', pp. 58 and 116–58.

Blasphemy was a broader and a more threatening category, also encompassing ‘blasphemy against the Holy Ghost’, described in the Gospels as the only unforgivable sin. As Matthew puts it, ‘all manner of sin and blasphemy shall be forgiven unto men: but the blasphemy against the Holy Ghost shall not be forgiven... neither in this world, neither in the world to come’.²⁹ In seventeenth-century England, these biblical statements caused serious consternation. In 1684, a former associate of John Bunyan, John Child, hanged himself in despair, believing himself guilty of blaspheming the Holy Ghost.³⁰ His suicide was one incident in a wider seventeenth-century phenomenon of intense fear of blasphemy.³¹

English understandings of the unforgivable sin were generally inflected with Jean Calvin’s interpretation, which emphasised the blasphemer’s malicious intent.³² Despite having understood the message of Christianity and the salvation offered through the Holy Spirit, he or she deliberately and maliciously acted against God’s commands. One of the most popular contemporary treatments of blasphemy was Robert Russel’s *Sermon on the Unpardonable Sin* (first published in 1692 and reprinted numerous times).³³ Russel defines blasphemy against the Holy Ghost along Calvinist lines: ‘It is a wilful and malicious opposing of the known truth, joyned with final Apostacy.’ It can occur in thought, word or deed, when ‘a Man being once throughly enlightned ... at last takes a dislike of these Holy courses, and through spite and malice, ... persecutes those good ways of God’. To pardon someone who has chosen ‘willfully and maliciously to fall away’

²⁹ Matt. 12:31–2, *KJV*. Cf Mark 3:28–30 and Luke 12:10.

³⁰ Anon., *A warning from God to all apostates... Wherein the fearful states of Francis Spira and John Child are compared; the latter whereof, under dismal despair, hang'd himself...* (London, 1684).

³¹ B. Tipson, ‘A Dark Side of Seventeenth-Century English Protestantism: The Sin against the Holy Spirit’, *Harvard Theological Review*, lxxvii (1984), pp. 301–30.

³² *Ibid.*, p. 313.

³³ The sermon was printed six times by 1701: individually in London 1692, London 1700, Glasgow 1700 and Edinburgh 1700; and as part of Russel’s *Seven Sermons* in London 1700 and Boston 1701. An 1839 edition of the *Seven Sermons* claims there were fifty editions by 1774, see E. Bickersteth, ‘Recommendatory Preface’, in Russel, *Seven Sermons* (London, 1839), p. iii.

after they had experienced ‘the Spirits renewing work’ would be impossible: ‘Alas! ... he [the Ghost] has nothing more that he can work in him [the sinner]; for this wretched creature has utterly rejected him.’³⁴ Blasphemy was a form of pride, and a rejection of the offer of salvation.

Where once the history of blasphemy was written in a narrow, juridical framework, historians such as Baird Tipson and David Manning have helped us appreciate its broader cultural significance.³⁵ Individuals’ differing conceptions of the sin intimately affected their understanding of their world and their interactions with others. Yet as well as deeply personal, blasphemy was deeply political. An unforgivable sin set an absolute limit on participation in the kingdom of God. In the providential thinking of seventeenth-century England, it also had implications for social relations in this world: if society tolerated blasphemers, God might punish the whole nation.³⁶ In a factious Christian state, the question of an absolute minimum, beyond which sin could no longer be tolerated, was politically potent. Blasphemy was an emotive category, and the charge of aiding malicious blasphemers was one which moral reformers, tories and court whigs all strove to avoid.

This article will use sources from the passage of the Blasphemy Bill to suggest that Russel’s definition of blasphemy can help us understand the motives of voting MPs. Evidence for the session of 1697–98 is frustratingly slim; however, the Bill’s torturous passage – surviving six votes close enough to require division of the House – means that we can piece together reasonable evidence of what was at stake.³⁷ Using this evidence, I have tried to establish as full a picture as possible of the composition of the House on the

³⁴ Robert Russel, *Russel's sermon on the unpardonable sin against the Holy Ghost* (London, 1692), sigs. A8r, A7v and B3v.

³⁵ For this historiographical quest see Manning’s ‘Blasphemy in the Christian Idiom, c.1500–c.2000’, *Historical Journal*, lv (2012), pp. 883–97. Tipson, ‘Dark Side’; Manning, ‘Blasphemy in England’, p. 56.

³⁶ For an example of this rhetoric, see Russel’s *A warning to England...* (London, 1692), p. 3.

³⁷ For discussion of sources for 1697–8, see Hayton, *HP*, i. 24.

issue of blasphemy, mapping out the parliamentary interest groups which I have been able to identify supporting or opposing the Bill. This first step will be, by necessity, rather technical, but is the only way to gain a meaningful sense of the context in which ministers and their opponents were operating. In subsequent sections, I will use this information to explore the religious fault-lines between these groups, and the ways in which various players tried to exploit the situation to their advantage. This will take us beyond parliament into the realm of political polemic.

The story of the Blasphemy Act provides a novel window on to the structure and language of politics in late seventeenth-century England. One of the more surprising elements of the picture that emerges is the extent to which toryism, rather than whiggism, had something to offer MPs with dissenting sympathies. The coherence and clout of toryism in this period has been under-studied in comparison to its whig counterpart.³⁸ This article is not the place for a comprehensive discussion of tory political thought in the 1690s, but it will explore some of the religious affinities that made it easier for erstwhile whigs, such as Robert Harley, to come into the tory fold in the early years of the eighteenth century.

More broadly, I propose that the blasphemy debates reveal a fresh religious taxonomy of post-1688 politics, which cannot be sufficiently captured in the language of whig–tory, court–country or high church–low church alone. It can, however, help us understand some of the ways in which those competing polarities interacted. Like the rhetoric of court and country, the rhetoric of religious divisions was deployed at particular moments of tension for political advantage. I will explore a specific example of this phenomenon, tracing how court whig propagandists of the standing army exploited the

³⁸ For a recent statement of this problem, see M. Skjönsberg, ‘Ancient Constitutionalism, Fundamental Law and Eighteenth-Century Toryism in the Septennial Act (1716) Debates’, *History of Political Thought*, xl (2019), pp. 270–301.

religious stances highlighted by the blasphemy debates to sow disunity amongst their country opponents. This polemical use of the Blasphemy Act during the Standing Army controversy reminds us how far theological debate set the terms of political possibility in 1690s England, often in ways more precise than the labels high church, low church or moral reform allow us to express, and in matters which were not overtly ‘religious’. I aim to use the lens of theological polemic to clarify our account of the shifting structure of politics in post-1688 England. I will also speculate on what this lens suggests about the changing nature of religious debate later in the eighteenth-century, framing these changes as political realignment, rather than secularisation.

I

Authorship of the Blasphemy Bill is difficult to assign precisely, as the Lords and Commons seem to have tussled for ownership of the Bill. It is therefore worth beginning with a short exposition of the Bill’s complex passage. As we have seen, the Bill initially developed out of mutually-reinforcing efforts by both the Court and moral reform MPs to take fresh action against blasphemy. The Bill swiftly passed the Upper House: the requisite three readings were completed within two days (24–26 February), with only minor amendments made by the Lords’ committee. It was then sent on to the Commons, where it passed through the standard two readings before being discussed in a committee of the whole House. At this stage (3 March 1698), the Commons expressed concern about the Bill’s efficacy. Notes from the debate list two major objections.³⁹ Firstly, that ‘the law had already inflicted heavier punishments upon Atheism and Blasphemy the first of which was always Capitall’. This was true: the long-standing statute *De Heretico Comburendo*

³⁹T[he] N[ational] A[rchives], SP 32/9 fo. 284r–v; *CSPD*, ix. 128.

(1401), punishing atheism by death, had been repealed as recently as 1678.⁴⁰ Blasphemy also remained punishable under common and canon law, which offered more stringent penalties than the draft Bill in most cases.⁴¹ Secondly, MPs expressed concern that ‘no body was like to undertake’ prosecutions when there was ‘no Encouragement given’. Looking back, this seems particularly prescient. It was also a judgement for which there was contemporary evidence: by 1698, the demand for blasphemy cases at common and ecclesiastical law – indicative of popular opinion in a society which relied on members of the public to bring prosecutions – appears to have been static or declining.⁴² Thus, the Commons decided not to proceed with the Lords’ Bill, until ‘it was more fully considered how to proportion the penaltys to the Offence and how the prosecution would be provided for’. They resolved to compare it to a Bill ‘for the more Effectual Supressing Prophaneness, Immorality and Debauchery’ which MPs Sir John Philipps and Edward Harley had been given leave to prepare on 26 February, just before the message from the Lords arrived asking the Commons to approve their Blasphemy Bill.⁴³

Philipps presented his Bill to the Commons on 7 March. He had evidently taken note of the previous objections, for he ‘left in Blank’ the ‘penaltyes for those Offences’.⁴⁴ However, comparison of the copy of the Lords’ Bill, preserved in the Parliamentary Archives, with the Act given Royal Assent reveals that few changes were

⁴⁰ An attempt to reinstate this capital offence had failed in 1680, see Parl., HL/PO/JO/10/1/397/343, Atheism and Blasphemy Bill, 14 Dec. 1680.

⁴¹ Nokes, *Crime of Blasphemy*, pp. 46–64; E. Visconsi, ‘The Invention of Criminal Blasphemy: Rex v. Taylor (1676)’, *Representations*, ciii (2008), pp. 30–52.

⁴² The best list cites only four common law cases in the 1690s, see Manning ‘Blasphemy in England’, pp. 342–3. Ecclesiastical courts have been less comprehensively researched. London Consistory Court records from 1697–98 suggest that the court was no longer being used for blasphemy prosecutions, see London Metropolitan Archives, X079/066, Deposition Book, Jan. 1697/8– Mar. 1699/1700.

⁴³ *CJ*, xii. 132.

⁴⁴ TNA, SP 32/9 fo. 303r; *CSPD*, ix. 134.

made.⁴⁵ Penalties were slightly toughened: where the Lords' Bill had prescribed three years' imprisonment for a third offence, the Commons' Act made this part of the punishment for a second offence and specifically excluded the option of 'Bail or Mainprize'. The Lords allowed one to renounce one's crime to gain pardon in 'any of his Majesties Courts of Record within the Realm'; the Commons, perhaps hoping to make repentance a public event influencing the morality of a particular community, specified the court where a person had been convicted. These changes neither made the Act significantly more strenuous, nor introduced greater encouragement to prosecute. The time period in which offences needed to be reported was not changed, remaining a mere four days. Thus, the Bill presented by Philipps on 7 March, though *de jure* a new bill which restarted the process of parliamentary approval, was *de facto* identical to the Lords' Bill, with only minor amendments.⁴⁶ Introducing a new Bill while changing little of substance may have been a tactical move by Philipps to claim the Bill as the moral reformers' own, thus playing down the influence of the Archbishop and Court. This was certainly how tory MP Thomas Rowney described the decision in his letter of 5 March: 'we [the Commons] shall lay aside that Bill and send them one of our own to shew we have a greater respect for Religion than the Bishops.'⁴⁷ Nonetheless, it was, to all intents and purposes, the Lords' Bill which was passed in 1698.

After the reintroduction of the Bill under Philipps's authority, there followed three more readings in the Commons, three in the Lords as well as a conference of both

⁴⁵ For the Lords' Bill, see Parl., HL/PO/JO/10/1/498/1217, Atheism, Blasphemy and Profaneness Suppression Bill, 24 Feb. 1698. That the former was the basis for the Act as passed is clear (*contra* Hayton, who describes the Lords' Bill as 'superseded' by that of Philipps, 'Moral Reform', p. 59). The surviving copy of the Lords' Bill includes amendments made on 25 Feb., despite being catalogued under 24 Feb. This is confirmed by comparison with the description of the penalties stipulated by the Lords' Bill in TNA, SP 32/9 fo. 284r-v, 3 Mar. 1698.

⁴⁶ Hence the Lords' Bill is counted as failed in J. Hoppit, ed., *Failed Legislation, 1660-1800* (London, 1997), pp. 224-5.

⁴⁷ Bodl., MS. Ballard 38, fo. 186r.

Houses to discuss proposed amendments by the Lords with which the Commons disagreed.⁴⁸ A particular source of controversy – debated at the committee stage by both Commons and Lords, and the subject of the conference – was whether the Act should cover individuals who had not been educated in the Christian religion. An affirmative answer would have constituted a *de facto* expulsion of the Jews. Eventually the tolerationist argument that allowing the Jews to remain in England increased their likelihood of conversion (combined, most likely, with considerations of economic pragmatism) triumphed and non-Christians were excluded from the Bill's reach.⁴⁹ The Act received Royal Assent on 5 July 1698.⁵⁰

This recital of the Bill's passage already hints towards the various interests at work, indicating that both Williamite bishops in the Lords and moral reformers in the Commons had some claim to authorship of the Bill. Particularly valuable in fleshing out this picture further are the *Commons Journals*' records of the two tellers who counted votes for each side of a parliamentary division. Tellers always counted for their own side, so for a Bill like the Blasphemy Bill, on which there were several divisions, biographical analysis of tellers allows us to gain a reasonable understanding of who supported and opposed it.⁵¹ Some votes clearly reveal tellers' intentions; of the Blasphemy divisions, the two votes on 30 March 1698 – on a rider attempting to derail the Bill and whether the Bill should pass – are examples of such 'definite' votes.⁵² On other occasions, such as votes on whether to delay discussion of the Bill, tellers' motives are less clear.⁵³ However,

⁴⁸ *CJ* xii. 155, 160, 168, 183; *LJ*, xvi. 254, 267, 271, 274; *CJ*, xii. 276, 280; *LJ*, xvi. 296.

⁴⁹ Parl., HL/PO/JO/10/1/509/1291, Commons' Reasons for not agreeing to the Lords' Amendments to the Bill, 25 May 1698, 'here they [the Jews] have the means and opportunities to be informed of and rightly instructed in the Principles of the true Christian Religion'.

⁵⁰ *CJ*, xii. 343.

⁵¹ Hayton, *HP*, i. 359.

⁵² *CJ*, xii. 183.

⁵³ The votes on 12, 24 Mar. and 18 May all dealt with whether the Bill should be delayed. The 21 Mar. vote on the Jewish amendment involved too specific a question to determine tellers' overall stance on the Bill, so has been excluded: *CJ*, xii. 155, 168, 177 and 276.

suppositions can still be made. For instance, one may assume that those who voted in favour of reading the Bill at the appointed time are likely to have supported it, while those voting to delay were probably opposed; this hypothesis appears confirmed by the fact that tellers whose allegiances can be clearly identified on ‘definite’ votes follow the proposed pattern when voting in ‘ambiguous’ divisions.⁵⁴ Using this information, I have identified twelve Members who told in favour of the Blasphemy Bill or had a role in its introduction to the Commons, and five MPs who told against. This is a small sample of the MPs who voted, but it is nonetheless possible – through analysis heavily reliant on *History of Parliament* biographies – to divide them into a few distinct groups. These will be briefly laid out, before being placed in broader context in subsequent sections. For ease of comprehension, I have compiled the following table of allegiances. In the table itself, I include only tellers whose opinions can be gauged from the *Commons Journals*, though I have footnoted other MPs whose views are attested by private correspondence.⁵⁵

[INSERT TABLE 1 HERE]

The foremost student of the structure of politics of the 1690s, David Hayton, has observed that MPs with links to dissent are disproportionately represented amongst those who supported moral reform causes.⁵⁶ This observation also applies to supporters of the Blasphemy Bill, six out of twelve of whom were either dissenters themselves (Edward

⁵⁴ For example, it is highly probable that Sir Robert Burdett and John Tredenham’s 24 Mar. votes in favour of Bill being read according to order indicate support for the Bill, because one of the tellers for the opposing side, Sir Henry Colt, also told against the Bill in the definite division of 30 Mar.: *CJ*, xii. 177, 183.

⁵⁵ MPs named to the committee for drawing up a ‘pious address’ to the king, calling for measures ‘to suppress Profaneness and Immorality’ on 9 Feb. 1698 are not included, *CJ*, xii. 93. Committees included both those for and against a proposal, so establishing loyalties is difficult. Using the committee would also dilute my focus on measures against ‘blasphemy’ specifically.

⁵⁶ Hayton, ‘Moral Reform’, pp. 74–5.

Harley and Sir John Elwill) or had a tradition of dissent in the family (Sir John Philipps, Samuel Ogle, Sir Richard Onslow, and Sir Eliab Harvey).⁵⁷ In all cases the dissent to which these men were linked was Trinitarian, and specifically Presbyterian.

Most of these MPs were described as whigs by their contemporaries. Even the exception, Harvey, is not an archetypal tory; though he ingratiated himself with the church party in the 1690s, he had supported toleration during the reign of James II. Various strands of whiggism are represented. The Harleys were country whigs who had already been cooperating closely with tories in their joint campaign against parliamentary corruption, and who would fully throw in their lot with them from 1701–2. Onslow, previously a court sympathiser, had by 1698 joined the anti-corruption country opposition. Ogle and Elwill, by contrast, mostly voted with the court in 1697–98, while Philipps would defect to the court on the army question in 1699. The labels ‘court’ and ‘country’ are not particularly useful here; nonetheless, this group of six Blasphemy Bill supporters shared sympathy for Trinitarian dissent and a loosely ‘whig’ stance on 1688.

Several other MPs who told for the Bill do not fit into the aforementioned group. These Members had displayed no particular sympathy for dissent (Trinitarian or otherwise) before 1689: Francis Gwyn, Sir Robert Davers, Sir Robert Burdett, Sir John Kaye and John Tredenham.⁵⁸ Burdett was a high church country tory who had opposed James II’s religious policies but voted against the transfer of the crown to William and Mary in the Convention. Gwyn, another country tory, and Davers, who had court sympathies before shifting towards a country position, were both designated ‘True Church’ in a list of 1705 following their support for the Tack, an effort to ‘tack’ anti-occasional conformity measures to the Land Tax Bill in 1704. Tredenham was a member

⁵⁷ Biographical details from this and subsequent section all from the relevant *HP* biographies unless otherwise noted: see, respectively, iv. 233–40, iii. 974–5, v. 138–40, v. 6–9, v. 24–37 and iv. 292–3.

⁵⁸ *HP*, iv. 138–40, iii. 856–8, iii. 410–11, iv. 533–5 and v. 661–3.

of Sir Edward Seymour's tory interest, and told in favour of an unsuccessful effort to have a rider stipulating that office-holders must 'not depart from communion with the Church of England' added to a bill to secure the Protestant succession. Kaye was slow to accept William and Mary as monarchs, and had taken part in breaking up conventicles in Yorkshire in 1682–84, although, unlike the others, he is classed, somewhat ambiguously, as 'Low Church' on the Tack list. This group of five tellers for the Bill appear to represent another distinct faction, this time united as high church tories.

We have established that some country MPs supported the Blasphemy Bill; however, a distinct group of country MPs also opposed it. Two of the five tellers against the Bill, Robert Molesworth and Sir Robert Clayton, were associated with the group of self-declared 'old' whigs who met at the Grecian Tavern, other frequenters whereof included Walter Moyle, John Trenchard and John Toland. The old whigs are well known to historians as civic humanist patriots or 'commonwealthmen', and were fierce supporters of army disbandment.⁵⁹

The remaining three tellers against, Sir Henry Colt, Henry Heveningham and Sir Henry Hobart, were all whigs who generally voted with the court, including during the army debates.⁶⁰ This underlines the extent to which the alliances brought about by the Blasphemy Act stand as a counterpoint to the court/country split usually associated with the sessions of 1697–99.

II

It appears that a group of MPs, united by sympathy for Trinitarian dissent, which we might loosely call a 'Presbyterian interest', acted in concert – somewhat

⁵⁹ C. Robbins, *The Eighteenth-Century Commonwealthman* (Harvard, MA, 1959), pp. 88–133.

⁶⁰ *HP*, iii. 657, iv. 354 and iv. 371.

surprisingly – with high church tory MPs to support the Bill. The anti-blasphemy pamphleteers we have so far encountered came from a similar background to the first group of supportive MPs; Gailhard was a Presbyterian, and there is some evidence that Russel was a Trinitarian baptist.⁶¹ Presbyterians, baptists, and congregationalists were often fiercely opposed to anti-trinitarian dissent, and it seems much of the hostility to anti-trinitarianism which underpinned the provisions of the Blasphemy Act came from members of these religious groups.⁶² This cooperation between the high church interest and MPs with links to Trinitarian dissent is indicative of the strength of the tory pro-Convocation threat to the authority of court whig ministers and bishops in this period. Such cooperation presents a marked contrast to the occasional conformity controversy of 1701, in which tories fought a bitter (and ultimately unsuccessful) parliamentary battle to end the practice of ‘occasional conformity’, whereby dissenters would take Anglican communion once a year to qualify for office. This is not to suggest that high church hostility to dissenters was ever far from the surface, nor that dissenters ever ceased regarding tories with some suspicion. Nonetheless, we should not overemphasise the extent to which an alliance of whiggism and orthodox dissent was inevitable in the 1690s. This was a period of flux, and compromises could be cut in numerous directions. The individual in this period who did the most to promote an alternative ‘tory-and-dissenter’ alliance, offering an alternative path to stability to that advocated by court whigs, was Robert Harley, who came from traditionally whig and dissenting stock, but gravitated

⁶¹ M. Goldie, ‘Gailhard, Jean’, *ODNB*; the case for Russel being a Baptist relies on various details not worth pursuing here, notable amongst which are the fact Russel’s title pages prominently feature the title ‘Rev.’ and Wadhurst as his place of residence, but he was not a Church of England vicar there. My thanks to Heather Woodward, Wadhurst Parish Church, for information on the latter point. The Baptist population of Wadhurst was growing at this time, see J.H. Cooper, ‘A Religious Census of Sussex in 1676’, *Sussex Archaeological Collections*, xlv (1902), p. 143 and W.K. Ford, ed., ‘Chichester Diocesan Surveys 1686 and 1724’, *Sussex Record Society*, lxxviii (1994), p. 252.

⁶² See for instance, T.L. Underwood, *Primitivism, Radicalism, and the Lamb’s War: The Baptist–Quaker Conflict in Seventeenth-Century England* (Oxford, 1997).

towards tory anti-corruption campaigns through the 1690s. The blasphemy debates give some indication of where Harley saw an opportunity.

A sense of the stance taken by Trinitarian dissenters on blasphemy is given by the writings of Sir Edward Harley, father of both Robert and Edward Harley MP. Sir Edward wrote a pamphlet inveighing against ‘blasphemous Presumption’ with reference to the unpardonable Sin against the Holy Ghost.⁶³ His work is imbued with the language of the Trinitarian controversy, and he links his warning against blasphemy to a firm endorsement of the Thirty-Nine Articles’ definition of the Trinity: at the very end of the treatise, Harley, quotes this verbatim, describing it as the ‘Golden Clasp’ to the truths he has rehearsed.⁶⁴ Harley was a low church, Trinitarian Presbyterian. Intriguingly, however, the language of high church tory pamphlets on the topic of blasphemy also bears striking resemblance to Russel’s definition. Thus we find the high church tory pamphleteer Francis Gregory quoting Gregory of Nazianzus against anti-trinitarians: ‘They who degrade the Holy Spirit of God, and make him but a creature, are Blasphemers, and of all evil ones are the worst.’⁶⁵ Blasphemy appears to have provided Trinitarian dissenter country whigs and high church Tories with some level of theological agreement.

Skepticism can be found in some quarters on the tory side in 1698: one anonymous writer (‘A.B.’) claiming to be ‘a Divine of the Church of England’ published a dire warning against the ‘Imposture’ of these Trinitarian dissenters, who pretended to be interested in strengthening religion, while in fact seeking to weaken it by taking proselytes

⁶³ Sir Edward Harley, *A Scriptural and rational account of the Christian religion...* (London, 1695), p. 45.

⁶⁴ *Ibid.*, p. 118.

⁶⁵ Francis Gregory, *The doctrine of the glorious Trinity...* (London, 1695), p. 163. See also Thomas Long, *An answer to a Socinian treatise, call'd The naked Gospel...* (London, 1691); Charles Leslie, *The charge of Socinianism against Dr. Tillotson considered...* (London, 1695); Francis Gregory, *A divine antidote...* (London, 1696); Henry Killigrew, *Odes and elegies upon divine and moral subjects* (London, 1698). For discussion of some of these, see Manning, ‘Blasphemy in England’, pp. 214–16.

‘out of the Parochial Established Churches’ and into their own conventicles.⁶⁶ ‘A.B.’ further argues that extempore prayer as practised by such dissenters could itself constitute ‘Blaspheming the Holy Ghost’.⁶⁷ Tensions between the two groups – MPs with Trinitarian dissenter sympathies and high church tories – were never completely absent; for example, the attempt by Sir John Philipps (who led the Blasphemy Act through the Commons) to criminalise infidelity in the Immorality Bill (1699) was too ‘fanatick’ for Tredenham,⁶⁸ while the occasional conformity controversy of 1702–4 saw numerous high church tory supporters of the Bill, including Gwyn, Davers and Tredenham, all vote for harsher measures against dissenters.⁶⁹ Nonetheless, in a post-Toleration Act world it is not entirely unexpected that tories and Presbyterians could agree on certain questions of religious politics. Once nonconformist religious meetings too were protected by the religious settlement, tolerated Trinitarian dissenters and those in sympathy with them could find themselves on the same side as the high church tories. Both groups wanted to strengthen the new Trinitarian orthodoxy, in contrast to the attitudes of MPs who wanted to bring anti-trinitarian dissenters into the tolerated fold too. Both may have viewed themselves as defenders of a ‘Reformed’ heritage against the excesses of ‘Arminian’ or ‘latitudinarian’ court whiggery.⁷⁰

Thus with toleration a *fait accompli*, men like the high church tory MPs who supported the Blasphemy Act became potential allies of Trinitarian dissenters and their

⁶⁶ A.B., *The mystery of phanaticism...* (London, 1698), p. 3. The English Short Titles Catalogue notes a contemporary attribution to Matthew Hole on the Huntington Library’s copy.

⁶⁷ Ibid., p. 38.

⁶⁸ See Walter Moyle to [Anthony Hammond], 26 Jan. 1698–9, *Whole Works*, pp. 241–2.

⁶⁹ *HP*, iv. 140, iii. 858 and v. 663.

⁷⁰ The relationship between post-1688 Church of England’s lively Reformed tradition and Parliamentary politics is yet to be fully traced, but for instructive theological perspectives see S. Hampton, *Anti-Arminians: The Anglican Reformed Tradition from Charles II to George I* (Oxford, 2008); J. Griesel, ‘John Edwards of Cambridge (1637-1716): A reassessment of his position within the later Stuart Church of England’ (Univ. of Cambridge, PhD thesis, 2019); S. Fornecker, “‘The Obedience of Faith’: Anti-Remonstrant Polemic in the Later Stuart Church of England’ (Univ. of Cambridge, PhD thesis, in progress).

sympathisers. Gwyn, for all his devoted high churchmanship, was on good terms with the Harleys throughout this period. In the summer of 1693 he wrote to Robert Harley with family news, asking him to let his father, Sir Edward, know that Gwyn was his ‘faithful servant in the West’.⁷¹ This raises intriguing questions about how far tory–dissenter cooperation over blasphemy may have helped in the formation of the most significant alliance of the first decade of the eighteenth century: that of the Harleyite interest and the tories. Hayton has argued that Robert Harley’s shift of allegiance was part of a wider comprehension of Presbyterians into the Anglican established order.⁷² Moderate Presbyterians like the Harleyites considered the Anglican church their rightful home, and though they were not willing to settle on any terms, their eventual aim was to become once again part of the orthodoxy. As Hayton puts it, ‘once a comprehensive church settlement had been rendered impossible it was natural that they should drift towards conformity’.⁷³ Hayton applies this argument to Harley and his associates from January 1701 onwards, but alliance with the tories at the time of the blasphemy debate may have contributed to this transition too.

The Toleration Act of 1689 had paved the way for new alliances, and it seems that some areas theological agreement underpinned tory–Presbyterian political interactions in the late 1690s. That this would later be ripped apart by bitter arguments about occasional conformity was not inevitable; the fiercest critics of occasional conformity in William’s reign were often dissenters themselves.⁷⁴ Perhaps it was the luxury of finding in Anne a sympathetic monarch, inspiring fresh hope that the Toleration Act was reversible rather than a battle lost, that encouraged the tories of the 1700s and 1710s to move away

⁷¹ Ibid., iv. 135. For more on Gwyn’s relations with Harley, see P. Jenkins, ‘Francis Gwyn and the birth of the Tory Party’, *Welsh History Review*, xi (1983), pp. 283–301.

⁷² D.W. Hayton, ‘Robert Harley’s ‘middle way’: the Puritan heritage in Augustan politics’, *British Library Journal*, xv (1989), pp. 158–72.

⁷³ Ibid., p. 168.

⁷⁴ Famously Daniel Defoe, *An enquiry into the occasional conformity of dissenters...* (London, 1697).

from the pragmatic cooperation with Presbyterians seen in the 1690s; had it not been for such complacency, the tories may have continued to challenge whig dominance even under the Hanoverians. The scale of Harley's achievement in moulding a party of government from the post-1688 tories, so tainted by association with James II/VII's regime, deserves greater attention. His feat in finding common ground between high churchmen and men sympathetic to Presbyterianism should not be underestimated. Although in the subsequent decade, Harley's effort to craft his own party of 'moderation' between these two extremes ultimately fell apart, its failure was not predetermined.⁷⁵ The scope for cooperation on display during the blasphemy debates had given good reason to think such an alliance workable.

III

If the Blasphemy Act suggests that political cooperation between tories and dissenters was more viable in 1698 than previously thought, it also reminds us that it was not inevitable that the court whigs would forge an alliance of convenience with dissent. As we have seen, the Blasphemy Bill appears to have been introduced by leading members of William's Court, which was in 1689 dominated by the whigs. However, whigs (both court and country) also constituted the majority of the Bill's opponents. The whigs splintered into a several groups: William's bishops took a leading role in the introduction of the Bill and whigs with links to Trinitarian dissent too were supporters; however, the anti-standing-army old whigs opposed blasphemy legislation, as did some whig placemen. This splintering makes the passage of the Blasphemy Act an interesting episode which can help

⁷⁵ Harleian ideals of moderation received fullest expression in [Simon Clement], *Faults on Both Sides* (London, 1710).

us understand the shifting definition of whiggism in the 1690s, as William's whig propagandists adapted to their new court identity.

By 1698 that transformation was already well under way, but the Treaty of Ryswick brought the contradictions underlying the court whig position into ever sharper relief. William's whig ministers needed to support the King in his desire to retain a substantial peacetime army; for many whigs, however, advocating a standing army was a betrayal of all whiggism had stood for. Self-proclaimed 'old' or 'true' whigs – men such as Molesworth, Toland, Trenchard and Moyle – offered sustained opposition. These men were interested in classical republicanism, an ideal of liberty in which governmental control of a standing army was viewed as suspect. Unsurprisingly, we find that they used similar arguments to oppose initiatives for religious reform, painting court whig support for blasphemy legislation as hypocrisy of a similar order to court whig support for a standing army. Congratulating one correspondent, probably the high church tory Anthony Hammond, on his opposition to the standing army, Moyle urged him to next oppose Philipps' latest moral reform initiative, the Immorality Bill of 1699: 'Since you have disbanded the Army and saved our Liberties... set us at ease in our Pleasures as well as our Properties.'⁷⁶ Toland drew a similar parallel between the standing army and religious coercion, noting that 'the clergy can make a sudden and universal insinuation of whatever they please,... being posted most commodiously than any army, one at least in every Parish all over the Kingdom'.⁷⁷ To the old whigs, the Blasphemy Act and the standing army were both dangerous innovations, proving that William's court whig ministers were no longer champions of English liberties.

⁷⁶ Walter Moyle to [Anthony Hammond], 26th Jan. 1698–9, *Whole Works*, p. 241.

⁷⁷ John Toland, *The Art of Governing by Partys* (London, 1701), p. 36.

This is not to say that the motives of the old whigs were ‘secular’. The old whigs often held active – albeit heterodox – religious affiliations, which made them sympathetic to anti-trinitarian dissent. For instance, one of the tellers against the Bill, Sir Robert Clayton, was a noted patron of anti-trinitarians and a friend of Thomas Firmin, a Sabellian whom Gilbert Burnet held responsible for inciting the Trinitarian controversy.⁷⁸ Though Firmin encouraged the proliferation of heterodox pamphlets, he was believed by many, including Burnet, to be personally pious; he also had links to the first Society for the Reformation of Manners.⁷⁹ The ‘country whig’ view of religion, in which the Blasphemy Act represented unacceptable religious coercion, also appealed to several individuals who were usually sympathetic to court whiggery. As we have seen, John Locke, who played such an influential role in shaping court whig economic reform in this period, fits this category. Locke might be thought a unique case, but other more prosaic court whig MPs also seem to have voted against the Blasphemy Bill out of concern that it would fuel accusations of anti-trinitarianism. Sir Henry Hobart, MP for Norfolk, may have been concerned about the Bill’s impact on his nonconformist and, in particular, Quaker constituents.⁸⁰ Though officially classed as Trinitarian, Quaker doctrine was often linked to the blasphemy against the Holy Ghost in contemporary pamphlets.⁸¹ Though the Bill was never directly used against the Quakers, concerns were not entirely misplaced: late in 1698, after the Act’s passage, the clergy of Norfolk wrote an open letter in language reminiscent of the Act, charging the Quakers with blasphemy and demanding they defend

⁷⁸ Gilbert Burnet, *History of His Own Times* (4 vols., London, 1753), iv. 292.

⁷⁹ P. Dixon, ‘Firmin, Thomas’, *ODNB*.

⁸⁰ For Norfolk’s development into a hotbed of dissent, see M. Reynolds, *Godly Reformers and their Opponents in Early Modern England: Religion in Norwich c.1560–1643* (Woodbridge, 2005), pp. 27–40.

⁸¹ D.L. Wykes, ‘Friends, Parliament and the Toleration Act’, *Journal of Ecclesiastical History*, xlv (1994), pp. 42–63; Manning, ‘Blasphemy in England’, pp. 235–82, esp. 258.

themselves at a public meeting.⁸² Hobart's stance may have backfired: in the 1698 election, he lost to the moderate tories Sir Jacob Astley and Sir William Cook. While his defeat is generally attributed to his failure to protect Norfolk's economy by securing legislation against East Indian cloth, an anti-Quaker pamphlet of 1700 suggests some votes were cast on religious concerns: in his dedication, the author urges Astley and Cook to take a firm parliamentary stance for the protection of the church, promising 'Gentlemen! You had our Votes, you shall not want our prayers'.⁸³

Rather than challenging the language of blasphemy, opponents of the Blasphemy Act often employed it in their own cause. Thus, William Penn, the famous Quaker and founder of Pennsylvania, opposing the Blasphemy Bill in a pamphlet of 1698, argued, like Russel, that blasphemy involves being not merely 'Mistaken' but also 'Presumptuous and Despiteful'.⁸⁴ According to Penn, however, the logical conclusion of this definition is *opposition* to the Blasphemy Bill. He describes the Bill as a 'Trojan Horse', carrying in an army 'to serve the Spleen or Pride of every Party, in their turn of Government'.⁸⁵ Given the link between pride and the sin against the Holy Ghost, Penn is implicitly accusing the proponents of the Bill of encouraging blasphemy; he soon goes even further, implying that the Bill's proponents verge on committing it. He asserts that 'There are several sorts of creeds' but that none is 'so orthodox as that deliver'd to us in Gods Book': so why, he asks 'should we press the point further? Who can Determine with equal Authority to that of the Holy Ghost?'⁸⁶ In insisting on the Athanasian creed and its prescriptive interpretation of the Trinity, MPs are accused of arrogantly abrogating one of

⁸² D.L. Wykes, 'The Norfolk Controversy: Quakers, Parliament and the Church of England in the 1690s', *Parliamentary History*, xxiv (2005), p. 27; E. Beckham, *The Quakers Challenge Made to the Norfolk Clergy* (London, 1699), p. 12.

⁸³ *HP*, iv. 371; E. Beckham, *Quakers further shewn to be Blasphemous...* (London, 1700), p. iv.

⁸⁴ William Penn, *Caution humbly offer'd about passing the bill against blasphemy* (London 1698), p. 2.

⁸⁵ *Ibid.*, p. 1.

⁸⁶ *Ibid.*, p. 4.

the functions of the Holy Spirit to themselves, and thus blaspheming. The very accusations that the supporters of the Bill made against anti-trinitarians were thus turned back on them. In case the threat of future divine sanction proved too ethereal, Penn also argued – specifically targeting recently-tolerated dissenting MPs – that the Bill would prove a slippery slope, placing its proposers themselves in danger of future prosecution: it could ‘be [their] Turn next time’, for ‘tho’ as to this Doctrine [they] are within the Pale and Safe,... upon other Articles [they] may be equally exposed’.⁸⁷

The old whig John Toland, who gained notoriety because he was himself accused of blaspheming in *Christianity not Mystrious* (1696), makes a similar case in *The Art of Governing by Partys* (1701). This pamphlet presents the blasphemy debates as one episode in the fractious politics of the 1690s, which Toland believes to have been characterised by a tendency for MPs to place party loyalty above the common good. For Toland, the Blasphemy Act provided the foremost example of the dissenters (a term he uses interchangeably with ‘Presbyterians’) acting in the spirit of party. He argues that dissenters ‘have shown too much Countenance to the late Attemts against the Quakers’, warning that this ‘will make others have less Compassion for themselves [the dissenters], if ever they should fall again under the Lash of their Enemies’.⁸⁸ Toland’s argument is less indebted to the Calvinist definition of blasphemy, lacking the emphasis on malice we have seen elsewhere, but he recognises that blasphemy is a highly flexible accusation. Once applied to one group, its logic can easily be transferred to another. Toland writes that dissenters ‘justifie their promoting Penal Laws against the Socinians, as if it had not been for any difference in Religion, but on the account of Blasphemy’.⁸⁹ Yet, he continues, if they were to read ‘Fox’s Matyrology... they’ll find Queen Mary’s Judges made use of that

⁸⁷ Ibid., pp. 4–5.

⁸⁸ Toland, *Governing by Partys*, p. 26.

⁸⁹ Ibid., p. 26

distinction before them', pretending not to burn Protestants for 'any Speculative Notions, but for refusing actual worship to Jesus Christ in the Sacrament, which they interpreted as denying honour to God, and... consequently Blasphemy'.⁹⁰ By supporting anti-blasphemy legislation, dissenters were sharpening a weapon which might later be turned against them. Penn and Toland did not agree on all matters, and Penn proposed two alternative anti-blasphemy measures, both of which would have been too coercive for Toland: the suppression of 'all Play-Houses, and Gameing-Houses' and selection of magistrates on 'Virtue, and not Opinion'.⁹¹ Penn could have endorsed a different blasphemy act, whereas the old whigs were opposed to all extensions to the policing of conscience. Like the Bill's supporters, its opponents operated within an uneasy alliance. Such cooperation was not new in 1698; a similarly inter-sectarian coalition had supported the Toleration Act.⁹²

Judging by the few snippets of the blasphemy debates which survive, the Bill's parliamentary opponents too latched on to ambiguity within the definition of blasphemy. The most striking evidence is a rather cryptic note written after the third and final Commons reading of the Bill (30th March) for tory minister Sir Joseph Williamson, who was abroad as Ambassador to The Hague but seemingly sympathetic to the Bill.⁹³ The note's anonymous author describes an unsuccessful last effort to scupper its passage:

some who could have wisht the Bill laid aside offered as Rider to it against Polytheism as a Doctrine that was Pagan and Idolatrous and whoever maintained that there were more gods than one should be Lyable to the penalties of that

⁹⁰ Ibid., p. 27.

⁹¹ Penn, *Caution humbly offer'd*, pp. 6–7.

⁹² J. Spurr, 'The Church of England, Comprehension and the Toleration Act of 1689', *ante*, civ (1989), pp. 927–46.

⁹³ A. Marshall, 'Williamson, Sir Joseph', *ODNB*.

Act[;] the meaning of that Clause was understood to go further than they [its proposers] intended to Explain.⁹⁴

Why would opponents of the Bill propose to extend its scope to polytheism? Why such a suspicious tone from the note's author? Alongside Penn's writings, these stances become intelligible: the Bill's opponents had recreated his slippery-slope argument in legislative form. The inclusion of polytheism was meant to make advocates of the Bill afraid of prosecution themselves, for it was not unknown for overenthusiastic defenders of the Trinity to face accusations of tritheism: such was the fate of William Sherlock following the publication of his *Vindication of the Trinity* (1690).⁹⁵ The flexibility of the accusation is made clear in Sherlock's wry remark in a pamphlet of 1696: 'The good [late] Archbishop [Tillotson], by his Trinitarian Adversaries, is charged with Socinianism, and by his Socinian Adversaries with Tritheism; and yet he must have very ill luck, if he could stumble upon two such Extremes.'⁹⁶ Therefore, if it were made illegal to maintain that there were more gods than one, might not somebody merely trying to defend the Athanasian Trinity be in danger of prosecution? Presumably the proposers of the rider hoped the Bill's supporters would not be able to argue against their apparently pious desire to punish polytheists. Anti-blasphemy MPs would then have either to abandon the Bill, recognising it as a poorly-defined threat to the orthodox as well as anti-trinitarians, or pass it but face the prospect of their own pamphlets being challenged too.

This strategy worked up to a point: the note continues that 'the Exceptions taken at [the rider] were likewise disguised', with pro-Bill Members having to resort to

⁹⁴ TNA, SP 32/10 fo. 65r; also *CSPD*, ix. 169–70. For another account of the Rider, see BL, Add. MS. 72481, fo. 145r–v, Dolben to Trumbull, 31 Mar. 1698.

⁹⁵ William Sherlock, *A vindication of the doctrine of the holy and ever blessed Trinity...* (London, 1690).

⁹⁶ *Id.*, *The distinction between real and nominal trinitarians...* (London, 1696), p. 3.

procedural objections to block it.⁹⁷ In response, the rider's proposers tried to put off discussion to another day 'by which it was hoped to have laid the Bill asleep'; however, the vote was lost, the rider withdrawn, and discussion of the Bill continued.⁹⁸ The Bill's supporters then succeeded in proposing and passing their own version of the amendment, which the note describes as 'not pursuant to the Rider' but nonetheless 'against the Opinions that there were more Gods then one'. The wording of this successful amendment was 'shall assert or maintain there are more Gods than One'. Though it is not entirely clear why the Bill's proponents thought this so much more acceptable than the original rider (perhaps it was the removal of the loose term 'polytheism'; perhaps it was the placement of the amendment within a clause which also specified the need to endorse the Trinity), this version was deemed to have sufficiently raised the bar of proof so casual accusations of tritheism were no longer a threat.⁹⁹ Whoever the winners and losers of this encounter, there was evidently a high level of theological literacy on both sides; the contours of the Trinitarian controversy were widely understood reference points. The concept of blasphemy had a great deal of purchase in the 1690s, even amongst those it threatened.

IV

Though the old whigs tried to suggest that court whig support for Blasphemy legislation was hypocritical, from the perspective of the court, the Blasphemy Bill was a natural next step in their strategy to legitimise the revolution of 1688. The efforts of William's advisors to portray him as patron of the moral reform movement are now well-known, and the Blasphemy Act should be seen as part of this endeavour.¹⁰⁰ William,

⁹⁷ TNA, SP 32/10 fo. 65, 'the objections being chiefly... that [the rider] was brought in with a penalty which ought to have been left in Blank to be filled up by the House'.

⁹⁸ *CJ*, xii. 183. Dolben attests to the same objections in BL, Add. MS. 72481, fo. 145r.

⁹⁹ TNA, SP 32/10 fo. 65.

¹⁰⁰ Claydon, *Godly Revolution*, pp. 112–15.

though in favour of wider toleration of Catholics, which promised geopolitical advantage, was not especially sympathetic to those accused of anti-trinitarianism; the United Provinces had long had harsh legislation against Socinianism, to which he made no objections.¹⁰¹ Whiggism was splintering along religious lines, but William's bishops and ministers successfully developed a 'court' view of religion, which could act as a buttress to court whiggism more broadly.

William's bishops may have taken more inspiration from Ambrose than Calvin in defining blasphemy; Tillotson (who died in 1694, but had continued influence in print) had made the Ambrosian case that the sin against the Holy Ghost specifically referred to the now defunct sin of witnessing miracles but denying, like the Pharisees, that they were the work of God.¹⁰² Nonetheless, this did not stop Tillotson's 'approaches of this sin' such as 'profane scoffing at Religion' and 'Abuse of the holy Scriptures' taking on a Calvinist flavour: such 'Malicious opposing of the Truth' still offered 'great provocations' to God.¹⁰³ As we have seen, Burnet was a vocal supporter of the Bill and, intriguingly, a pamphlet survives purporting to contain a sermon of his on blasphemy. In fact, this turns out to be a falsely-labelled reprint of Russel's sermon; though probably a merely coincidental use of a well-known and marketable name, the printer may have chosen Burnet as a plausible candidate for authorship.¹⁰⁴ Earlier, in 1697, responding to the Convocation controversy, William Wake, the future Archbishop of Canterbury, had

¹⁰¹ For Catholics, see J.I. Israel, 'William III and Toleration', in *From Persecution to Toleration*, eds. O.P. Grell, J.I. Israel and N. Tyacke (Oxford, 1991), pp. 331–68. For Dutch anti-Socinianism, see J.I. Israel, 'The Intellectual Debate about Toleration in the Dutch Republic', in *The Emergence of Toleration in the Dutch Republic*, eds. C. Berkvens-Stevelinck, J.I. Israel, G. Henri and M. Posthumus Meyjes (Leiden, 1997), pp. 22–3; D. Nash, *Blasphemy in the Christian World* (Oxford, 2007), p. 61.

¹⁰² John Tillotson, 'Sermon Concerning the Sin against the Holy Ghost', *Sermons preach'd upon several occasions* (London, 1678), esp. p. 188. Sermon reprinted in the 1690s, e.g. in *The Works of the Most Reverend Dr. John Tillotson* (London, 1696), pp. 181–90. For Ambrose, see Tipson, 'Dark Side', p. 305.

¹⁰³ Tillotson, *Sermons preach'd*, pp. 198–200.

¹⁰⁴ Gilbert Burnet, *Dr. Burnet's Sermon of The Unpardonable Sin Against the Holy Ghost...* (London, 1707). Three paragraphs absolving Adam and Eve of blasphemy are missing.

asserted Parliament's right to legislate against heresy. Responding to the *Letter of a convocation man*, Wake argued that an Act 'to prohibit all Persons to Write or Dispute in favour of Atheism, Deism, Socinianism, &c.' passed by Parliament was 'much more likely to put a Stop to the Presumption of such Persons, than ten thousand Canons made by the Convocation'.¹⁰⁵ Wake's hypothetical act bears strong resemblance to that introduced by his fellow Williamite bishop, Tenison, a few months later; further evidence that the Blasphemy Act was part of a concerted effort by the bishops to steer religious controversy in a favourable direction.

Episcopal support for a parliamentary Blasphemy Act appears to have been more than a cynical ploy. Burnet's *History of his Own Times* expresses genuine concern about the progress of so-called Socinianism. He recognises that some bishops had had close relationships with those responsible for publishing anti-trinitarian pamphlets, citing in particular Tillotson's friendship with the heterodox philanthropist Thomas Firmin, 'whose charitable temper [the bishops] thought it became them to encourage'. However, after 1688, Firmin began to promote books questioning the Trinity, which had inspired a raft of pamphlets treating 'all Mysteries in Religion, as the contrivances of Priests, to bring the World into a blind submission to them' (*Christianity not Mystery* was only the foremost example).¹⁰⁶ Quoting a 'learned Deist', Burnet suggests that extensive pamphlet debate could itself endanger the church. The deist

was sure the Divines would be too hard for the Socinians, in proving their
Doctrines out of Scripture; But if the Doctrine [of the Trinity] be once laughed at
and rejected as absurd, then its being proved, how well soever, out of Scripture,

¹⁰⁵ William Wake, *The authority of Christian princes over their ecclesiastical synods asserted* (London, 1697), pp. 341–2.

¹⁰⁶ Burnet, *His Own Times*, iv. 292.

would turn to be an Argument against the Scriptures themselves, as containing such incredible Doctrines.¹⁰⁷

At stake then, in Burnet's view, was the status of the scriptures in divine argument; he made the same argument to van Limborch.¹⁰⁸ For all the 'latitude' of which he was accused by his critics, this was a doctrinal concession Burnet was not willing to make, and against which he and his fellow Williamites took a strong legislative stance.

Burnet believed himself to be walking a tightrope between high church Tories, who wanted to undermine the charitable toleration of orthodox dissent, and anti-trinitarians, who threatened to undermine scriptural authority, and by extension Christianity itself. He was determined that the Church should not give ground to either side, yet also aware of high church propagandists' increasingly insistent attempts to link William's bishops to Socinianism. The Blasphemy Act offered a way out of this predicament. Firstly, it rested on the Royal Supremacy, working through the King in Parliament, rather than granting doctrinal primacy to Convocation. It asserted the fundamentals of doctrine strongly enough to make clear the importance of the Trinity and the scriptures, providing ammunition against high church propagandists who accused Burnet and his allies of undermining these doctrines. Nonetheless, the Act did not, on Burnet's reading, prejudice the Toleration Act and could be defended against those who saw it as a means to police conscience; as Burnet assured van Limborch, it was only aimed at those who acted with 'malice'. This was not stipulated in the Bill, but Burnet was right to believe that this was widely viewed as the defining element of blasphemy. William and his bishops endorsed a Bill which they hoped would both win the loyalty of dissenters and

¹⁰⁷ Ibid., iv. 293.

¹⁰⁸ Bodl. MS. Eng. th. c. 23 fo. 13, Burnet to Van Limborch, 17 May 1698.

allay tory criticism. When Convocation was called in 1701, the criticisms levelled at Burnet's *Exposition of the thirty-nine articles* (1699) focussed on fears that the bishop's expositions would 'gratifie ye Socinians & Deists'; Burnet had correctly recognised the need to emphasise a distinction between latitudinarianism and heterodoxy, though his efforts were not enough for Convocation.¹⁰⁹ The Blasphemy Act helped William's bishops shield themselves from high church attack, while fortifying their own interpretation of Trinitarianism in the process.

V

Perhaps the most interesting use of the language of blasphemy, however, is that on display in court propaganda of a more political and less ecclesiastical nature. After the resignations of Trumbull and Sunderland in December 1697, the balance of the ministry had shifted in favour of the whigs to an unprecedented extent.¹¹⁰ Lord Chancellor Somers was William's closest advisor in 1698, and it was evident to all that he and his Junto supporters were responsible for unpopular court moves against disbandment; in Robert Harley's words, they were left 'very naked'.¹¹¹ It is difficult to identify a united court whig stance on blasphemy. We know that both court and country whigs supported the Bill, though court whigs were also prominent amongst its opponents. If we focus on the figures who were closest to the heart of the Junto, the picture continues to be mixed. Charles Montagu and his ally John Smith were both involved in the effort to delay discussion of the Bill through the rider of 30 March. The former did this on at least the 'pretence' of wanting the amendment improved by further discussion; the latter openly announced his

¹⁰⁹ Grieg, 'Heresy Hunt', p. 587.

¹¹⁰ H. Horwitz, *Parliament, policy and politics in the reign of William III* (Manchester, 1977), p. 225–8.

¹¹¹ *Ibid.*, p. 229. Shrewsbury was too unwell for regular business; R. H[arley] to [Sir Edward Harley], 1 Jan. 1697/8, *The manuscripts of His Grace the Duke of Portland* (8 vols., London, 1891–1907) iii. 594.

hope that this way the Bill might ‘silently dye’, without MPs having to directly vote down such a sensitively-named measure.¹¹² By contrast, noted court whig manager, Lord Coningsby, actively promoted the Bill.¹¹³ But however ambiguous the stance of court whigs in Parliament, it is clear that court whig propagandists saw an opportunity to paint proponents of disbandment as blasphemers.

The standing army debate presented court whiggery with something of a crisis of legitimacy. Somers emphatically claimed that he was ‘far from the Thought of a Standing Army’ and merely wanted Parliament ‘to keep up a reasonable Force from Year to Year’ while it remained necessary for defence.¹¹⁴ The Junto argued that it was not un-whiggish to support the monarch’s prerogative; the whigs of the Exclusion Crisis had always fully supported the prerogative of a true, Protestant monarch. From this line of thought, a distinct court whiggism was born, which would reach fruition in the works of Walpole’s propagandists.¹¹⁵ Nonetheless, comparisons to the standing armies of William’s Stuart or Commonwealth predecessors were easily drawn, leaving them open to old whig charges of hypocrisy.¹¹⁶ Trenchard’s *Short history of standing armies* (1698) emphasised this comparison, addressing his work ‘to those who were once call’d Whigs’.¹¹⁷ In this context, any chance to sow division in the ranks of the country alliance was appealing, and

¹¹² BL, Add. MS. 72481, fo. 145r–v, Dolben to Trumbull.

¹¹³ Bodl., Carte 130, fo. 389v, which also lists court whig Sir Charles Sedley as a supporter. For Coningsby and Sedley, see *HP*, iii. 682 and v. 398. Another court whig supporter of the Bill was Lord Cutts, who declared ‘with extraordinary zeal’ that ‘he would defend it with his sword in the field as he had done [with] his tongue in the House’, see BL, Add. MS. 72481, fo. 145v; Hayton, ‘Moral Reform’, p. 69.

¹¹⁴ [Lord Somers], *A letter ballancing the necessity of keeping a land-force in times of peace, with the dangers that may follow on it* (London, 1697), p. 3.

¹¹⁵ S. Targett, ‘Government and Ideology during the Age of Whig Supremacy: The Political Argument of Sir Robert Walpole’s Newspaper Propagandists’, *Historical Journal*, xxxvii (1994), pp. 289–317.

¹¹⁶ D.W. Hayton, ‘The “Country” Interest and the party system’, in *Party and Management in Parliament, 1660–1784*, ed. C. Jones (Leicester, 1984), pp. 57–8.

¹¹⁷ [John Trenchard], *A short history of standing armies in England* (London, 1698), p. 46.

court whig propagandists did not miss the opportunity to emphasise the fractures in the country opposition revealed in the blasphemy debates.

Several anti-disbandment pamphlets present the enemies of court whig efforts in Parliament as malicious. The old whigs are described as full of ‘Spleen’, propagators of ‘malicious insinuations’, and never satisfied: as Daniel Defoe put it, ‘should King Jesus reign, they’d Murmur too’.¹¹⁸ Arguing on behalf of Somers, Defoe wrote scathingly about the old whig ‘cabal’ throughout his *Brief reply to the History of standing armies* (1698). His main arguments are political and economic, making the claim that a standing army was necessary for the defence of a modern commercial nation.¹¹⁹ Less often noted, however, is the religious distinction Defoe draws between the modern and old whigs. He claims that the latter are ‘all of them maintainers of the most infamous Heresie of Socinus’ who ‘bid defiance to the Son of God on the one hand, and to the King and Government on the other’.¹²⁰ He directly associates these heterodox beliefs with disbandment: ‘That their Blasphemy might go hand in hand with their Politicks, they Publish’d two Socinian books, and two books against the Army, almost together.’¹²¹ We can see the strategy even more clearly in an anonymous pamphlet entitled *Reflections on the Short History of Standing Armies* (1699). After criticising the morals of John Toland, ‘a person whom his Native Country hath vomited out for his Odious Heresies’, the author goes on to describe Toland’s old whig associates too as ‘Socinians’. Putting it explicitly, the author continues as follows:

¹¹⁸ [Anon.], *The Case of a Standing Army Free and Impartially Stated...* (London, 1698), pp. 5 and 2; [Daniel Defoe], *A brief reply to the History of standing armies in England...* (London, 1698), sig. A2r.

¹¹⁹ L. Dickey, ‘Power, Commerce and Natural Law in Daniel Defoe’s Political Writings 1698–1707’, in *A Union for Empire*, ed. J. Robertson (Cambridge, 1995), pp. 64–75.

¹²⁰ [Defoe], *A brief reply*, p. 24.

¹²¹ *Ibid.*

The Liberty they plead for is meer Licentiousness, and it may perhaps be worth the inquiry whether the act against Blasphemy, and Prophaneness Last Sessions, hath not prompted them by this means to seek a Revenge on the Nation... [and] his Majesty that sign'd it.¹²²

Opposition to the Blasphemy Bill became proof that the heterodox old whigs were unpatriotic and no true protectors of English liberty. Court propagandists aimed to drive a wedge between members of the ostensibly united country opposition, reminding moral-reform-minded MPs that some of their most vocal disbandment allies had been their opponents over blasphemy. A court pamphleteer known as 'R.E.' emphasised these disagreements in his *Remarks on The life of Mr. Milton* (1699), in which he describes Toland as 'enraged' and 'so angry... at the English Presbyterians, for concurring last Sessions of Parliament to have Penal Laws enacted against Socinians'.¹²³ Toland was indeed angry, decrying Presbyterian support for the Blasphemy Act in multiple pamphlets.¹²⁴

The next step of the court whig polemic was to suggest that any who allied with the old whigs on disbandment were complicit in furthering anti-religious ends. Nowhere is this move clearer than R.E.'s preface, which offers an unflattering typology of the standing army's parliamentary opponents. The pamphlet first deals with the tories, smearing them with the tar of Jacobitism:

¹²² [Anon.], *Reflections on the Short History of Standing Armies in England...* (London, 1699), pp. 17–18.

¹²³ R.E., *Remarks on The life of Mr. Milton, as publish'd by J.T.* (London, 1699), pp. 50 and 18.

¹²⁴ John Toland, *The Life of Milton* (London, 1699), p. 78; id., *Governing by Partys*, pp. 26–7.

we have seen the Church of England not only deserted, but accused of Apostacy by some who pretended to be her most Zealous and Dutiful Sons, meerly because she hath Recogniz'd the Title of a Prince who generously rescued her from the devouring Jaws of Popery.¹²⁵

Thus the stage is set for the second group, the country whigs, to be accused of hypocrisy and collusion with the tories to undermine William's rule:

And at the same time... many of those from whose Mouths nothing was to be heard but Complaints of an insupportable Tyranny in former Reigns, ingratefully joyn with those who were the Tools and Promoters of it [the tories], to make the Throne of a King, who Gloriously knock'd off our Fetters, unstable and uneasie.¹²⁶

Finally, a third group, the 'Socinians' (i.e. Toland and the old whigs) joined in, having spotted an opportunity, unwittingly created by the alliance of the first two groups, to subvert Christianity:

And now... a third Party is taken into the Combination, who, under pretext of joining with them, to assert our Liberty, not only strike at the Foundation of the Civil Government, but have boldly laid the Axe to the Root of the Tree, and avowedly endeavour the subversion of the Christian Religion dealing their Blows indifferently amongst those of the Church of England and Dissenters.¹²⁷

¹²⁵ R.E., *Remarks*, sigs. A2v–3r.

¹²⁶ *Ibid.*, sig. A3r.

¹²⁷ *Ibid.*, sigs. A3r–v.

The pamphlet targets both high church Tories and the mostly Presbyterian moral reformers. The former would not have wanted to be thought closet Jacobites; the latter would have not wished to be seen as helping Jacobites. Most importantly, neither wanted to be associated with anyone working for the ‘subversion of the Christian Religion’. The country opposition in this narrative became an alliance of Jacobites and Socinians, while William championed true Protestant liberty. The rhetoric of liberty for which the country opposition are so famous was turned back against them by means of the religious divisions revealed by the Blasphemy Bill.

The anonymous *Reflections* also distinguishes heterodox old whigs, who are called a ‘Club of Factious Dissenters’, from the more respectable Presbyterians, who have very separate interests: indeed, the author suggests that the old whigs are working together with ‘a crew of Violent Churchmen’ to ‘run down the Presbyterians, as if the Nation were only in Danger from them’.¹²⁸ Efforts to court MPs with Presbyterian sympathies may have had some success. Sir John Philipps was a notable late apostate from the country opposition, citing the fact that ‘10,000 men can do no more hurt than 7,000’; while this statement makes no mention of religion, it certainly belongs to a man unconvinced by the old whig definition of liberty.¹²⁹ Toland thought the ploy had worked, complaining that the dissenters had been ‘a little too much courtiers of late... witness their being last year almost all for the standing army, and for other invidious points’. Claiming to be quoting an ‘eminent’ acquaintance, Toland offers the forthright conclusion ‘That the Dissenters are the Tories of this Reign’.¹³⁰

¹²⁸ [Anon.], *Reflections*, p. 10.

¹²⁹ Salwey Winnington’s notes record Philipps citing ‘all the inconveniences our neighbours have suffered’, a comment too cryptic to make much of. Quoted in *HP*, v. 139.

¹³⁰ Toland, *Governing by Partys*, p. 28.

The proponents of disbandment tried to counter this religious case. One pro-disbandment pamphleteer reminded readers that the truth of the argument, not the religion of those making it, should be the point under consideration: ‘to bring it in as matter of Religion... is very impertinent’.¹³¹ Trying to turn the argument back on the court, the pamphleteer correctly notes that many of those who had been ‘for the Standing Army, and most part of the Courtiers’ had themselves opposed the Blasphemy Bill.¹³² However, the language of blasphemy was not easily countered. Presumption and pride – those characteristics so fervently decried in blasphemy literature – were easily turned into defining characteristics of the old whigs. One pamphlet suggested that the old whigs had taken from ‘Mr. Hobbs’ the belief that they could judge good and bad for themselves without help from divine grace.¹³³ This may have been a barb aimed at Lord Ashley, the future third Earl of Shaftesbury, a conspicuous member of old whig circles though also a friend of Somers and many courtiers. In 1698, Ashley published an edited selection of sermons by Benjamin Whichcote (1609–88), chosen, he tells us, for their emphasis on ‘Good-nature’ and ‘Natural Affection’, an antidote to the ‘Atheistical’ Hobbes, who ‘in the place of other... good Inclinations... substituted only one Master-Passion, Fear, which... devour’d all the rest’.¹³⁴ According to court whig pamphleteers, however, it was the old whigs, who were the heirs of Hobbesian malice. Shaftesbury, whose works are a continuous meditation on the contradictions between court and country whiggisms, would become disenchanted with old whig opposition to the standing army, and with Toland in

¹³¹ [Anon.], *Some further considerations about a Standing Army* (London, 1699), p. 6.

¹³² *Ibid.*, p. 7.

¹³³ [Anon.], *A true account of land forces in England* (London, 1699), p. 5.

¹³⁴ [Lord Ashley], ‘Preface’ to Benjamin Whichcote, *Select sermons of Dr. Whichcot* (London, 1698), sigs. A5v and A5r.

particular; he broke off his patronage of the controversial pamphleteer in 1703, complaining of his ‘prophane and loose ways’.¹³⁵

The charge of presumptuousness was also used to accuse the whigs of usurping powers of government: one pamphlet includes a vignette in which the old whigs ‘model the Government and regulate the Affairs of the Nation in a Club Room... with as much assurance as if they were all Privy Counsellors’.¹³⁶ Here we start to glimpse the constructive side of court propaganda; as well as a destructive tool to undermine the old whigs, the language of blasphemy helped develop the moral foundations of court whiggery. In previous reigns, court propagandists argued, it was the court that had been malicious and ‘aim’d visibly at the Subversion of Religion and Liberties’; William’s righteous, Protestant government, however, presented no such risk. ‘Can malice itself say any such thing of this government?’ asked one court whig pamphleteer.¹³⁷ Malice – in old whig, heterodox form – might, but reasonable Trinitarians, dissenting or orthodox, would recognise that the court whigs were true promoters of religion and liberty.

Court whigs took advantage of the flexibility contained within the language of blasphemy. The presumptuous, malicious blasphemer was the only category of person who could never be forgiven by God, and thus – for the Christian citizen – the only category of person with whom it was truly impossible to work politically. This was seemingly the ultimate tool of exclusion, used to define threatening individuals out of society and set a minimum moral standard for civic participation. Strangely, however, this sectarian language could also be one of inclusion, for the criteria needed to qualify as a member of the in-group of non-blasphemers was in some sense very low. To know you

¹³⁵ Shaftesbury to John Wheelock, 27 Nov. 1703, quoted in J.A. Downie, *Robert Harley and the Press* (Cambridge, 1979), pp. 89–90; see also H. Heinemann, ‘John Toland and the Age of Enlightenment’, *Review of English Studies*, xx (1944), pp. 132–7.

¹³⁶ [Anon.], *The Case of a standing army army [sic] fairly and impartially stated* (London, 1698), sigs. A2r–v.

¹³⁷ [Anon.], *Reflections*, p. 7.

were not blaspheming, you only needed to know yourself not to be acting maliciously; and this you could know simply by examining your own conscience. At the core of the seemingly absolute language of blasphemy was a tension, rooted in the fundamental principles of Calvinism. You needed both to strive to shape your own and your fellow citizens' behaviour in a godly direction. Yet you also needed to avoid being excessively presumptuous in assuming you were yourself a good guide to godliness. The cry of pride, presumptuousness, malice and, in its most extreme form, blasphemy, could plausibly be levelled against any effort to impose religion on society without due authority. The concept of blasphemy, therefore, could become a useful tool of court whig erastianism, suggesting that too much questioning of the military basis of the state was a sure sign of malice. In some sense, the accusation of blasphemy was dulled by such flexibility: if it could be applied to anyone, it could apply to everyone. But the emerging court whig position went beyond relativism. Opposition to malice was fitted alongside an emphasis on ideas of charity, a concept given great prominence by William's leading bishops. For Burnet, the Blasphemy Bill was acceptable, because it would only be used against the malicious. The fact that no convictions were ever brought under the Blasphemy Act fits neatly into this worldview; someone acting out of charity would not chase all possible convictions, but rather hope, like Burnet, that the Act would encourage self-censorship.

VI

Though in the 1690s the language of blasphemy helped lend legitimacy to court whiggery, this did not mean court whigs had any loyalty to the particular terms of the Act. Interest in the Act revolved around its status as a convenient propaganda tool; the viability of the Bill was not a matter of great concern. This may explain why the Bill was never toughened up despite obvious flaws. There were attempts, such as the bill

introduced to the Lords in 1721, drafted by the then Archbishop of Canterbury, William Wake.¹³⁸ Under George I, however, the arguments martialled by the court whigs of 1698 were less useful. The battle against Convocation was already won; Whig erastianism had won out, and there was no longer lay political will for stronger legislative defence of the Trinity. Thus, in the early days of the court whig dominance which would last into the 1750s, the ministers, to Wake's surprise, came out against his Bill, and it was resoundingly defeated.¹³⁹ Wake, treading the path of those who had triumphed in 1698, had argued that his Bill did not contravene the Toleration Act, reminding Parliament that in the 'very foundation' of the Act of 1689 'care was taken that no Dissenters (no, not the Quakers) should be tolerated to the prejudice of these fundamental doctrines of the Trinity'.¹⁴⁰ The dominant political coterie, however, no longer had use for this argument.

For all the variety and longevity of the language of blasphemy, it is clear that by 1721 the rhetorical strategies of 1698 no longer had the same purchase. By 1721 there were new divisions to be reckoned with, including the more openly heterodox forms of nonconformity revealed in the Salters' Hall debates of 1719, a development with which conforming Presbyterians like the Harleys were deeply uncomfortable. The Act of 1698 had been born of a particular moment, when Williamite bishops needed a response to tory Convocation men. It also reflected the desire of William's bishops not to cede religious authority to the moral reformers. The Blasphemy Act shows that in 1698 religious politics was splintered into more groups than a binary division into competing whig and tory

¹³⁸ Parl., HL/PO/JO/10/6/318, 'Bill for the more effectual suppressing of Blasphemy and Profaneness', 29 Apr. 1721. This Bill proposed sanctions for writing or speaking against God's existence, the divinity of Christ, the Trinity, the truth of revelation, the scripture's divine inspiration or otherwise denying the Thirty-Nine Articles; dissenters propagating anti-trinitarianism; and clergyman or dissenters who refused to subscribe to a statement of orthodoxy set out by an appropriate authority. See also N. Sykes, *William Wake, Archbishop of Canterbury, 1657–1737* (2 vols., Cambridge, 1957), ii. 135–6.

¹³⁹ Sykes, *Wake*, ii. 138.

¹⁴⁰ *Ibid.*, ii. 137.

political ecclesiologies would suggest. Forging a working political force out of such a divided political world was the major challenge of the post-1688 period, and one which neither whigs nor tories, country nor moral reform managed to secure in the 1690s. However, we can see from the passage of the Blasphemy Act the extent of Robert Harley's achievement in broadening support for toryism beyond a narrow High Church base, and the contribution to court whig efforts which was made by William's bishops.

The cooperation of high church tories and dissenters in the 1690s suggests that toryism, far from being a backwards or static ideology, less flexible than its whig competitor, had much life in it. The Toleration Act created opportunities for Presbyterians and tories to cooperate. Perhaps it was the comfort of a tory-sympathising monarch on the throne that scuppered this nascent coalition which seemed so dynamic in 1698. While the tories had felt under siege, the more destructive elements of their zeal against dissenters could be contained. The first decades of the eighteenth century, however, saw the disadvantages of religious zeal writ large in unrest in- and outside Parliament. Such extreme zeal played into the hands of court whig pamphleteers, who had been trying since the 1690s to portray the extreme wings of both the high and low church as malicious, intent on upsetting post-1688 stability and returning to the factious extremes of the previous century. In the hands of court whig pamphleteers, the language of blasphemy thus became a defence of the court whig version of moderation.

The 1690s was a period of kaleidoscopic mixing up of old party allegiances and political alignments. The revolution of 1688 inaugurated substantial changes to the political landscape, which left both whigs and tories needing to reformulate their positions. It was not clear in 1698 that a court whig interpretation of the religious glue that held society together would triumph. Harley too offered a plausible version of moderation, posing a challenge on similar polemical grounds. For a time at least, the tories, as much as

the whigs, could have been the party that forged a longstanding religious compromise. The blasphemy debates of 1697–9 reveal a more accommodating face of post-1688 toryism, and a more religious face of Williamite court whiggery.

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TABLE TO BE INSERTED:

Note to typesetters: the group's names ('Old whigs', 'Court whigs' etc) are underlined; there are multiple footnotes within the table.

Supporters	Opponents
<u>Whigs with links to Trinitarian dissent</u> ¹⁴¹ Dissenters: Sir John Elwill, ¹⁴² Edward Harley. ¹⁴³ Familial tradition of dissent: Samuel Ogle, ¹⁴⁴ Sir Richard Onslow, ¹⁴⁵ Sir John Philipps. ¹⁴⁶ Sir Eliab Harvey ¹⁴⁷ is a slightly anomalous case: he also had a tradition of dissent in the family, but by 1698 is better described as tory than whig. ¹⁴⁸	<u>Old whigs</u> ¹⁴⁹ Robert Molesworth ¹⁵⁰ , Sir Robert Clayton ¹⁵¹

¹⁴¹ For MPs' links to Trinitarian dissent, see Appendix xi of *HP* i; Hayton, 'Moral Reform', p. 75. Comparable figures attested by correspondence:

Robert Harley: see *HP*, iv. 257.

Also attested by correspondence is support for the Bill from some court whigs without substantial links to dissent:

Lord Cutts: see B[ritish] L[ibrary], Add. MS. 72481, fo. 145v.

Sir Charles Sedley and Lord Coningsby: see Bodl., Carte 130, fo. 389v.

For the significance of these cases, see discussion below.

¹⁴² Definite, 30 Mar. 1698, *CJ*, xii. 183.

¹⁴³ Appointed to draw up bill that became the Blasphemy Bill, 26 Feb. 1698, *CJ*, xii. 132.

¹⁴⁴ Definite, 30 Mar. 1698, *CJ*, xii. 183.

¹⁴⁵ Ambiguous, telling opposite definite opponent Colt, 12 Mar. 1698, *CJ*, xii. 155.

¹⁴⁶ Appointed to draw up bill that became the Blasphemy Bill, 26 Feb. 1698, *CJ*, xii. 132.

¹⁴⁷ Ambiguous, telling opposite definite opponent Colt, 12 Mar. 1698, *CJ*, xii. 155.

¹⁴⁸ Further discussion of Harvey below.

¹⁴⁹ Implied by correspondence: Walter Moyle: see Moyle to [Anthony Hammond], 26th Jan. 1698/9, *The Whole Works of Walter Moyle*, eds. A. Hammond et al. (London, 1727), pp. 240–41.

¹⁵⁰ One ambiguous, one definite, 24 and 30 Mar. 1698, *CJ*, xii. 177 and 183.

¹⁵¹ Definite, 30 Mar. 1698, *CJ*, xii. 183.

<u>High church Tories</u> ¹⁵²	<u>Court whigs</u> ¹⁵⁸
Sir Robert Burdett, ¹⁵³ Sir Robert Davers, ¹⁵⁴	Sir Henry Colt, ¹⁵⁹ Henry
Francis Gwyn, ¹⁵⁵ Sir John Kaye, ¹⁵⁶ and John	Heveningham, ¹⁶⁰ Sir Henry
Tredenham ¹⁵⁷	Hobart ¹⁶¹

¹⁵² From correspondence:

Sir Gilbert Dolben and Sir William Trumbull: see BL, Add. MS. 72481, fo. 145r.

Sir Edward Seymour and John Grobham Howe: see Bodl., Carte 130, fo. 389v.

Thomas Rowney: see Bodl., MS. Ballard 38, fo. 186r. Rowney was educated at a dissenting academy, alongside Robert Harley, see *HP*, v. 112.

¹⁵³ Two ambiguous, telling opposite definite opponents both times, 24 Mar. and 18 May 1698, *CJ*, xii. 177 and 276.

¹⁵⁴ Definite, 30 Mar. 1698, *CJ*, xii. 183.

¹⁵⁵ *Ibid.*

¹⁵⁶ Ambiguous, telling opposite definite opponent Colt, 18 May 1698, *CJ*, xii. 276.

¹⁵⁷ Ambiguous, telling opposite definite opponents Colt and Molesworth, 24 Mar. 1698, *CJ*, xii. 177.

¹⁵⁸ From correspondence: Charles Montagu, John Smith and William Lowndes: see BL, Add. MS. 72481, fo. 145r–v.

¹⁵⁹ One definite, three ambiguous, 12, 24, 30 Mar. and 18 May 1698, *CJ*, xii. 155, 177, 183 and 276.

¹⁶⁰ Ambiguous, telling alongside definite opponent Colt, 12 Mar. and 18 May 1698, *CJ*, xii. 155 and 276.

¹⁶¹ Definite, 30 Mar. 1698, *CJ*, xii. 183.