



LIBRARY

OF THE

Theological Seminary,

PRINCETON, N. J.

BV 630 .H6

(Hovey, Alvah, 1820-1903.

s Religion and the state

l





RELIGION AND THE STATE.

PROTECTION OR ALLIANCE?

TAXATION OR EXEMPTION?

BY *ALVAH HOVEY, D. D.,*

PRESIDENT OF "NEWTON THEOLOGICAL INSTITUTION."



BOSTON :
ESTES AND LAURIAT :
143 WASHINGTON STREET.
1874.

Entered, according to Act of Congress, in the year 1874,
BY ESTES AND LAURIAT,
In the Office of the Librarian of Congress, at Washington.

BROWN TYPE-SETTING MACHINERY, 40 HANOVER STREET.

P R E F A C E .

When passing through England, from Liverpool to Hull, a dozen years ago, the writer saw, in a succession of country towns, large placards advertising a certain newspaper, as "the only one in the kingdom which gives all sides of every question." Many thoughts were started by this clever notice. It was the perfection of boasting: but it was more; it was suggestive of the wisdom of looking at the great problems of life from as many points of view, and with as many eyes as possible, before pronouncing them solved.

Of these problems few are worthy of more earnest and impartial study than the one discussed in the following pages. And the hour has come when this investigation must be made. A journal that could "give all sides" of this one question in the manner best suited to enlighten the people, and lead them to wise action, would have a great number of readers in every State of the Union. A volume that should do this within a reasonable compass, would merit the attention of all who speak the English tongue.

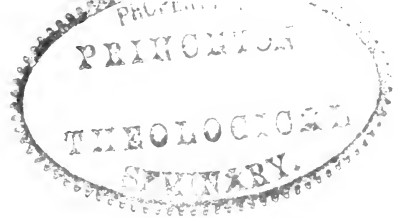
In the discussion which follows, the reader is called to look at only a few aspects of the connection between Church and State, and at these aspects from only certain points of view,

namely : those which are thought to be the most elevated and helpful to perfect vision. The principal relations of government to religion are examined in a spirit of loyalty to both ; and, if the position maintained is right, these relations should be made the same in every land, at the earliest moment practicable. Should the discussion contribute in any measure to a proper solution of the great problem under examination, it will accomplish the desire of the Author.

NEWTON CENTRE, March 5, 1874.

CONTENTS.

<i>PREFACE</i> - - - - -	5
<i>INTRODUCTION</i> - - - - -	7
<i>THE KINGDOM OF CHRIST</i> - - - - -	9
<i>THE STATE</i> - - - - -	19
<i>PROTECTION OF LIFE BY THE STATE</i> - -	35
<i>PROTECTION OF LIBERTY BY THE STATE</i> -	47
<i>THE LORD'S DAY</i> - - - - -	60
<i>THE BIBLE IN SCHOOLS</i> - - - - -	80
<i>PROTECTION OF PROPERTY, ETC.,</i> - - -	93
<i>CHARITABLE ESTABLISHMENTS</i> - - - -	111
<i>GENERAL OBSERVATIONS</i> - - - - -	127
<i>FURTHER REMARKS</i> - - - - -	147
<i>RÉSUMÉ</i> - - - - -	164



INTRODUCTION.

The following discussion was published about three years ago, in a series of articles, by a leading religious paper of New York.* Naturally, therefore, the course of thought was adapted in some measure to those who were expected to read it; that is, to Christian men and women of a particular denomination. The writer cannot see that any important end would be gained by attempting to obliterate all traces of that original adaptation, especially as no sectarian aim was followed at the time. As then stated, the object of the discussion was not to make out a case either for or against any body of Christians, but to ascertain, if possible, whether

* The Examiner and Chronicle.

Christian churches or denominations should seek from the State anything more than protection in the exercise of their natural rights. Now, as then, it is addressed primarily to those who believe in the Christian religion as true; hence it assumes the truth of that religion, and only seeks to convince those who love and honor it of the impropriety of asking assistance from the State in maintaining it.

RELIGION AND THE STATE.

THE KINGDOM OF CHRIST.

A discussion of this subject must naturally begin with the kingdom of Christ upon earth. For the laws of this kingdom are definite and supreme. One is required to forsake all, if need be, that he may obey them; houses and lands, father and mother, wife and children, are to be relinquished, rather than Christ and his truth. Although the general duty of subjection to "the powers that be," or the laws and rulers of the State, is very sacred, it cannot be urged as a valid excuse for disregarding the Lord's requirement to confess Him before men. It was therefore the duty of the Apostles

to preach the good news of salvation through Christ, though forbidden to do this by "the highest human authority to which they could have felt that they owed allegiance," and even to say boldly, in presence of this great court: "It is right to obey God rather than men." And this fact of a higher law for the Christian, of a paramount duty on his part to be a loyal and obedient subject in the kingdom of Christ, affords a strong presumption that, kept within their proper spheres, and directed to the attainment of their distinctive ends, the authority of Christ and that of the State will never come into collision. And this is equivalent to saying that their spheres, and aims, and methods are very distinct; that the kingdom of Christ is on a different and higher plane than the State.

It was this fact that made it so hard for the Jews of our Saviour's time to see in Him the promised Messiah. For they were expecting a restoration of the theocracy, a perfect and final

union of Church and State, religion being sustained by the civil power, and the civil power sanctified by religion. They were looking for One to fill the vacant throne of their royal line, who should unite the heroism of David with the wisdom of Solomon, and by an era of conquest usher in an age of peace; who, as the favorite of Jehovah and the pride of all the people, should bear, like the Pope in other days, two swords—the temporal and the spiritual—and lead the nation to victory over the Gentiles, as well as to holier worship in Zion. It is not therefore surprising that many welcomed the harbinger of Christ preaching repentance, and listened without offence, though not without wonder, to the Sermon on the Mount, but turned away from Jesus with contempt when He refused to wear an earthly crown. Nor is it altogether unaccountable that the chosen twelve, who were the daily companions of the Lord, expected, until the

very hour of his betrayal, that He would yet be a temporal prince, uniting divine authority with human, the sanctions of religion with the power of the sword, and making his kingdom one of this world. It was extremely difficult for them to receive the idea of a spiritual dominion resting on the power of grace and truth.

But it was such a kingdom, on a plane far above that of any earthly authority, that Christ came to establish. It was such a kingdom that He professed to rule, in his language to Pilate:

“My kingdom is not of this world; if my kingdom were of this world, my servants would fight. I am a king. To this end have I been born, and to this end am I come into the world, that I may bear witness to the truth. Every one that is of the truth, heareth my voice.”

Pilate was convinced by the divine bearing and candor of Jesus, that whatever might be his authority, whether real or imaginary, it

pertained to religion, and not to the State; it rested in no degree upon secular power, and contemplated in no case an appeal to the secular arm. And this testimony of Christ was in absolute harmony with the whole tenor of his life and teaching. He took no step to connect his cause with the State as such. He threw out no hint of its needing the support of the civil power. He provided for no statesmen or soldiers to carry on his work, but only for preachers and teachers. Had not the Jews been strangely tenacious of their belief, and strangely blind to the spirit of Jesus, they would have perceived, much sooner than they did, that his dominion over men must ever be spiritual, no imaginable state of affairs being likely to make Him accept an earthly crown.

And his Apostles came at last to understand this. By the death, the resurrection, and the ascension of Christ; by the outpouring of the Spirit on the day of Pentecost, and the light

of inspiration added to that of providence, they were made to know that their Lord's dominion was not civil and national, but spiritual and universal; not of this world and sustained by force, but from above, and supported by grace; and to comprehend the new and great fact that, though engaged in a fearful conflict, the weapons of their warfare were not carnal, but mighty through God to casting down strongholds, and bringing every thought into captivity to the obedience of Christ. And one of them, writing to the Ephesian saints, utters, in view of their spiritual foes, this stirring cry:

“Wherefore take unto you the whole armor of God, that ye may be able to withstand in the evil day, and, having done all, to stand”—going on then to enumerate in terms of blessed confidence the parts of this divine panoply for the Christian. All of them may be embraced in four words, Christian character and Chris-

tian truth. Without the former, his readers were sure to be betrayed by traitors within; and without the latter, they were in danger of being put to shame by external foes. But armed with grace and truth from Him who has infinite store of both, they are able to repel every assault, and win from seeming defeat real victory.

The records of history justify this language. For the rage of paganism, fierce as a bear robbed of her whelps, the scorn of philosophy, falsely so called, the sword of the State wielded by the fanaticism of a perverted Church, and the pride of natural science, soaring with untried wings into the heights of speculation, have been met, one after another, and put to shame by the simple majesty of Christian character and Christian truth.

Indeed, these are the only weapons with which they have ever been successfully met. They are weapons of celestial origin and tem-

per, not made with hands, but given by the Lord of life; and therefore are they certain to prevail over those of grosser material, fashioned by the skill of man.

The lesson from all this would seem to be, that the kingdom of Christ is independent of the State, ruling in a higher sphere and with a view to higher interests, having laws and forces of its own that agree in character and work in harmony towards the same great end, and that any attempt to unite the two must be fraught with peril to the higher, if not to the lower.

Most manifest is it that the higher has no need of direct assistance from the lower in accomplishing the ends for which it was established among men; and that any admission of the lower into its proper domain and work, will soil its purity and weaken its power.

But the reader may be saying in his heart, Why this protracted account of the kingdom

of Christ? For no one, who understands the first principles of the Christian faith, can doubt the spirituality of that kingdom. In origin, nature, power and aim it is spiritual; and a fact so thoroughly comprehended and universally believed might safely be assumed in this discussion. Perhaps it might; but there is sometimes pleasure and profit in reviewing accepted truths.

The vision is often cleared by looking at the springs of faith, the simplest, deepest, most fruitful germs of a divine creed. Line upon line is the wisdom of God on this point; for in the conflict of life even good men are liable to forget their principles. Having applied them to a certain extent, as far, it may be, as their own safety or success requires, they are in danger of being satisfied with this, and making little effort beyond.

The most faithful and consistent advocates of soul-liberty have ever been those who were

suffering under religious oppression. If his own ox be not gored, the farmer rests in peace. And if the more remote and less obvious applications of a principle might forbid men to accept a present good, their attention is very apt to fix itself on the supposed good, to the neglect of the principle that might interfere with its attainment.

But the conduct of life ought surely to be controlled by principle rather than by policy; and therefore, when attempting to answer great questions of duty, it is uniformly wise to go back and look at elementary truth. Hence it was felt that the present discussion must begin with a glance at the nature of Christ's kingdom on earth, in order to consider, in the next place, with advantage, the nature and ends of human government, or the State.

THE STATE.

For the purposes of this investigation, it will be safe to assume that civil government is ordained of God. This fact is, indeed, plainly asserted by the Apostle in his letter to the Romans. But apart from that assertion, it may be affirmed with entire confidence by every one who believes in the existence of God; for it is distinctly revealed by the light of nature.

The Maker of man has testified, by the powers and instincts given to men, that they were meant for society; were meant for intercourse, companionship, and sympathy; not for solitude. The marvellous power of speech is of itself proof enough of God's design in this

respect. But human society presupposes human government. A slight study of either the nature or the history of mankind, will convince the most skeptical that without civil authority, the evil will trample on the good, and anarchy prove itself even worse than solitude.

The State is therefore of God, in the same sense that labor is of God. It is a law of nature, as well as of revelation, that he who will not work, neither shall he eat; and it is equally a law of nature and of revelation, that men who will not sustain and obey civil government, shall perish. In both cases there may be exceptions to the rule; but in both cases the rule is divine.

Yet no particular form of government is prescribed by the Word of God; or, so far as now appears, by the voice of reason. Probably no one form would be best for all nations at all times; for it must be admitted that the intelligence and virtue of the people differ very

greatly in different ages and nations, while certain forms of government seem to require more knowledge, virtue and stability in the masses than are required by others.

France has not yet shown herself to be prepared for republican institutions, like those which have been so great a blessing to the American people. All, then, that can be said without qualification, is this: That form of government is best for any nation which accomplishes best the ends which it ought to seek. Adaptation to secure its proper ends is the highest, if not the only, proof of its excellence.

But what are the legitimate ends of human government? Three answers have been given to this question, supported by three views of government, which may be called, for convenience, the Roman, the Paternal, and the Protective. The first regards the people as means, the second as minors, and the third as men.

According to the Roman view, the State may

be called its own end. The people are looked upon as springing from the State, belonging to the State, and invested with all their rights by the State. Though itself invisible, and perhaps ideal, the State is represented by the rulers of the people, and therefore this fraction of the intelligence and conscience of the nation has primarily all the rights pertaining to the whole body. Such a theory needs no refutation; for by the greatest ingenuity of statement it can only be made to seem plausible, while it is rejected, notwithstanding, by the good sense of most men, as radically unsound.

According to the Paternal view, the government stands, as it were, *in loco parentis*, regarding the people as children and minors, to be controlled, educated, protected, and, if need be, supported. Almost anything which "the powers that be" deem useful to the masses, they may do. Food, clothing, study, recreation, work, worship, all may be regulated

by the State, provided it is done with a wise regard for the best good of the people. And this view strikes the fancy of many as exceedingly beautiful and reasonable. It is generally acceptable to royal families and the nobility. The late Emperor of the French had a strong leaning to it, and the Czar of Russia may be safely counted in its favor. It supposes rulers to be distinguished for wisdom and goodness, to be men of large intelligence and lofty virtue, quite undisturbed by local influences or the hot currents of partisan zeal.

But tested by the actual character of rulers, tested by what governments acting on this theory have done for the good of the people, tested by the position which it gives to the governed, and by the right which it claims to intermeddle with everything private and sacred on the plea of caring for the welfare of the minors under its charge, it does not commend itself to a thoughtful mind. It provides for

too much official control, and expects too little self-control; it puts the civil conscience too high, and the private conscience too low; it overrates the wisdom of rulers, and underrates the judgment of ordinary men. Such a theory must therefore be pronounced unsatisfactory.

According to the last, or Protective view, the chief end of the State is to guard the natural rights of the people, to render life, liberty and property secure in every part of its domain. It looks upon the people as men, and accords to them rights and duties which cannot be transferred to their rulers. It assumes that a true and full manhood can only be developed by self-control, self-culture, and the solemn discipline of grave personal responsibility; and therefore it leaves many important interests—indeed, all but those named above—to the care and enterprise of good men, acting freely, as conscience or benevolence may dictate. Above all, it shrinks from invading the

right of the individual soul to determine and fulfil, without the bias of State solicitation or constraint, its own duty to God. It admits that the sphere of religion transcends its control, and therefore restricts itself to the humbler task of protecting men in the exercise of their natural rights.

And this theory of the proper ends of civil government seems to be correct. It will be found, on careful reflection, to authorize as wide a range of legislative, judicial and executive action, as consists with the highest good of men.

But it is the privilege of Christians to seek light from the Word of God in respect to the ends of civil government; and though, as in the case of labor, they may discover less than is sometimes anticipated, their search will not be in vain. For there is at least one passage in the New Testament which treats expressly, if not fully, the point now in question—the

well-known and oft-examined passage in the Apostle's comprehensive letter to the Romans. In the translation of Dean Alford, it reads as follows:

“Let every soul submit himself to the authorities that are above him: for there is no authority except from God: those that be, have been ordained by God. So that he which setteth himself against the authority, resisteth the ordinance of God; and they that resist shall receive to themselves condemnation. For rulers are not a terror to the good work, but to the evil. Dost thou desire not to be afraid of the authority? Do that which is good, and thou shalt have praise from the same; for he is God's minister unto thee for good. But if thou do that which is evil, be afraid; for he weareth not the sword in vain: for he is God's minister, an avenger for wrath unto him that doeth evil. Wherefore ye must needs submit yourselves, not only because of the wrath, but

also for your conscience sake. For this cause ye also pay tribute; for they are ministers of God, attending continually to this very thing. Render to all their dues: tribute to whom tribute is due; custom to whom custom; fear to whom fear; honor to whom honor.”

This welcome paragraph furnishes inspired testimony to several important facts, *e. g.*: that civil government has been ordained by God; that its proper ends are the prevention or punishment of evil deeds and the praise of right conduct, that it should be obeyed and supported in and for the discharge of its duty, and that resistance to it (when not recreant to its appointed ministry) is a sin against God. But a closer scrutiny of the Apostle's language will reveal another fact, to wit: that it does not limit or define the sphere of the State's activity. It does not tell us whether the civil authorities should confine their efforts to repressing those evil works which infringe on

the natural rights of man, and to honoring, either directly or indirectly, those which do not, or whether they should extend their sway over the entire life of man, seeking to put down everything which they regard as evil, and to exalt everything which they esteem good. And, especially, it does not inform us whether the province of religion is, or is not, under the supervision and control of earthly magistrates.

But other portions of the Sacred Record do something to supply what is wanting in this, by virtually limiting the functions of civil government to the interests of time.

This is done, in the first place, by showing that other and ample provision has been made for the spiritual welfare of men. Attention was called to this on a former page, setting forth the nature of that provision, or the kingdom of Christ in the world; and the conclusion there reached may be applied here.

For as the Saviour has established a dominion by his Spirit and word over the souls of men, in their relations to God, it may be presumed that "the powers that be" are not entitled or qualified to rule in that sphere.

It is done, in the second place, by recognizing divine law as more sacred than human, and authorizing Christians to obey the former in preference to the latter. This is altogether natural, if the State has no right to shape the religious belief of the people or prescribe their worship of God; but it is somewhat perplexing, if the State is invested by the Most High with a right to do this very thing, and is but discharging its duty by doing it as well as it can.

And it is done, in the third place, by recognizing the fact that the soul can only be judged and punished by God. Even Paul did not rely on his own estimate of himself, and John more than intimates that the condemna-

tion of one's own conscience must be less searching and awful than that of Him who knoweth all things. He is the only judge of the Spirit. Fear him who can destroy both soul and body in hell.

Besides the words found in the thirteenth chapter of Romans, several other expressions deserve a moment's attention. Peter exhorts the readers of his first Epistle, saying:

“Submit yourselves to every ordinance of man, for the Lord's sake; whether it be to the king as supreme; or unto governors, as unto them that are sent by him for vengeance on evil doers, and praise of them that do well;” and this language is really equivalent to that of Paul, though showing more definitely the human origin of civil government, as well as its divine sanction. With these controlling passages may be compared Titus iii. 1:

“Put them in mind to submit themselves to governments, to authorities, to obey magis-

trates, to be ready to every good work." Obedience to civil rulers is a duty of Christians. But the functions of civil rulers are not universal; for Christ said to the Pharisees and Herodians:

“Render therefore to Caesar the things that are Caesar’s; and unto God the things that are God’s”; signifying, plainly, that there is a marked difference between the duties of men to civil rulers, and their duties to the Divine Being. Moreover, in case of conflict duties of direct service to God, duties pertaining to his spiritual kingdom take precedence of duties to human government. This appears from the words of Peter and John: “Whether it is right, in the sight of God, to hearken unto you more than unto God, judge ye. For we cannot but speak the things which we saw and heard.”

Again, Peter and the apostles said to the

Jewish Sanhedrim: "It is right to obey God rather than men." But there is no need of conflict, if each remain within its proper sphere.

While, then, the New Testament does not, for obvious reasons, prescribe to the State, in so many words, the proper sphere and limits of its action, it does intrust to the individual conscience the responsibility of acting for itself in matters of religion; it does make it the duty of Christian men to obey the commands of their spiritual Head, though forbidden so to do by earthly magistrates; and it does provide, without the agency of the State, for the spread of the gospel and the orderly existence of churches—for regular contributions to the poor, and every good work suggested by intelligent love.

In view of these facts, it is safe to affirm that the New Testament teaches nothing incompatible with the hypothesis that the single

and great end of human government should be the protection of men in the exercise of their natural rights, and the encouragement thereby of all good conduct in earthly affairs. Nay, more than this, it may be asserted, without fear, that questions of religious duty are fairly above the reach of State control, and should be left to God and his providence—to the Saviour and his people—to the power of truth and love, acting upon the untrammelled conscience. But whatever may be necessary to reach the great end of the State—whatever provision may be requisite, whether by the taxation or the instruction of the people, for its own support—it may rightly enforce; for as the means to an important end the State is sacred.

The view which has been given of the State will, it is hoped, commend itself to the great body of Protestant Christians in our land—and

especially to Baptists, who, as a denomination, have taken a prominent part in the assertion of personal religious liberty and responsibility. For, if correct, it will not only simplify the work to be done in the remaining sections of this discussion, but will be at the same time an index, pointing out the direct way to truth and duty, in many instances, at least.

PROTECTION OF LIFE BY THE STATE.

An attempt has been made in the previous discussion to set forth the true nature and ends, first, of the kingdom of Christ on earth; and next, of the State or civil authority. The former was found to be spiritual, seeking by the agency of divine grace and truth to bring men into right spiritual relations to God and one another, and to prepare them thereby for eternal life; the latter was found to be secular, seeking to protect men in the exercise of their natural rights—namely, those pertaining to life, liberty, and property—by awarding just punishment to all who trample on these rights, and consequent honor to all who respect them. But the reader will, of course, say: This is not

enough; a theory is one thing, the application of it is another: the former may seem plausible, or even beautiful; yet the latter may prove it worthless. And this remark, resting, as it may, on broad foundations of experience and history, is altogether reasonable. Yet it must be conceded that the task of illustrating satisfactorily the views of Church and State which have been presented, will be difficult on two accounts; first, because there is no people which has fully and consistently applied them, and secondly, because the points of junction and seemingly profitable alliance between Church and State are very numerous. Nevertheless, the difficulty of the task is no sufficient reason for declining to attempt its performance in the best manner possible.

Among the natural rights of man is that of life; and, therefore, life must be protected by the State. If it fails of doing this, it fails of accomplishing one of the chief objects for which

it exists. Yet this protection is due, not to Christians as such, nor to the supporters of any sect or religion, but to all the people who have not forfeited it by crime. The qualification made in the last clause is necessary, because there are crimes of which the just punishment is death—whether this punishment be inflicted as simple retribution, or as putting the culprit where he can never take the lives of other men, or as a warning to evil-doers, and so a preventive of crime in the future.

But if this may be done by way of prevention, it follows that the State has a clear and full right to prohibit the sale of any article for uses that needlessly imperil life. On this principle, the vending of poisonous drugs or inebriating liquors may be restricted, and the only questions to be answered before doing it are these: first, Is the danger to life so manifest and great as to call for the intervention of the civil power? and secondly, Is the civil

power able to make its restriction or prohibition respected? If these two questions can be answered in the affirmative, the case is one that requires governmental treatment; but if the answer to either is really doubtful, the danger should be met as well as possible by social and moral influences. Other rights of man, as those of liberty and property, may also be endangered by the sale of such articles as have been referred to, but the duty of protection from the State to these other rights will be examined hereafter.

On the principle of affording reasonable protection to the lives of the people, the State may restrict the practice of medicine, as a profession, to persons who have been properly educated; and this has been done, it is said with good results, in several countries. Whether any restriction of the kind is necessary in our own land is not within the province of this discussion to affirm or deny; but it is impor-

tant to show in a word the vast range of civil action upon the interests of man, even when that action is limited to the protection of natural rights.

It has already been remarked that the State should protect with equal care the lives of all the people. Hence there should be no "benefit of the clergy." The ministers of religion should be tried for crime before the secular judges, and no ecclesiastical court should be allowed to usurp the functions of the State and punish with the sword; for by so doing it would, to that extent, annul an ordinance of God. To shield the lives of the clergy by special means is also a wrong to religion itself, putting its friends at a great moral disadvantage in the end. For every privilege of the kind is a reproach to those who are presumed to need it. The history of our own government has demonstrated the wisdom of protecting the lives of all the people by the same laws and

courts. Christians and infidels of every name should be treated alike in this respect; nor will it be denied by American Protestants that, so far as life is concerned, the duty of the State is protection and nothing more.

It is also worthy of remark, that civil government may be called to protect the lives of the people against the violence of religious fanaticism. For, according to the view advocated in these pages, it is not only wrong for the State to punish with the sword any spiritual offence, as heresy, though urged to do so by the largest body of Nominal Christians in the world, but it is equally wrong for it to suffer any religious body to inflict such punishment.

Spiritual life belongs to a higher realm than natural life, and must be defended by other weapons than the sword. Heresy is to be refuted, not punished, by man; it is to be overcome by truth, not burnt at the stake.

Few pages of history awaken feelings of deeper sadness than those which record the union of civil power with religious bigotry, and the results of that union in times of persecution. For the State to lend its arm to the Church, and at her suggestion destroy life instead of protecting it, is for it to mistake utterly the ends of its existence, and usurp in turn the functions of a higher power. The doctrine of "the two swords" in the hands of the Pope has led to unutterable horrors.

But all this, it may be said, is very remote from the points now in debate; for the world has advanced beyond the age of unrelenting persecution, and it is vain to look for any traces of resemblance between the former union of Church and State and their present coöperation. The reply is not just; for the two swords are still united in many countries of Europe, and a large part of the religious writers of Germany, the enlightened, still believe that religion would

receive a fearful blow in the severing of her ministry from the supervision and support of the State.

And it is well known how tenaciously a great and growing body of Christians in our land clings to the doctrine that the State should help the Church and obey her sovereign behests. Happy will it be for this people, if just and well-defined views of the work and power and method of true religion, as distinguished from those of human government, are so fixed in the minds of Protestants, that they will detect at once an attempt of either to do the work of the other. For the State is not charged with the duty of teaching religion, nor the church with the duty of administering civil law.

Besides, it must not be forgotten that in one part of our land the civil and religious authority is united in a single person, and the former made to rest practically on the latter. Church and State have been identified in Utah, and it

is believed by many that for years the life of a Gentile was worth scarcely a straw in Salt Lake City. It may be impossible for any man to say whether this belief is correct or erroneous, but it should not be impossible. For it is a duty "of the powers that be" to look after the people, for the purpose of protecting them from violence in the exercise of their natural rights; and if Utah has been from the first a part of the domain of the United States, and subject to her authority, the General Government has been under obligation to see that life was protected there, to see that the natural rights of men, as recognized by the Constitution and laws of the land, were respected among the Mormons. Wherever there is good reason to suspect violence, there the State should make its presence felt and its voice heard; otherwise it fails, in some measure, of accomplishing the great end for which it has been ordained of God.

And on the same principle, if there were reason to believe that persons are confined in religious houses of any kind, against their will and to the peril of their lives, it would be no trespass upon the domain of religion for the civil power to make thorough search and assure itself of the truth; for it is one of the functions of that power to protect the lives of all the people. With that duty it is entrusted by the Most High, and it has no right to transfer it to any religious body; the act would be suicidal; nor has it any right to be partial in the discharge of it. The law and the magistrate should know the people as men, not as Mormons or Papists, Presbyterians or Methodists.

This view of the case is of comparatively modern origin, and it can boast of comparatively few advocates. Indeed, there is no nation which has adopted it fully, and applied it consistently. But the farther any people has advanced towards a fair application of it, the

more has that people found itself resting on sound principles, and doing the things that make for peace, while the true relation between Church and State has become, in the same degree, more evident to the common mind. If there is still darkness or doubt among the people, it is because the view has been applied but in part, and often capriciously, as if indeed for the sake of producing confusion.

It has been advocated by the feeble, the despised, the persecuted, and ignored by the strong, the popular, the favored. Few men search out the injustice, or even the impolicy of legislation which favors their cause. And it can hardly surprise any one who knows the weakness of human nature, if men who have had "the powers that be" for a long time against them, because of their religious faith, should see the tables turned without much regret, and find a sort of justice in having the

account balanced by special favor to themselves.

In this way principle has been silenced by the voice of expediency, or by the plea that two wrongs make one right. Yet the view which is defended in these pages has been gaining the confidence of devout Protestants for a considerable period. It pours a flood of light into the darkness which has brooded over the connection between State and Church, and the time cannot be far distant when it will fill the whole region with the splendors of noonday. Or, if this may not be said, by one who is neither a prophet nor the son of a prophet, it may at least be affirmed that the only way of disproving it will be to give the theory a fair trial in actual life. Till this has been done, those who believe it correct, and from God, will never cease to urge it upon the attention of good men.

PROTECTION OF LIBERTY BY THE STATE.

Among the natural rights of man, liberty is only second to life: first, the right to be—next the right to act; first, the human personality with its marvellous powers; next, the use and development of those powers. For as the being of man is from God, and is therefore entitled to protection from violence, so too are the capacities of that being from God, and entitled to protection. Not the least admirable of these capacities is that of growth under favorable conditions, *e.g.*, the growth of moral discrimination and power of choice; indeed, of every faculty which gives dignity and worth to man. But the primary condition of normal development in a moral being is liberty of self-

direction, and sense of individual responsibility. And it is the peculiar merit of the Protective theory of human government that it recognizes the people—not as means nor as minors, but rather as men, leaving it with them to answer the gravest questions of life before God; leaving it with them in a great measure to decide what they will be and do, though without violating the rights of one another.

It is a peculiar merit of this theory, that it looks upon many other things, besides the State, as ordained of God, *e.g.*, the family and the church, and therefore does not undertake to relieve these of their proper work. Yet, with all the modesty which distinguishes this view of government, with all the care which it uses in defining its own sphere and object, with all the respect which it pays to man, to conscience, to the family, and to the church, it will be manifest in the sequel, that it reserves to itself a very wide and rich do-

main, and rules with potent voice over a large class of human affairs.

This will appear, to some extent, from a study of what is involved in securing to the people of any land a reasonable degree of liberty. For such liberty is not license. It implies no right to injure others; it conceals no tendency to socialism; it bears in its womb no germ of anarchy.

Order and justice are the first conditions of its existence. Intelligence and virtue do more to preserve it in being than the sword.

In the complicated relations of modern life, where the action of one man is knit by a thousand secret threads to that of another, it is no light task to make the laws so few and clear and all-embracing as to protect individual freedom and preserve social order. The latter may be done without the former, but the former cannot be done without the latter. If the State were its own end, if order were the

only good to be sought, it would perhaps be a less difficult task to ensure it; for the heavy hand of force might crush lawlessness and manhood at a single blow. But to give generous scope for the exercise of personal freedom, and for the building up of vigorous manhood in the masses, by keeping the action of the State within proper limits, is quite another affair, demanding a high degree of firmness and wisdom. Yet the end justifies the means; the result compensates a hundredfold for the labor.

It would require a much wider survey of natural life than comports with the object of this discussion, to illustrate fully the truth of these statements; but the reader, it is thought, will have no reason, from his knowledge of facts, to call them in question, and will therefore prefer to pass on at once to the chief point in debate.

In the great natural right to liberty of action is included that of public worship, provided

the same is peaceable and orderly. This, indeed, is the highest exercise of true liberty. Without it freedom is only a name, or rather, it is a misnomer. If men may not obey their religious convictions in the worship of God, if the highest mandates of conscience may not be expressed in action which does no violence to the rights of other men, it is useless to speak of liberty, for it does not exist.

When, therefore, Christians of any name ask for protection in public worship, they seek for no special favor or distinction, but only for that which the State owes to all, whether Protestant or Papist, Jew or heathen. For all men are entitled to pay their homage without annoyance, in public or in private, to whatever being they please. In fact, every assembly of the people, called together for a purpose not criminal or seditious, must be protected from disturbance.

A company of atheists, whether scientific or

philosophical, has, in the eye of civil authority, the same right to meet and proclaim unbelief, as any body of Christians has to meet for the service of God. For the State is not charged with the duty of ascertaining the true faith and supporting it, but with the duty of asserting the equal freedom of all men to think and act for themselves in matters of religion while they pay due respect to the rights of one another.

It is a sad confession of weakness for any body of Christians to seek aid from the civil authorities in maintaining religion. It is a reproach to the Saviour, and to the agencies provided by him, when men call for the sword to turn the crowd in his favor. Let the friends of Christ be protected like other men in their natural rights, and trust to his grace and truth for the rest! Then will they never be put to shame.

Must, then, the idol worship of the Chinese,

who swarm the Pacific coast, be protected by all the power of the State? Undoubtedly it must, according to the view of civil government maintained in these pages; or, rather, the liberty of the Chinese to worship thus must be defended, unless their worship can be shown to violate the natural rights of other men.

The language of Roger Williams is not too strong: "It is the will and command of God, that a permission of the most Paganish, Jewish, Turkish, or Anti-Christian consciences and worships be granted to all men in all nations and countries." ("Bloody Tenent," etc., p. 38. See Vol. IV. Publications of the Narragansett Club.)

But does not the State endorse the action when it protects the actor? By no means: it simply performs its own duty in conserving the freedom of the people, leaving at the same time with every one of them the responsibility of his own conduct towards God.

There is no better reason for holding the State to be implicated in the guilt of an idolater, whose liberty it guards, than there is to believe it a sharer in the grace of a Christian, whose freedom to worship God it vindicates. Indeed, a course of argument that would make earthly rulers accountable for the abuse of the religious liberty which they assure to the people, would make the Creator and Redeemer of men responsible for the abuse of their moral freedom. A proper consideration of this fact would relieve the consciences of many who seem to have a sort of confused notion that "the powers that be" have some control over the religious belief and conduct of their subjects.

But this is not all. The view of civil government as an ordinance of God for the protection of men in the exercise of their natural rights, is the only one that will justify Christians in claiming protection from the State

while they preach the gospel in heathen lands. For clearly it is absurd to ask the rulers of a heathen nation to concede to missionaries their right to teach freely a religion which those rulers and their people believe to be false, while the magistrates of a Christian nation refuse the same liberty, as a right, to emissaries and teachers of idolatry.

To say that the Christian religion is true, and idolatry false, is no reply to this; for if it belongs to the rulers of one nation to decide for the people what is the true religion, it belongs to the rulers of every other to do the same, and it is impossible to deny that, if they decide the matter at all, they must decide it honestly, that is, according to their belief. And so, acting by the light which he has, the Emperor of China would proclaim Buddhism or Confucianism to be the true religion, and refuse protection to Christian teachers; the Emperor of Russia would proclaim the Orthodox faith

of the Eastern Church, and deny protection to Methodist preachers; the King of Sweden would endorse the Lutheran creed and turn the power of the State against Baptists living in his cities; and all these rulers would perhaps adopt the words of John Cotton, in his letter to Richard Salstonstall, justifying the cruel punishment of Obadiah Holmes in Boston, saying, that their "toleration" and "indulgence" could not be extended to any person acting "against the order and government of our churches, established (we know) by God's law and (he knoweth) by the laws of the country."

It is cause for amazement that any thoughtful American can believe that the State, as such, ought to patronize Christianity in one place, if it may not do the same for Buddhism in another; or, in other language, that a Christian ruler is authorized to obey his conscience, while a heathen ruler is not. Let every one

be fully persuaded in his own mind, and act accordingly, is the lesson of an Apostle to the early Christians; and the same great teacher inculcates the duty of respect for even the scruples of a weak conscience.

Either, then, Christians have no right to claim protection from the State in preaching the gospel to the heathen, or the duty of the State is simply to protect men in the exercise of their natural rights, without attempting to act for or against any form of religion. That the latter view is correct, the writer firmly believes; and believing it would insist upon religious freedom for all—in China or Sweden, as well as in the United States.

But though human government has no control over religious faith or worship, it is bound to conserve with sacred fidelity the liberties of the people against all persons or influences that would destroy them; and therefore, if any religious sect were known to deprive certain mem-

bers of their personal freedom, it would be the duty of the State to restore this to them. If there were religious houses in which persons who entered them freely, perhaps in early life, were believed, on good probable evidence, to be kept against their will, the State would be under obligation to make diligent search, ascertain, if possible, the facts of the case, and prevent the use of any physical restraint, abridging liberty. By so doing it would simply accomplish the purpose of its existence; by refusing to do this it would, in a measure, forfeit its right to be. For, according to the view laid down in this investigation, the sphere of its action is well-defined, including the protection of personal freedom, the limits of its service clearly established, and the probability of any collision with any proper spiritual authority infinitesimal.

Indeed, the perfect distinctness with which, on this theory, the ends of civil government

can be explained, and the ample scope which it leaves for the spiritual reign of Christ over the minds, consciences, and hearts of men, are strong reasons for believing it correct. When truth is discovered, it is commonly found to be simple and harmonious. When the various duties and relations of man are clearly apprehended they will be seen to be self-consistent and indubitable.

THE LORD'S DAY.

It will be recollected by the reader that his attention was first called, in this discussion, to the nature and ends of the Kingdom of Christ on earth. This was done because these are more exactly defined by the Word of God than the nature and ends of the State, and may therefore be expected to aid one in ascertaining the latter

It was also assumed that what the members of the Kingdom of Christ are commanded to do, by means and methods distinctly prescribed, it can hardly be the duty of human rulers to attempt by other means and methods, almost certain to come in conflict with those prescribed. And the more carefully this as-

sumption is scrutinized, the more evident will its truth appear. For the means employed by the State are, as a whole, heterogeneous to those employed by the Kingdom of Christ, and are only fitted to secure results on a lower plane.

They are little better adapted to support religion itself, in the proper sense of the word, than bread is to feed the mind of man. They are to be used in protecting natural rights, and providing a suitable field for higher agencies; but Christian character and Christian truth, the Spirit of God and his Word, are the only powers fitted by their nature to produce and nourish true religion in the soul.

It will also be recollected that, in the last section, reference was made to the claim which Christian missionaries have upon heathen governments, for protection in the exercise of their natural right to worship God and preach the gospel in public. That claim, it was

shown, can only be vindicated by the view of civil government set forth in these pages. And now it may be added, in support of that claim, that it is embraced, not only in the great natural right of liberty, but also implicitly, in the Great Commission of our Lord. For the command to "disciple all the nations," or "preach the gospel to every creature," must be held by the Christian church to be in harmony with the normal action of the State, since the laws of Christ's Kingdom are, surely, adjusted to every ordinance of God.

The Commission which Jesus gave to his disciples, making it the duty of his servants to proselyte everywhere and always till the end come, is therefore an argument of tremendous force for our view. By making Evangelism the law of Christian enterprise for all time, it has virtually charged the civil authorities to give religious inquiry free scope, protecting even those who teach what is believed to be false;

for pagan rulers believe the gospel to be false. Freedom to make proselytes, by the use of moral suasion, is a natural right, to be claimed everywhere.

But if public worship is to be protected as a natural right, the question of times and seasons presents itself at once for consideration. May "the powers that be" select particular days for the spiritual service of God, and forbid the people to engage in secular work on those days? Is it the duty of our rulers, *e.g.*, to enjoin the observance of the Lord's Day? To these questions the answer of our Puritan fathers cannot be given. For their theory of government identified Church and State, and they addressed themselves with steadfast resolution to the task of reinforcing ecclesiastical law by civil; the power of divine grace by that of the sword.

It was the mistake of good men, but it was none the less a mistake, and few at the pres-

ent time would hesitate to confess it. Rulers may be Christian men, under obligation to keep the Lord's Day, and to use their personal influence to have others do the same, but they have no right to employ the power of the State in constraining the people to do this, as a religious act. Nay, it is well to speak plainly on this point, and aver, that by so doing they would perform, like Uzzah, a sacréligious act, usurping the functions of a higher economy, and hindering rather than helping the cause they love.

But while the State cannot make men religious in heart, or in life, it can and should protect them in being so of their own accord; and this it may properly do, if necessary, by forbidding such kinds of labor and recreation on the Lord's Day as will disturb those who meet for worship; and the larger the number of worshippers, as compared with such as abstain from the public service of God, the more im-

portant will it be for the latter to forego their customary labors.

The right to worship is sacred; the attempt to compel worship is sacrilege. Not to protect the former is to despise the personal liberty of the people; while to do the latter is to trample on that liberty. Or to look at the question a little more broadly, it may be said, that the Jews and Christians (for there are some) who deem it their duty to meet for worship on Saturday, are entitled to the same protection as those who meet on the Lord's Day. For liberty to do the supposed will of God is what the State is authorized to guard; and indeed, to guard it as a matter of natural right, independent of the particular creed of the subject. This position is the only one that can possibly be defended by men who accept the American doctrine of religious freedom—a doctrine which is apostolic and reasonable, as well as American.

Still another question may be raised at this

point, namely: Has the State a right, on other than religious grounds, to require the people to rest from their ordinary work one day in seven? If it were clearly proven, that the bodily and mental *stamina* of the people, and so their average longevity, are dependent on their giving one day in the week to such rest, it would perhaps be competent to the State, being charged with the protection of natural life, to enforce it—on the same principle as quarantine and similar laws are enforced, with a view to prevent the spread of contagious diseases. But even then it might be doubted whether the ample and exact collation of facts, affording the needed proof, would not, if laid before the people, secure the chief benefit of State action, thus saving the magistrates great care, and leaving the people more freedom.

The multiplication of laws should be avoided, as far as possible. Nothing should be done by the State which can be safely entrusted to the

spontaneous action of the people. For to say nothing of the cost attending the execution of laws, it is important to foster in all minds a sense of personal responsibility—one of the highest qualities of intelligent manhood.

Yet the importance of ascertaining the real effects on health, longevity, and morals, of giving one day in seven to rest from secular labor, cannot be too strenuously urged; and it is the writer's belief that this effect is such as to justify the State in requiring, if it can be secured in no other way, a cessation of such labor one day every week. But the requirement should be based on secular, and not on religious grounds; and these grounds should be distinctly specified in the law.

In fixing, however, upon the particular day of the week which should be set apart as a period of rest from customary labors, proper respect should be paid to the religious convictions of the people. If there be any one day,

as the Christian Sabbath, on which the people, or a majority of the people, will fix their choice, because of their religious belief, and which will be kept by them, without regard to the civil law, that day should be selected by the rulers as the day of rest for all; or, if not for all, for those at least who do not religiously suspend their business on some other day of the week. Men are to be protected in religious worship; and the circumstance that a majority of the people believe it their duty to worship God publicly on the first day of the week, makes it wise for the rulers to choose that for the rest-day of the masses. Yet if one day in seven is all that can properly be required of the people for rest, and if some of them look upon keeping the last day of the week as a religious duty, it would seem that they ought to be allowed the privilege of secular labor on the first day of the week, provided they do not thereby disturb the worship of others. The

present laws would, in this view of the case, need but little change, except by a statement of the grounds which justify civil action in such a matter.

In his able address before the Evangelical Alliance, in New York, Dr. Mark Hopkins maintained, "that the human constitution, and the constitution of society, is so preformed to that division and employment of time which the Sabbath contemplates, that neither the end of the individual nor of society can be fully reached except through" the same. He also said:

"It is ascertained by adequate induction, through observations and experiments carefully made and long continued, that both men and animals will have better health, and live longer, will do more work, and do it better, if they rest one day in seven, than if they work continuously."

And finally he admitted, "that it is not the

province of legislation to enforce the Fourth Commandment in its Godward aspect, or to promote religion directly; but simply to protect men in their rights under a great provision made by God for their well-being.”

One other line of argument for a legal Sabbath has been taken up, namely, this: Every institution of God has a right to use the means necessary to its own preservation and efficiency: but sound morals among the people are prerequisite to good government, frequent religious instruction and worship are necessary to such morals, and rest from secular labor one day in a week is a condition, *sine qua non*, of this teaching and worship: hence the State should enforce the observance of a weekly Sabbath. This argument is specious, but liable to grave objections. For by assuming that every institution of God must provide the conditions of its own existence, it assumes that the institutions of God form a system, every part of

which must take charge of every other part, instead of doing simply its own work, and leaving every other part to do the same, as if the hand must not only perform its appropriate service, but see to it also that the brain and the eye are in health. In other words, it assumes that religion is dependent on the State for its existence; that the servants of Christ will keep no Sabbath, and have no general influence on the character of the people, without the direct aid of civil government in their work, an assumption which is utterly false.

For how did the Christian religion first make its way in the world? By what forces, now lost, did it preserve its existence, insert itself gradually into the life of the Roman Empire, and, without the patronage of the State, purify the morals and ennoble the aims of the people? And how will it maintain its footing on heathen shores, where "the powers that be" will assuredly give it no legal Sabbath?

The reasoning may be specious, but it cannot be sound. For the churches of Christ will go on with their work, honoring his name, paying homage to his law, sanctifying his day, teaching his truth, and bearing his banner in triumph over the world, even though the State give them only protection in worship. Their power over morals comes from a higher source than the sword. The springs of their life are in God, and the State may count upon all the influence which they can wield for truth and right, without money and without price. Indeed, "the powers that be" will best assure their own existence and usefulness, by carefully restricting their action to the sphere assigned them by the Most High, and not occupied by another and competent authority. When they overstep their proper limits, and attempt to do the work of Christ and his people, they put in jeopardy the highest interests of man.

If what has now been said is correct, the Christian servants of the State should never be required to perform secular work on the first day of the week, unless it can be shown that such work is essential to the existence of the State; and this can rarely be done. Accordingly, public libraries should not be opened on that day, nor the courts be in session, nor any ordinary business be transacted, for the State cannot do its work in a Christian land by cutting itself off from the service of Christians, or by violating the very freedom which it is one of its duties to protect.*

* At a meeting of the Baptist ministers of Boston and vicinity, held in the social hall, Tremont Temple, the following resolutions were unanimously adopted :

The ministers of this conference, believing that certain opinions and tendencies of the present hour make it proper for them to state briefly, but formally, their reasons for urging upon the people the duty of observing the Lord's Day, unite in the following declaration, namely : We are convinced

1. That at the origin of the human race one day in seven, hallowed by the resting of God from the work of creation, was set apart by Him for religious worship and joy among men, with rest from secular labor ;

2. That the duty of observing this weekly Sabbath was solemnly reim-

It is of course understood, that Christian magistrates will vindicate their own liberty of worship, as well as that of others, giving all

posed by Jehovah on his chosen people, and, owing to its fundamentally moral character, was made one of the Ten Commandments;

3. That our Saviour not only kept the Sabbath according to the primitive law, but also spoke of it as instituted for man's sake or good, adding that He Himself, the Son of Man, was Lord of the Sabbath;

4. That both the resurrection of Christ on the first day of the week and the example of the Apostolic churches in meeting on that day for religious worship, make it our duty and privilege to honor the Lord's Day, instead of Saturday, by devoting it to Christian work and joy;

5. And, finally, that the history of Christian nations enjoins upon us the same great duty and privilege, by showing that a faithful observance of the Lord's Day has tended to the physical, mental, and moral good of the people..

We are also convinced—

1. That, for sanitary and moral reasons, a weekly day of rest from secular toil should be required by the laws of the State;

2. That, in a land where most of the people recognize the authority of Christ, that day of rest should be the Lord's Day, since it will be kept by large numbers from a sense of religious duty;

3. That, by selecting any other day, the Government would discriminate against Christians, who are bound in conscience to rest on the Lord's Day, and who could not, therefore, hold office or perform service for the State if required to work on that day.

4. That by opening public libraries or authorizing any form of public service not strictly necessary, the civil authorities would not only act against the judgment and conscience of a great part of the citizens, but also against the general current of legislation in all our history as a people, and against the recognition of Sunday by the Constitution of the United States, as well as by those of nearly all the separate States.

5. That, so far as we can judge, the people do not need the use of public libraries on the Lord's Day, nor do they desire the same for themselves.

In view of these considerations, we earnestly deprecate every attempt to secularize the Lord's Day, and call upon our fellow-Christians to use their influence by word and example to avert so great an evil.

the weight of their personal influence to the cause of the Lord. By word and act they will hallow his day and honor the laws of his kingdom, but they will not use their official power to constrain men to engage in religious worship, or even to cease from employments which do not disturb the worship of others. The zeal with which they serve Christ will not be diminished by the circumstance that the weapons they must use are not carnal, but spiritual; and while they see that their service as magistrates cannot have religion for its direct object, they will also perceive that it has an important relation to the supreme interest of man, the renovation of his soul, by preserving order and liberty, and so preparing a suitable field for the conflict of truth with error, of grace with sin.

There is therefore no discord between their civil and their religious duties; both are beneficent, both ordained of God; but the former

seek to gain temporal good by natural means, while the latter aim to secure eternal good by spiritual means.

And the vast personal influence of Christian magistrates ought not to be overlooked; they fill a large place in the public eye, and their example may reach hearts closed to every other appeal. But in our own land, at least, the choice of the people will determine, in a great measure, the character of their rulers. If they look at the man as well as the magistrate, and have respect to his unofficial conduct as well as his official; if they bear in mind that the higher one's position in civil life, the greater his power over many in private life, they will not be able to ignore altogether the question of religion in the choice of rulers, though they deny to the State any direct control or patronage of the Church.

The statutes of Massachusetts forbid the people to do "any manner of labor, business or

work, except works of necessity and charity," or to "be present at any dancing or public diversion, show or entertainment," or to "take part in any sport, game or play," or to "travel, except from necessity or charity," on the Lord's Day; but these statutes are in great part a dead letter, while the influence of Christian magistrates unites itself with that of all who honor the Saviour, in giving to the Lord's Day the respect which it now has (alas, too little!) in the old Bay State.

The following clear and discriminating words are found in the "Bloody Tenent" of Roger Williams, pp. 372, 373. Publications of the Narraganset club, Vol. III. "The civil magistrate either respecteth that religion and worship which his conscience is persuaded is true, and upon which he ventures his soul, or else that and those which he is persuaded are false.

"Concerning the first, if that which the mag-

istrate believeth to be true, be true, I say he owes a threefold duty unto it:

First. Approbation and countenance, a reverent esteem and honorable testimony, according to *Isaiah* xlix, *Revelation* xxi, with a tender respect of truth and the professors of it.

Secondly. Personal submission of his own soul to the power of the Lord Jesus in that spiritual government and kingdom, according to *Matthew* xviii, *1 Cor.* v.

Thirdly. Protection of such true professors of Christ, whether apart, or met together, as also of their estates, from violence and injury, according to *Romans* xiii.

Now secondly; if it be a false religion (unto which the civil magistrate dare not adjoin, yet) he owes:

First. Permission (for approbation he owes not to what is evil), and this according to *Matthew* xiii. 30, for public peace and quiet's sake.

Secondly. He owes protection to the persons of his subjects (though of a false worship) that no injury be offered either to the persons or goods of any. Romans xiii."

THE BIBLE IN SCHOOLS.

The object of this discussion is to bring the proper relation of religion to the State before the reader in as clear a manner as possible; and there will, it is thought, be no fitter place than this to consider the difficult question of the use of the Bible in schools supported by the State. Grave differences of opinion on this point prevail among the friends of education, and it is not easy to see how these differences are to be reconciled. For it is urged, on the one hand, that the use of the Bible in schools controlled by the State is necessary to good government, to the protection of life, liberty, and even property, and therefore property may be taken for the support of schools

where the Scriptures are read and taught. Or, to put the same thought in another form, the State is bound by the law of self-preservation to provide for the moral, as well as the mental training of the people; but moral training can only be made effectual by connecting it with religion, and the Bible is the only source of pure and well-attested religious truth. Besides, it is alleged that the State cannot remove the Bible from its schools without removing, on the same principle, all Christian literature—and, indeed, in the last instance, all books that recognize the being of God; but to do this would be to discriminate against Christianity in favor of pure deism—against all religion in favor of pure naturalism—a discrimination which is inconsistent with the duty of the State as an impartial protector of liberty. And so the protest against the use of the Bible in schools is reduced, it is said, to an absurdity. But, on the other hand, it is urged with

equal confidence that the State, having as such no control over spiritual affairs, should not cast its influence into the scale in favor of any particular faith; while it is also claimed, with some show of reason, that even the reading of the Scriptures as a religious book (and only as such a book would Christians be willing to have their children read them) is to some extent an endorsement of Christianity, and ought therefore to be omitted. Thus there are signs of a serious conflict of opinion, and in our own land, as well as in England, the combatants are already in the dust of battle, or girding on their armor for the strife.

It would surely be presumptuous for the writer to expect any marked success in dealing with the point at issue; but as it falls within the range of his subject, a few suggestions must be offered.

And it is certain that the attempt to reduce the argument for removing the Bible from pub-

lie schools to an absurdity is not sound; for the Bible, if read as Christian parents would have it read by their children—if read as a sacred book, making known the will of God to men, and so founding morals upon religion—differs very greatly from all other Christian literature, and must be classed by itself.

The protection which the State owes to liberty of soul, does not permit it to favor any one sect to the injury of another; but it does justify it in fostering a free interchange of thought—in treating men as intelligent social beings, whose views in respect to the highest matters will pass from one to another, and whose education for life will consist, partly at least, in learning to distinguish between truth and error.

If, then, such literature only is used in the public schools as depends upon its harmony with reason and its power to convince the understanding, for the influence which it has

upon men—the interests of religious freedom do not seem to be prejudiced in the least.

But the employment of a volume which is supposed to teach with absolute authority, and is appealed to as giving religious sanctions to morality, cannot be justified on the same grounds; and it would not, surely, be strange if Jews or Chinese should object to such a use of the New Testament, by authority of the State, as a violation of their religious freedom: nor are there, so far as now appears, any solid reasons why the State should overrule their objection.

No thoughtful man should be alarmed at this conclusion. For it must be borne in mind, that children whose parents are unwilling to have them read the Scriptures will not, if compelled to read them, be likely to do it with a very reverent or docile spirit; and any one who has much observed the careless and perfunctory manner in which the religious exer-

cises of many public schools are dispatched, especially when the children belong for the most part to Catholic families, must have serious doubts whether any good result can be expected from them.

If the Christian influence of a teacher begins and ends with the formal service, it is worthless; but if it springs from heart and conscience, it will be made effective for the greatest good, though the formal exercise be omitted.

The religious education of children cannot be entrusted to the State. It must be left in the hands of parents, friends, Christians. For unless "the powers that be" make it a point to select none but earnest Christians to teach in the public schools, there will be many schools in charge of persons who have no interest in the Bible, and no power to awaken such interest. Yet who would go so far toward the union of Church and State, as to have the latter sit in judgment on the religious character of a

clause
the
of the
state
it no
join
shall
apply
either
the.

large body of its servants? Most certainly the result of such inquisition and patronage would, in the end, be evil to all concerned.

But these remarks do not apply to the free action of teachers who may wish to read the Bible and pray to God with their pupils; for such a service, voluntary, brief, and approved by the parents, might be quite suitable. Yet in strict justice the State cannot tax the people for the support of religion, and therefore the teachers whom it employs are bound to give the time, for which they are paid, to the work of secular instruction.

If, however, they are pleased to add a quarter of an hour to that time daily, inviting the parents to send their children to a voluntary service, their course must be pronounced unobjectionable, for it is a private and personal arrangement between teacher, parents, and children, and as a service costing effort and spring-

ing from love, it would be likely to prove earnest and fruitful of good.

No doubt there are lions in the way of such a service, difficulties to be met and surmounted, but this is true of all religious efforts worth naming; and so long as there are Christian hearts in the world, they will find ways to bring the gospel to children. Let us have no State religion in schools; there is a better way.

If now the answer comes back: Not for the sake of religion, but for the good of the State; for there can be no security for morals but in religion, and no security for the State but in morality, the reply is at hand: Religion will prosper and do its work for good morals, without State aid. It will find its way into families, schools, communities, and scatter blessings by its own agencies, all the better for being left to itself. When it leans on the sword, it is pierced; when it rests in the lap of the State, it is shorn of its locks. Religion is from above,

and it lives by taking hold of God; it grows by self-denial and sacrifice. The State need not distrust it, provide for it, nor pamper it; for Christianity gains most when it gives most, and it gives most when it sees the need of giving.

Leaving now the difficult question of the Bible in public schools, it may be well to advert very briefly to the employment of chaplains by the State. Is it right for the people to be taxed for the religious instruction of its rulers or defenders? Should not the officers of government, with all persons belonging to the army and navy, select their own spiritual guides, and if able, support them as well? If they have the same religious liberty as other men, why should they not honor it in the same way, and at the same cost?

Why should persons differing from them in belief, as a Jew differs from a Christian, or a Baptist from a Papist, be compelled to support their teachers? But if men in the civil or mil-

itary service of their country are so poorly paid as to be unable, or are so indifferent to God as to be unwilling to reward their pastors for the service rendered by the latter, why should not Episcopal chaplains be sustained by members of the Episcopal Church, and Baptist chaplains by churches of their own faith.

If liberty of conscience is not a fiction, it is manifestly unjust to require any man to support religious teaching which he does not believe, and thus take away or diminish his power to support the teaching which he does believe. And as a matter of fact, this is done without the least necessity. For there is no reason whatever to doubt that any Christian denomination in the United States would readily undertake to support all the chaplains selected from its ministry; indeed, there are large bodies of Christians that would be only too glad to have the privilege of doing their part in such a field of labor.

The history of the Christian Commission and its work in the late war, furnishes conclusive proof that army chaplains, paid from the public treasury, are needless; and if the two houses of Congress, and the Legislatures of the several States, were ever forced to go beyond their own members for suitable chaplains, and were disinclined to pay for their services, it is quite certain that such service would be rendered gratuitously, by any denomination from which they might wish to receive it. The same may be said of prison chaplains; and the time is not far distant, it may be hoped, when the voluntary system which has been so successful in all its working hitherto, exciting amazement in the minds of educated Christians on the continent of Europe, will be thoroughly and consistently applied.

Then first will the primitive glory of the church in this respect be restored. If the only alternative were union of State and Church,

each shaping the other to the best form for organic and concentrated action, or hostility of State to Church, the former persecuting and aiming to destroy the latter, it would be far wiser for the servants of Christ to choose hostility than union; but no such alternative is proposed to them in this land; they have no reason to think that "the powers that be" would not welcome a "friendly independence" on the part of all religious bodies, and assure to them all a fair field of action for the defence and propagation of what each believes to be the truth of God. And this, only this, a friendly independence of State and Church, each doing its appointed work in its own way, is what these pages advocate in behalf of both.

The genius of Christian liberty and reform has been feeling after this blindly in every age; it has been often revealed as an ideal relation, devoutly to be wished, but scarcely to be expected, to the clarified vision of oppressed

saints; but never until now has there seemed to be any considerable ground for hope that the blessed ideal might soon become a fact. And now it can only be realized by apparent sacrifice on the part of Christians; it remains to be seen whether they have grace to provide for the future by relinquishing a seeming good in the present.

PROTECTION OF PROPERTY—SECTARIAN SCHOOLS.

According to the analysis adopted for this discussion, the first right of man is to life, the second to liberty, and the third to property. It is needless to specify the ways in which these natural rights may be forfeited; but it may be well to insist upon them as belonging to all persons of sound mind, unless they have been forfeited. Of the first two, we have already spoken; and of the last, this only shall be added, that no principle of morals is more self-evident than the one expressed by the old maxim, *suum cuique*; and surely the product of a man's labor, the use and fruit of his own powers, must belong to himself; the originator of a value must be the owner of it. This is a

universal principle, the true and only basis of political economy, regarded as the science of property.

Reject it, and nothing remains but a choice between Absolutism and Communism, between the doctrine that might makes right, and the doctrine that the idle are entitled to the fruits of labor just as much as the diligent; that existence, and not the proper use of one's powers, establishes the "right to a living." Both these doctrines are rejected by the Word of God, the former by the view which that Word gives of Ahab's conduct in appropriating Naboth's vineyard, and the latter by the language of Peter to Ananias: "While it remained (unsold) was it not thine own?" and of Paul to the Thessalonians: "If any one will not work, neither let him eat. These passages are brought forward merely as samples of Scriptural language, recognizing the right of the people to property, honestly gained. The producer owns the product.

It must, however, be recollected at this point, that a part of the value of any product of human industry is due to the protection which the State gives to the natural rights of man, including the right of property; and this part of the whole value may perhaps be estimated as equal to the percentage necessary for the support of a government able to protect these rights—a good government paying for itself in the increased value which it gives to property, without regard to the protection which it affords to life and liberty.

To this percentage, then, looking only at property, “the powers that be” are in a certain sense entitled, but to no more; and not even to this, in all cases, when the subject is more broadly considered. For the State, as previously shown, does not exist for its own sake, but rather for the accomplishment of certain great ends; and therefore it can claim no more of the people’s wealth than is requisite

to secure those ends. Besides, in any well-ordered State the moral sentiment of the people is the chief support of the rulers, doing far more than they to honor and execute the law.

In reality, the government acts for the people; and, if its functions are rightly defined, it is entitled to exact from them no more than is necessary to enable it to protect them in the exercise of their natural rights against foreign or domestic aggression. Hence it should never tax them for the support of religious institutions of any kind. For, in the first place, it can hardly be shown that the influence of any particular form of religion is indispensable to the protective power and action of the State.

Judaism, Mohammedanism, or Confucianism would perhaps serve the same purpose, in this respect, as Christianity; and surely it would be impossible to name any Christian sect which might not aid the government sufficiently in its appropriate work. Yet if the State is to en-

courage religion at all in a pecuniary way, it must discriminate between different forms of religion, and assist those, or that, which it approves—a function for which it is incompetent.

But, in the second place—and this is the most important consideration by far—it can hardly be shown that pecuniary aid of any kind from the State is necessary to the existence and beneficial influence of religion. Indeed, there are cogent reasons for believing that such aid has always been detrimental to the bodies that have received it; that the moral and spiritual power of Christian churches has been weakened by leaning upon the secular arm.

The idle populace of Rome were never incited to virtue, or diligence, or noble endeavor, by largesses of corn from the Emperor; nor have the followers of Jesus ever been raised to a higher plane of spiritual life and usefulness by State patronage. On the contrary,

they have been led to distrust the power of truth and grace, crying out with alarm at the prospect of a withdrawal of government aid.

Witness the attitude of many Lutherans in Germany, and Churchmen in England, at the present hour. Having been cherished by the State till they have lost confidence in the agencies provided by Christ for the upbuilding of his kingdom, they are filled with anxiety, if not despair, at the rapid progress of events towards the separation of Church and State. But their apprehensions of evil are vain. What they fear, will prove a blessing to the people of God. If, then, it be granted that the influence of religion is needed by human governments, it does not follow that they are to tax the people for the support of religion.

Sunlight and air are also necessary to the existence of a good government; but the people are not taxed for them. It must never be forgotten that God has provided for the per-

petuation, diffusion, and power of religion, independently of the State, and therefore the latter is relieved from a task quite beyond its wisdom and strength.

These sentiments are not new to Baptists. They have been among the "common places" of our creed for a century, at least.

The right of the State to tax any one for the benefit of religious teachers whose doctrine he does not believe, was first denied, and then with logical consistency the right of the State to tax one for the support of religious teachers whose doctrine he does believe, was also denied. The Church, it has been constantly affirmed, is independent of the State, but friendly to it; while on the other hand the State is independent of the Church, but friendly to it.

All the applications of this doctrine may not have been insisted on with wisdom and firmness, but the doctrine itself, as was meet, has been proclaimed upon the housetop. When a

thorough application of it has been seen to be for our own benefit, and a disregard of it oppressive to us, the doctrine has been earnestly set forth; but when the application of it, though required by principle and consistency, would have cut us off, perhaps with others, from a present relief and a seeming good, it may be doubted whether as much zeal has been shown in proclaiming it. Nor is this a surprising phenomenon of history.

Good men have rarely been perfect, and one would sooner trust them to detect a wrong which was felt as an injury to themselves, than a wrong which was supposed to be a benefit. The latter they might accept without scrutiny, leaving the responsibility with others; the former they would be likely to examine rigorously; protesting against the injury as being also a wrong. And this would be specially true of the less obvious violations of an accepted principle.

In this way, may be explained the readiness with which, in some instances, Baptists have received aid from the State for the endowment of schools under their control. Not that they have been often gratified with evidences of such favor, for it can be truly said of them in comparison with others, that they have only "been holpen with a little help;" yet even this help, sought and accepted by them for colleges under their care, has proved them careless of principle in the presence of a pecuniary advantage. For though admission to these colleges has in no case been limited by religious tests, and though the instruction given in them is not at all sectarian, they have been founded and fostered with a view, more or less distinct, to the increase of Baptist influence, the spread of Baptist doctrine, and the growth of Baptist churches.

It is therefore plain, that grants in aid of such schools are indirectly, and to a certain ex-

tent, grants in aid of the denomination. How much has been done for Unitarians by Harvard! How much for Presbyterians by Princeton! How much for Congregationalists by Yale and Dartmouth and Amherst! Many persons believe that colleges and theological schools ought to be supported altogether by private munificence: and much may be urged in favor of their belief. For if the end of human government is the protection of life, liberty, and property, it cannot be proved that such government must offer to the people liberal culture in order to accomplish that end.

The rudiments of knowledge, provided for all in the common schools, are sufficient for the purpose named; while the higher forms of learning are certain to be furnished by private liberality, to those who desire them. Besides this, it is evident that young men in college need to be brought under a more positive Christian influence than State institutions can

furnish. But if "the powers that be" are ever to be justified in contributing from the public treasury to the support of denominational schools, it is only when they make it reasonably certain that those schools will do their work faithfully.

The State should have the right of examination, the right to assure itself that the people's money accomplishes the object for which it was given. But it is exceedingly doubtful whether aid should be given on any terms to such schools. If the Baptists wish to have a university under their control, let them found it; if the Presbyterians desire such a school, let them do the same; so of the Roman Catholics, and the rest. Let none of them ask for more than protection from the State.

And with still greater emphasis must this be said of theological seminaries. There can be no valid excuse for taxing Methodists and Presbyterians to support Baptist teachers of theol-

ogy. There can be no justice in compelling Jews and Baptists to pay a Lutheran divine for inculcating doctrines which they believe to be false.

The cause of true religion will not be advanced by encouraging the State to take money from Protestants to sustain Papal theologians in teaching the dogmas of Rome. A government which does all this deliberately, can have little reverence for the Word of God, or respect for the religious convictions of men. For it seems to treat all forms of religion with equal favor, though some of them must be regarded as false, if any are accepted as true; and it calls upon men to support what they do not believe, for the miserable consideration of being in turn supported in what they do believe—all denominations being required to do evil that good may come.

But in the end it is sure to bestow its amplest favors on that form of religion which is

least spiritual and most politic. Let no one suppose that, in the long run, any Protestant denomination will be able to compete with the Papacy in winning assistance from the State. If the functions of civil government be not restricted to secular affairs, to the protection of natural rights, it will be found casting its influence in favor of the Church which is most like itself, and will give the most votes.

With nearly the same emphasis may this course of thought be applied to church property. There seems to be no sufficient reason why the increase of such property should be especially fostered by the State. It may, indeed, by cultivating piety and morality, be more useful to the people than other property; but it has never been proved that human rulers are charged with the duty of taking care of religion, nor has it been proved that State aid is necessary to induce or enable Christians to

increase church property as rapidly as it will be used for the good of men.

Is it probable that the splendid cathedrals of the Papal Church, erected at vast expense from the contributions of the poor, and owned by the hierarchy instead of the congregation,* do any more for good morals among the people, than would be done by humbler edifices? Is it certain that the costly Gothic churches, built by some Protestant congregations, serve the cause of genuine virtue and piety better than it would be served by less expensive buildings. Certain it is, that in the Middle Ages vast accumulations of ecclesiastical wealth were wholly untaxed; while the burdens of civil government pressed with crushing weight on secular estates.

From the nature of the case, therefore, and from the lessons of history as well, it may be inferred that a moderate tax, levied on church

* See "Church and State in the United States," by J. P. Thompson, p. 74, for a particular statement as to the laws of New York.

property, would tend in no degree to weaken the power of religion; but would act as a wholesome check to extravagance in building and in heaping up wealth under priestly control.

“A moderate tax” is mentioned for these reasons:

1. Because the market value of church property is in reality far less than its cost, and far less than it would ordinarily be estimated to be worth by its owners. Yet the market value is obviously that which must be taken into view in taxation.

2. Because all property which is held in trust for a purely benevolent use should be lightly taxed. Ordinarily, church property is held in this way. Those in whom the title is vested cannot sell the property, and divide the proceeds among themselves. They must use the property for a certain purpose; they are

virtually trustees, not owners; and the purpose is supposed to be charitable.

Many intelligent Christians take the ground that property held in trust for benevolent uses ought never to be taxed at all; and that all property held for religious uses must be put in the same category, since it brings no pecuniary income to those holding it. But there are difficulties in the way of accepting this view without qualification, though much certainly may be said in its favor.

For in the first place, the profession of religious ends does not always exclude other ends; some of them possibly dangerous to the rights of men, if not to the State itself.

And in the second place, when religion degenerates into superstition, there is danger from the accumulation of property held for religious purposes. The Mormons may put all their property into the hands of their chief; the Pap-

ists may put too much of theirs into the hands of their bishops.

But the relief of church property from taxation has been no more unwise, except as it operated on a larger scale, than the relief of school property under sectarian control. For it cannot be denied that many executive boards have proceeded too hastily in the erection of costly buildings, involving themselves in debt and lowering the standard of merit in their teachers—a mistake which would probably have been prevented by a knowledge that property in the form of school buildings must be taxed.

It is also to be observed that vast estates in the hands of a religious body, for purposes of education, but free from secular control and paying nothing directly for the support of human government, may prove exceedingly dangerous to freedom. The religious body may

become unfriendly to the State, or may believe itself authorized by God to use the State for its own ends, and may therefore need to be reminded of the supremacy of the State in its own sphere. Hence, on grounds of mere prudence, it seems desirable to tax such property and compel it to honor "the powers that be."

CHARITABLE ESTABLISHMENTS.

In the preceding section, a few reasons were assigned for believing that neither church property nor school property, under the control of a religious body, should have pecuniary aid from the State, even by way of release from taxes. On the latter point many will dissent from the writer; but it seems to him plain that there is no difference, in principle, between giving a sum of money out of the treasury yearly to a sectarian school or church, and releasing the school or church from the payment of that sum yearly into the treasury. In either case the sum must be added to the amount raised by tax from the people, even though two-thirds of

them reject the doctrines of religion taught by that school or that church.

If now it be said that school-houses and meeting-houses are in a pecuniary sense unproductive, the same may be said of dwelling-houses occupied by their owners; and if it be asserted that the former enhance the value of real estate, and so benefit the town, the same may be asserted in many instances of the latter also.

Again, if it be said that a company of private citizens may give to Baptists or Methodists church lots, with a view to attract purchasers of a certain class, or to establish a church of their own faith, and that the said Baptists or Methodists may accept them without scruple, and use them for religious purposes, all this is freely admitted; but it furnishes no argument for the reception of corner lots from the State; for such a company is like an individ-

ual, not like a civil government—it acts for itself, and not for other men.

It is not a question with us whether persons may assist any religious society they please, for this is their natural right as moral beings; but it is a question whether the State may make use of purse and sword—constraining men, against their convictions of duty to God and their sense of loyalty to truth, to uphold religious sects, or indeed religion itself. The two cases are by no means parallel.

A single observation may be made at this point, on a subject germane to the one under consideration. In some parts of the land the property or income of clergymen is said to be exempted from taxation. If this be so, it is a misfortune to them; for no men ought to feel a deeper interest in the welfare of their country and the stability of its government than ministers of religion; and no better way can be

devised to keep alive an interest in any good institution, than to call upon men to give of their means for its support.

Besides, if the true relation between State and Church has been advocated in these pages, such discrimination in favor of religious teachers is wholly indefensible. They should be supported by those whom they serve, by those who believe the doctrines which they inculcate, and not by those who believe their doctrines false.

The State, therefore, has no moral right to give them, indirectly, a regular stipend from its treasury, though it be done by releasing their property from taxes, and thus augmenting the burdens laid upon others. The evil may be slight at present, but the proportions to which it will grow in time are unknown. It should be enough for any Christian that the principle on which such discrimination rests is unsound and dangerous.

Another observation will be in place. Christian missionaries have sometimes engaged in teaching the rudiments of knowledge to the Indians of our land, and the national government has rewarded their service in this direction by "grants in aid." The same thing has been done for the missionaries to the Karens, by the English government of India. Is the acceptance of such "grants" inconsistent with the proper relation of Christians to the State? Do they sanction by it an attempt of the State to patronize or propagate Christianity, thus passing beyond the limits of its appointed sphere, and usurping the functions of a higher economy? Perhaps not.

If the missionary is only recognized and paid as a secular teacher, his religious work being done under other auspices, and the freedom of the people to hear or forbear being maintained, the reception of "grants in aid" would appear to involve no violation of principle; for the

missionaries would do for the State no more than the State might lawfully employ them to do. How far it may be wise for missionaries to seek government grants for the partial support of schools under their care may be doubtful, but wherever they obtain such assistance, they should submit their work to the scrutiny of State officers; and this is probably done in all cases; certainly it is in Burmah.

The only other topic which calls for notice in this discussion, is that of charitable action by Church and State; and it is obviously one of the most difficult. Many, indeed, who have given years of study to political economy, are appalled at the problem which clamors for solution, the problem of what the State ought to do for the poor.

If "the powers that be" are in full sympathy with the best aspects of Christian civilization, and are intent upon a faithful discharge of their duty as protectors of human life, they will dis-

cover in cities, if not in rural districts, a great number of persons who need assistance; and the question of their official duty to the poor will be thrust upon them from every side.

Perhaps it will assume the form of this alternative: Ought the State—ignoring as it were the family, the church, and the various springs of unconstrained beneficence—to hold itself primarily responsible for the support of all within its borders, who cannot take care of themselves; so that those in want will be taught to look to it, in the first place, for help? Or ought civil rulers to regard spontaneous charity, the help of kindred and friends, of lovers of man and lovers of God, as the primary and natural resource of the poor, while the State comes in to help at the last moment, when the springs of spontaneous charity fail? And the longer they reflect upon this alternative, the more difficult will the answer which is sought appear.

It is easy to say that the State is bound to take care of its poor; but is it not as easy to say and to see that Christians are bound to take care of their poor? that neighbors are bound to help their destitute and suffering neighbors? that strangers, like the good Samaritan, when Providence permits, are bound to help strangers in distress?

Is there anything in the Word of God favorable to the idea of taxing the property for the benefit of the poor, instead of relying upon the alms of good men and women to meet their necessities? Is not State charity more likely to be received as a debt than as a gift, educating the public mind to a false view of the case, and destroying in paupers the sense of their personal responsibility, and of their duty to earn their own bread? Would not a true economy in the use of wealth be promoted by leaving almsgiving to individuals and voluntary associations? Would not the children of want

be more wisely and tenderly assisted by this spontaneous charity?

Or, passing by all these questions, is it right for Christians, with the New Testament in their hands, to plead the duty of the State to care for the poor as a reason for its aiding them to support their destitute brethren? And if it be said in justification of such a plea, that the State concedes its duty in this matter and provides after a fashion for paupers, taxing all the people for their good, so that if Christians provide for their own poor, they are loaded with a double burden—it must be responded, that this is true; yet the Jews of our land do this very thing, taking care of their poor brethren, and at the same time paying taxes for the support of public paupers; and it may be added, that giving does not impoverish them; the language of their ancient Scriptures is verified by their prosperity:

“He that hath pity upon the poor lendeth to

the Lord, and that which he hath given will He pay him again.”

Besides, if the State assists a body of Christians in founding and sustaining a great charitable institution, because this institution will probably relieve it from the care of a certain class of paupers, it must assist other bodies in the same way, whatever be their religious creeds, provided they will relieve it of similar burdens. And in the end it will be found impossible to discriminate between a home for aged and pious women, and one for orphan and destitute children, though the inmates of the former have a settled religious belief, and the inmates of the latter are the fittest subjects for proselytism. Nor will it be easy to limit the sums which may be given by the State to a politic denomination in aid of charitable houses, or to measure the sectarian influence emanating from them, when under the control of a skilful priesthood.

It is not, therefore, enough to show that in a given case no denominational advantage is sought through the establishment for which State aid is obtained; it should also be made to appear that a dangerous precedent is not thus given, or a dangerous policy endorsed, by which the way will be opened for others to obtain aid from the public treasury, when the end is really, though not ostensibly, sectarian. Besides, it is difficult to justify the State in furnishing assistance to institutions which it does not frequently examine, for the purpose of assuring itself that the public benefactions are not diverted from their appointed use.

For various reasons, then, it seems to the writer dangerous for the civil authorities to coöperate with religious bodies in charitable work, except by way of protection. How far the State should engage in such work is a question not yet answered. Whether Christians have a right to transfer the care of their

poor brethren to the State, is also a question not yet answered. Whether they have a right to call upon the State for aid in caring for them, is another question to be answered. Whether it is for the real good of Christians to have their charitable work diminished by the State, is also to be carefully considered. But a few things are tolerably certain, and worthy of deep reflection: Christians are authorized by the nature of their religion and the precepts of the New Testament, to provide for the wants of their brethren; and by the favor of God they are able to do this, while meeting all their obligations to "the powers that be." Again, they will be sure to increase their influence over the hearts and consciences of men by doing without complaint more than their proportion of charitable work, and by doing it independently of the State, whose means for charity are secured by constraint.

And, finally, it may be said, without injus-

tice to civil rulers as a class, that they are likely to do most, not for those religious organizations which seek with singleness of purpose to elevate the moral and spiritual aims of men, but for those which are specially serviceable to the rulers themselves for the time being; and therefore it is unwise, if it be not wrong, for Christians to look to them for help in their work.

The writer, however, deems it simple justice to say that, in his opinion, the Christian women who have obtained from the State of New York, at a nominal rent, a site for their projected Baptist Home for Aged Women, have secured aid from the State in one of the least exceptionable forms, and in reality, though not in name, for one of the least sectarian purposes.

If it were wise for a religious body to look to the State for pecuniary aid in any case, it might be in theirs. And if the usages of the denomination in the past were to be taken as conclu-

sive in respect to the right or wrong of their action, they would certainly be justified. But it cannot be denied that special thought, both in England and America, has recently been given to the proper relation of the State to religion, and that local events have awakened the earnest attention of the Christians of New York to the same subject, so that the final acceptance of the Lease was a marked and even national event. It represented a principle and endorsed a policy. Whether in harmony with Baptist ideas and aims, or against them, it was a memorable act, and the honorable and devout women, as well as men, who were concerned in it, ought not to be surprised at the notice which was taken of it by some of their brethren, nor to regret that the great questions involved in their action have been brought before the minds of the people.

It is time, surely, for us to review our theory and practice on the matter in the question,

or rather, on the principle involved. If our theory has been correct, our practice has been to some extent wrong; if our practice has been right, our theory has been erroneous.

A great step in advance will be taken, when the proper sphere and end of civil government are made plain to Christians, and their minds are so filled by the truth that they will spontaneously act in agreement with it. For however inadequately the subject has been treated in these pages, no graver or more far-reaching question than this is now before the public mind. Let it not be dismissed until the true answer is found.

Having now examined the most important applications of the doctrine that the State should give to the people "protection and nothing more" in matters of religion, it may seem to the reader time for the discussion to be closed; but there are a few general considerations, bearing on the subject, which must

be noticed before the present writer can feel that his duty is accomplished. Many obstacles which seem to lie in the way of adopting the view defended in this essay, and which at first appear insurmountable, may, it is believed, be removed by these considerations; the reader's favor is therefore solicited until they are laid before him.

GENERAL OBSERVATIONS.

It seems to be thought by many, that if Christians now admit the impropriety of their having aid from the State for religious or sectarian purposes, they must in equity repay the body politic for all they have received in the past. But this is evidently a mistake. In many instances such repayment would be impossible; in others it would be plainly unjust. In thousands of cases, perhaps, the grant has been used for the purpose intended, and neither it, nor a pecuniary equivalent for it, any longer exists. In almost as many cases, societies have been led, by the proffer of State aid, to do what they would never have attempted without it; and, as a natural result, they are quite unable

to refund such aid. For instance, in consideration of a grant of land from the town for a site, and of freedom from taxes for the whole property, a church has erected a house of worship far more costly than it would otherwise have built; the value of the site and the aggregate amount of the taxes remitted have both increased year by year for a long time; and the church would now be found unable to repay the town. Nor, indeed, ought it to do this; for its past action was due to an error of the town as truly as to its own error.

The civil authorities acted in good faith when giving, and the Christian society when receiving such help; and though a better way has been discovered, it would be futile to attempt a restoration of the condition of affairs before the help was granted. All that can wisely be done is to accept the situation as it is, and act for the future on right principles.

The writer believes that he does not under-

rate the difficulties which must needs be met in changing the policy of the State as to the exemption of religious and educational property from taxes. They have seemed to him so formidable that he had thought of attempting to suggest certain steps preparatory to the final change. But the following remarks of the Honorable Josiah P. Quincy are, on the whole, satisfactory to his judgment, as pointing out a reasonable method of reaching in due time the desired result.

“While many good men feel strongly, and even bitterly, the impolicy of these (our exemption laws), all wise men must unite in opposing their immediate and unconditional abolition. Any one but a fanatic must see that it would be inexpedient—and inexpedient because it would be unjust—to assess the Institute of Technology or the noble Catholic Cathedral upon Washington Street, on their property valuation in the coming May. The penalties of injudicious leg-

islation cannot be remitted by drawing the pen through a bad law. If taxes are ever to be assessed upon existing corporations now exempted, they must come very gradually, after due warning, and as part of a statesmanlike scheme of economic reform. I offer three suggestions, which embody all the legislation which seems to me desirable at the present time :

First. That, so far as regards all corporations hereafter to be created, this objectionable form of State aid shall be abolished. If assistance is to be given them, it shall take the form of direct appropriation.

Second. That no existing corporation shall be permitted, upon sale of exempted property, to appropriate its increased value for secular or non-charitable purposes; except such corporations as shall elect to purchase this right by paying, principal and interest, all taxes which have been remitted to them.

Third. That a commission be appointed to

consider what may be the just claims of tax-exempted corporations upon the State; and also how that mode of State assistance may be finally abolished with the least possible injury to the religious and educational interests of the Commonwealth; and to the just property interests of any special class of her citizens; and that this commission shall report to some future legislature. (“Tax-exemption no Excuse for Spoliation.” p. 1.)

Treating the matter in this way, the work of disconnecting the Church from the State in our land would be far less difficult than the “dis-establishment” of the Irish Church; yet the latter is going steadily forward, and is expected, by all the friends of religious equality, to prove a “grand success.”

When a given course is seen to be right, and Christian men resolve to follow it unflinchingly, difficulties vanish. St. George Mivart, in his recent treatise on the “Genesis of Spe-

cies," maintains that "natural selection," as explained by Charles Darwin, "could not alone have given rise to the maxim, *Fiat justitia, ruat cælum;*" and he might have added, that no men have proved themselves more willing to act on that maxim than enlightened Christians. Many a time have they been forced to cry out, in view of perils or sacrifices,—

“Let right be done, though the heavens fall;” but lo, the heavens did not fall!

It is also believed by many, that whatever in the abstract may be the right or wrong of the case, in the concrete, in the present conditions of religious life and power, it is expedient and therefore right to coöperate as heretofore with the State. And a principle reason for so doing is the assumption that two or more great denominations in our land will not consent to relinquish the State patronage which they have largely secured in certain places, and which they hope to secure in others, while “the pow-

ers that be'' will not find it for their interest to withdraw their patronage from their friends.

Then, further, it is silently assumed that State patronage is a real benefit to the religious bodies that enjoy it, and therefore, in fairness, should be accorded to all, or to none. But this argument is specious rather than convincing. Not one of the assumptions on which it rests can be accepted as sure by a wise student of history. For such a student is prepared for surprises.

He knows that the unseen forces which mould the minds of men often change the belief and policy of those who mean to be inflexible; and he would not dare to say that even the Papal hierarchy may not abjure the aid of the civil power, in deference to public opinion; much less would he dare to affirm that the rulers of the land may not find it prudent to side with the Protestant majority in favor of "protection" against a Papal minor-

ity in favor of "coöperation;" above all, he would not dare to assert that State patronage is in reality a blessing to the Church which receives it, that "provision of the King's meat and of the wine which he drank," is better for the children of God than "pulse to eat and water to drink."

A historical survey of Christendom from the ascension of Jesus to the present time, ought to convince any one that the power of religion is not due to the civil purse or sword. It has a higher and a purer source. It reveals its grandeur when the world frowns. It has made the lowly and persecuted illustrious, by working in their hearts, transforming their characters, uplifting them in the scale of moral worth, and making them kings and priests unto God in the realm of spiritual truth. It has filled the valleys and the mountains with Christian heroes, preserving the gospel free from age to age. It is simply a mistake to suppose that

revivals, conversions, reformations, have come in the line of governmental favor and support.

It is simply an error of judgment to think that Christians would have done more for the spread of the gospel in foreign parts and the conversion of the world, if they had been helped by larger grants from the State at home. That they have been overburdened, is not true. That they have been called to give more than they were able, is not true. Is there the slightest reason to believe that any amount of State patronage, during the last hundred years, would have made the numbers of actual Christians in our churches greater than it now is? Is there the faintest reason for supposing that Baptist churches would have fewer worthy members or less religious influence hereafter, if they alone should decline all aid from the State? Such a result would contradict all we know of the kingdom of Christ and of the nature of man.

Again, it is alleged that Christians should coöperate with the State for its benefit. And this is certainly true, if a suitable meaning is given to the word "coöperate." No one can be more willing than the writer to admit the duty of Christians to seek the welfare of the State.

They should obey its laws, honor its rulers, and use their influence in every proper way to make it just and beneficent. They should aim to fill the minds of the people with Christian principles, and to win them to the service of the Master. They should also be ready, if need be, to take any official position, high or low, in peace or in war, which they are qualified to hold, making it a point, however, to maintain always and everywhere their religious faith and life, while employing the power of the State with scrupulous fidelity for the attainment of its appropriate ends. But they should never, either directly or in-

directly, impose on the State a part of the burden which belongs to them as Christians. They should never tax the people nor deplete the treasury for the support of sectarian institutions, or, indeed, of religion in any form.

For the State is charged with secular duties, and the Lord has no need of its purse and sword for the establishment or extension of his spiritual reign over the hearts of men. All that Christians can do for the benefit of the State, they are bound to do and will do freely, asking no return but protection in the exercise of their natural rights. If they ask for more, it will be under a mistaken view of the relation of civil government to religion.

Again it is asserted that Baptist usage and precedent endorse positive action by the State in favor of religion. By accepting church-lots and release from taxes of church property, and grants in aid of denominational work in schools, Bap-

tists as well as others have really given in their adhesion to the view that the State as such may enter the domain of religion, and constrain men to support a faith which they do not approve. And surely, it is sometimes added, Baptists have gone far enough in defence of religious liberty; they have proved themselves radicals in asserting the rights of the individual conscience; and it may be taken for granted that no further progress in that direction is either safe or right. But no such thing can be taken for granted. The fact is, that Baptist usage has been inconsistent in this matter.

It has allowed in one form what it has condemned in another. It has protested, even to imprisonment, against direct taxation for the support of religion, but has winked at indirect taxation for the same purpose. It is charitable to believe that this inconsistency has not commonly been perceived; but it is now manifest to all, and the only proper course is to bring

our practice as soon as possible into agreement with our theory.

For the latter is Scriptural, and the former is not; the latter accords with the genius and spirit of our churches, and the former does not; the latter is in harmony with all the better tendencies of Protestant Christianity, and the former is not. By clinging to precedent in disregard of principle, the Baptists of America would ally themselves with the Papacy, and close the door of hope for the future. Of all men they should be the last to take the practice of their own churches, instead of the Apostolic, as a guide to duty. In this respect above all others they should be careful to shun even the form of evil; for a sacred regard to apostolic teaching and precedent is the source of their power. When there is danger of turning to other masters, their watchword should be, *obsta principiis*, let the first indications of reliance on human authority be resisted.

Since entering upon this discussion, the writer has been reminded more than once of the words of Jehovah to Israel: "Thou shalt take no gift; for the gift blindeth the wise, and perverteth the words of the righteous."

The deep wisdom of this prohibition, and the tremendous force of the reason for it, have come into his mind like a new revelation. For besides a painful sense of reluctance to advocate a view which condemns, in some measure, the practice of his brethren in the past, and calls upon them to forego a large amount of pecuniary aid for the future, he has been forced to recognize an ever-obtruding consciousness of the fiscal relations of the matter to his friends and himself, and to see in many others the same tendency to study the principles under examination in the light of the money at stake. But this light is an *ignis fatuus*, sure to lead the mind astray. It is better to look at principles in the dry light of

reason, or in the great and holy light of love.

It is safer to turn the mind away from self, and ask what would be the bearing of action in harmony with a given doctrine, upon the character of the people and the success of another denomination. Would the Presbyterians incur any serious risk of harm, should they hereafter accept from the government "protection and nothing more?" Would the Congregationalists lose anything worthy of special regret, by declining from this hour all pecuniary aid from the State?

A distinguished Methodist is said to have remarked, within a few weeks, that the Papal doctrine of the relation of Church and State is correct, for the State ought to serve the Church—only it should serve the right Church; but would the Methodists be strengthened in spiritual might by wielding the forces of the State? or weakened by losing its patronage? These questions do not refer to the secular

power of churches, but solely to their spiritual power, their ability to reach the souls of men and lead them to Christ. For it cannot be denied that a Church, which has virtual control of the sword and purse of the whole people, may do much to enforce certain rites and forms of religion. Indeed, the power of the State never seems to be more terrible than when it is directed by priestly counsels to the extermination of alleged heresy. But this is not spiritual power. It does not fill the churches with believing souls. It does not carry the gospel of peace and love to the ends of the earth.

Protestant missions appear to be the only ones that truly illuminate the minds, elevate the purposes, and Christianize the life of the heathen, and Protestant missions are the work of spontaneous charity. Let no man, then, reject the doctrine of "protection and nothing more," because he shrinks from the sacrifice

which it calls upon his own denomination to make.

The writer cannot deny himself the pleasure of borrowing an illustration from the paper read by Dr. Woolsey, of New Haven, before the Evangelical Alliance.

“Dr. Dwight, President of Yale College, a wise and large-minded man, died in 1816, while an agitation was going on in Connecticut, which destroyed in 1818 the last faint trace of State religion in that Commonwealth. I can remember, as a boy, that he thought that the foundations of religion were giving way; and in this feeling of his there were mingled no elements of sectarianism. So Dr. Lyman Beecher, also one of his scholars, a hopeful, courageous, self-relying man. Of the crisis he writes, being then a pastor of an important church in the State:

“ ‘It was as dark a day as ever I saw. The injury to the cause of Christ, as we then sup-

posed, was irreparable. For several days I suffered what no tongue can tell for the best thing that ever happened to the churches. It cut the churches loose from dependence on State support. It threw them wholly on their own resources and on God. They say ministers have lost their influence; the fact is, they have gained. By voluntary efforts, societies, missions, and revivals, they exert a deeper influence than ever they could by queues, and shoe-buckles, and cocked hats, and gold-headed canes.’ ”

Yet, looked at from another point of view, to wit: the duty of the State to treat all religions, considered as religions, and all religious sects in one and the same way—a treatment which they can claim as their due—it must be concluded that whatever relief from pecuniary burdens is granted to one should be granted to all, and that any religious sect would have just reason for complaint should the State discrim-

inate against it on religious grounds. Civil rulers have no right to wield the power of the State for one religion or sect in preference to another. They should grant the same privileges to all.

But, we add, it will be forever true in the realm of spirit, that "it is more blessed to give than to receive." These words from the lips of Jesus, preserved by the greatest of the apostles, suggest the line of spiritual advance for his people. Not by grasping, but by giving; not by begging the favor of princes, but by offering the truth freely to all; not by leaning upon others for support, but by going to the help of the weak, will they find joy and strength. That which tests their faith, invigorates it. That which enkindles their love, ennobles and augments it.

The servants of Christ grow into his likeness by following in his steps, and the story of his work on earth may be condensed into these

words, He gave his life for the sheep. Yet, He said, My peace I leave with you; my peace I give unto you. The most bountiful was the most blessed. And the Church will then be strongest and fairest and most jubilant, when it is most self-forgetful and self-sacrificing, giving always with a willing mind to those who are in need.

FURTHER REMARKS.

It will be recollected that, according to the view maintained in these pages, the great end or office of the State is to protect men in their natural rights—their right to life, unless it is forfeited by crime; their right to liberty of action, unless that action is injurious to others; and their right to property, the product of their own labor, unless a fraction of it be required for the support of government. But many persons will reject this view, and hasten to deny that the functions of civil government are simply protective. Possibly they are right in so doing; at all events, such are the limits set to this discussion, that the writer cannot attempt to confirm his own view, or refute theirs, by

further argument. Nor is it needful to do so; for the doctrine that the relation between Church and State is properly one of friendly independence, does not rest on the particular theory of the true end of the State, which has been advocated by the writer.

For "the powers that be" may aim to promote as well as to protect the secular interests of the people, and yet restrict their action to that class of interests, leaving the propagation of religion to the agencies which God has appointed for that service, to the Word, and the Spirit, and the Church of Christ.

And it can hardly be questioned that Baptists have intended from the first to maintain this division of labor between the respective forces of the kingdom of Christ and the rulers of mankind, confining the action of the State, as far as was in their power, to civil or secular affairs.

In proof of this statement, two or three

passages may be cited from documents of the highest authority.

The first written compact (1637), now in existence, of the inhabitants of Providence, Rhode Island, reads as follows:

“We whose names are hereunder, desirous to inhabit in the town of Providence, do promise to subject ourselves in active or passive obedience to all such orders or agreements as shall be made for public good of the body, in an orderly way, by the major assent of the present inhabitants, masters of families, and such others as they shall admit into them, only in civil things;” and there cannot surely be a doubt in any one’s mind as to the purport of the last and limiting clause.

Roger Williams and his associates meant to restrict the action of the State to secular affairs, and to deny it any control over religion, whether by way of patronage or repression. In the time of Isaac Backus the same theory of

civil government was strenuously asserted by Baptists. A memorial was addressed by them to the General Court of Massachusetts in 1775, which contained the following words:

“For a civil Legislature to impose religious taxes is, we conceive, a power which their constituents never had to give, and therefore going entirely out of their jurisdiction. We are persuaded that an entire freedom from being taxed by civil rulers to religious worship is not a mere favor from any man or men in the world; but a right and property granted us by God, who commands us to stand fast in it. We should wrong our consciences by allowing that power to men which we believe belongs only to God.”

It is needless to adduce other testimonies, for the historical fact stated above will not be denied. But it should be remarked—for on this point there appears to be some doubt—that there is no difference in principle between

taxing the property of men, for the support of a form of religion which they reject, and releasing from taxation property used for the benefit of that form of religion. The only difference is this: In the former case, the process is direct and open; in the latter, it is indirect and covert.

If church property ought to be exempted from taxation on religious grounds, the question at issue is settled forever; the State has a right to tax Baptists for the support of Unitarians, or Presbyterians for the support of Roman Catholics, and *vice versa*. But there are few intelligent Protestants in the country who will advocate such a view. Here and there a voice may be heard saying, that the State ought to support the Church, meaning the right Church; but surely, it is too late in the history of the world to impose upon civil rulers the duty of ascertaining for the people which or what is the true Church, or to require them to

recognize the Church which a majority of the people favor as the true Church. Political leaders or majorities are by no means qualified to settle religious questions.

But ought not the State as such to recognize God and religion? Nay, more, ought it not to recognize Christianity as the true religion, and thus proclaim itself a Christian State? Most certainly it should do this, if the common law of England and America is to be allowed to furnish the answer. Most certainly, too, if the views of distinguished statesmen are to be received as conclusive. Most certainly, again, if civil government is bound to use its power in every sphere of life for the promotion of every good cause.

But if these things be granted, the State ought to go still further, and sustain in the sphere of religion that which is purest and best, that form of religion, or that denomination of Christians which holds the most truth with

the least error. If there be such a thing as a State-conscience towards God, which has a right to enforce its claims by purse and sword, it surely has a right to keep itself pure by enforcing all its claims. But there is no such conscience. For the State is not a living person; it has no common soul.

The figment of an organic life of the State should have been buried and forgotten long ago. Here, if anywhere, mysticism is out of place, and men ought to deal simply with facts, looking at human government in a practical way.

Looking, then, at facts alone, one is compelled to say, that there are certain ends which a State can accomplish without interfering with other institutions equally divine, and there are other ends which it cannot thus accomplish, though they are no less important in themselves.

To the former belongs the regulation of marriage, at least, to a certain extent. For

example, polygamy may be treated as a crime against society, and therefore amenable to the laws of the State. For, apart from the teaching of the Scriptures, it is evident that marriage is the normal condition of men and women. Both are adapted by their physical, mental, and moral nature, for this condition. And the number of the one sex qualified and disposed to enter the marriage state is about equal to that of the other, the world over. Hence any man who appropriates two women to himself, deprives another of a blessing to which he is entitled by the very constitution of his being; and such an act should be prohibited by the State as a violation of natural right.

The only alternatives on a large scale, are monogamy and sexual communism. But the latter is demonstrably incompatible with the higher and purer instincts of our nature, as well as with the proper support and training of

children. The State, then, without regard to the claims of religion, should enforce the law of monogamy, as against communism or polygamy. In doing this, it will of course have the united and hearty support of Christians; their religious convictions, their consistent example, and their strong social influence will make the task of the State comparatively easy in every country where they are numerous.

But there are other ends that must be sought by different means. For instance, God has not seen fit to entrust the interests of his spiritual reign over men to the State, but rather to the free action of his people, under the guidance of his Word and Spirit. Every member of the State, whether officer or private citizen, has indeed a conscience, and is bound to act for himself in behalf of the truth as it is in Jesus. For worship is evermore, and by the nature of the case, a free and personal act. Just so far as it becomes a mere legal formula, an act, not

of human souls, but of State routine, does it lose its true character, and become an insult and offence to God.

If, then, the people wish to honor the Most High, let them receive his truth into their hearts, form churches after the Apostolic example, preach the gospel to old and young in every corner of the land, select men for their rulers who fear God and work righteousness, and insist that all shall be free to worship Jehovah or refrain from his worship, as their consciences dictate, without constraint and without molestation—and the nation will become Christian in the only true sense of the Word. But to put the word “God” into the Constitution, or any Christian formula into public documents, will amount to nothing. If the President desires to speak and act as a Christian man, let him do so, for it is one of his natural rights. If the Houses of Congress desire to worship God, let them do so, at their own

charges, or by the favor of the clergy. But let there be no attempt by the State to patronize religion, much less to support it by purse or sword. Christians may certainly do many good things by means of the State, just as they can do many good things by means of the steam-engine or the electric telegraph; but they cannot safely employ it in the realm of spiritual life; its rough and compulsory forces belong to a lower plane of action, and must not be turned against the conscience.

Again, Christians may sometimes be responsible for the existence and character of the State; but the converse of this is never true, that the State is responsible for the existence and character of Christians. It is not a religious institution, nor can it be made to do the work of such an institution, without usurping the functions of a Church and trampling on the consciences of men. Even then it will no more

do the work of a Christian Church than a whirlwind will do the work of a syllogism.

In stating some of the reasons for his view of the proper relation of the State to religion, the writer begs leave to refer again to a lesson of the past, which may have weight as a prudential consideration. Every reader of history is familiar with instances of the confiscation of ecclesiastical property by the State. These acts have generally been stigmatized as deeds of robbery and sacrilege. And from certain points of view they must always be so regarded.

Yet it should not be forgotten, that, in many cases the rulers of the people have but reclaimed by force what they had given without right. By releasing the vast possessions of the Church from taxation, they had been compelled to exact larger sums from the laboring poor, and had thus added year by year to the wealth of the former, by deepening the poverty of the latter. It is true that these

great monastic establishments were expected to bestow alms on the poor; but was it just to render the people objects of charity by showing special favor to those who were building up charitable institutions? Would it not have been more equitable to relieve the secular estates and the common people of oppressive burdens, by a moderate tax on ecclesiastical property, thus preventing pauperism, than to provide for the relief of poverty by means which multiplied the number of the poor? And especially when it is recollected that only a small fraction of the vast church revenues went to the aid of paupers, most of it going to the support of an idle and sometimes vicious clergy?

In view of all this, it may be said that there has been a sort of rough and grim justice meted out to religious orders, or ecclesiastical authorities, by some of the acts of confiscation, wresting from them hoarded treasures. Or,

if this language be objectionable, it may at least be said, that the State has only reclaimed by force a little more than it gave without right; that having largely increased the property in question, by laying unjustly the whole burden of taxation on other property for centuries, it has at length reversed the process, taking unlawfully even more than it gave unjustly.

But is there any danger of great accumulations of property in the hands of American ecclesiastics? Is there a particle of reason to fear that any Church will draw from the people larger sums for sectarian purposes than the good of the country requires? or that religious corporations, favored by the State, will obtain through their wealth a power which is far from religious or safe? These questions are relevant to the discussion at its present stage, and their answer must be a decided affirmative.

If the writer is not misinformed, there are

Bishops in the land who have not scrupled to make use of their vast revenues to control legislation.

The Protestants of St. Louis have felt in times past, it is said, not simply the spiritual, but also the secular power of a distinguished prelate of that city, and have found the taxing of church property a benefit rather than an evil. The Protestants of other cities would doubtless have the same experience, and come to the same conclusion, if they were wise and strong enough to obtain such a law. But whatever may be thought of the past, so far as this land is concerned, there are influences now at work which tend to put vast accumulations of ecclesiastical wealth in the hands of a few men at the head of certain denominations, and it is worthy of serious reflection whether, in the light of mere prudence, it is wise to exempt such wealth from taxation.

The testimony of history is a warning against

these accumulations, as being likely to wield a mighty influence in the political world. If they cannot be altogether prevented, they can at least be left without encouragement. Yet it will be found impossible to discriminate between property held for religious purposes by one or five men, and that held by large numbers of men. If a Protestant congregation may hold and use, without taxes, property worth fifty thousand dollars, it will be difficult to prevent a Roman Catholic Bishop, or three ecclesiastics with two laymen, as in New York, from holding and using fifty millions of property, without taxes, for the same alleged ends.

With these remarks, the writer submits the subject to Christians of every name. It is certainly worthy of their careful consideration, and it has been his aim to present it in the fairest manner possible. There may be defects in his statement of principles, or errors in his application of them, but that the general views

set forth in this discussion are correct, he is unable to doubt.

And it is hoped that by this examination, with others more thorough and equally dispassionate from abler pens, some real progress may be made towards a full comprehension of the great question at issue, and the churches be led to favor such action in the future as will best accord with the will of the Master, whose kingdom is not of this world. If love to the truth and love to one another prevail, no evil can result from the freest discussion of such a topic.

RÉSUMÉ.

As some of the questions noticed in this discussion have been recently pressed upon the attention of the public, by persons who are considered unfriendly to religion, the writer will be pardoned for recapitulating briefly, the principles set forth by him, and adding a few thoughts not before expressed.

The State is not an end, or a good in itself; ✓✓ but simply a means to an end. It has no personality, or life, or worth of its own. It exists by the will of the people and for the good of the people. Its value is found in the service which it renders to the men who constitute it; for these are immortal, and the characters which they form in this life will be theirs forever.

The State is not a parent, and the people children, nor an employer, and the people employees; nor a giver of bread and the people paupers. To imagine it identical in nature with an Oriental monarchy, a great business firm, or a gigantic poor-house, is to forget the best lessons of history, and revive the political notions of an age long past. It may serve as a complement to the family, the church, the college, the firm; but it differs from every one of these in nature as well as purpose.

For the supreme end of the State is the protection of the people in the exercise of their natural rights. If this were needless, if every man were duly respected by every other man, civil government would have little or nothing to do. Other and simpler agencies would soon take its place. United action would sometimes be needed for the achievement of difficult enterprises; but it could be readily secured without

constraint. Protection is therefore the supreme end of human government.

The State should afford reasonable protection to the lives of the people. In doing this, besides punishing violence, it may guard the door of admission to medical practice, may enforce sanitary regulations in times of pestilence, and may prohibit the sale of anything dangerous to health. It may also enter the family circle and prevent parents from neglecting their helpless children, or children from neglecting their feeble parents. In a word, it may do all that ought to be done in this direction.

The State should also protect the liberties of the people. And among these the highest place belongs to liberty of worship. With this "the powers that be" can never justly interfere, unless it takes a course incompatible with rights which they are called to defend. But no man can be permitted to wrong his brother,

even though it be under pretext of conscience towards God.

The State should likewise protect the people in holding and using their property. For the fruits of labor belong of right to the laborer. He who creates a value is the natural owner of it. But there is need of peculiar caution in the application of this principle; for no man has the same original right to the soil which he cultivates, or to the materials of Nature which he employs, that he has to the improvement which he makes in them, or to the value which he adds to them. A discussion of this vital question in political economy does not, however, come within the intended scope of this essay. But since it is a question of growing interest, a few hints may be offered to those who have given it little thought.

The earth itself, and especially the surface of the earth, is God's gift to mankind, for the benefit of all. But this circumstance does not,

as some appear to think, prove that it must remain forever undivided, the common possession and camping-ground of the whole race. For the value of any part of it is chiefly due to cultivation by the hand of man; while the privilege of personal ownership is by far the strongest motive to this cultivation. But ownership is valid and practical no farther than it is protected by the State. Plainly, therefore, the State ought to assure to individuals a title to portions of the soil. But this title should be given on such terms and with such limitations as best accord with the right of the people to life, liberty, and the fruit of their labor.

Moreover, the State should protect itself, its purity and character, by requiring the people to obtain in some way an education that will qualify them for the discharge of their civil duties. And the citizens of a free republic, called to select their own rulers, need more than the rudiments of learning to prepare them

for intelligent action. But whatever the standard may be, up to that standard they should be brought, lest the blind lead the blind, and both fall into the ditch. So much education may certainly be given by schools supported by the State.

The revenues of the State should be drawn, as equitably as possible, from all the persons and property under its protection. This will be recognized by every man as a just rule; but in applying it, differences of opinion will be sure to appear. Self-interest will cast its shadow over this mind from one point, and over that from another. Here partial knowledge, there strong desire, will lead to error of judgment. One will believe that incomes should be taxed, another that property should bear the burdens. And much that is plausible can be urged by every man in support of his own view. Yet it is important for those who justify the exemp-

tion of certain kinds of property, to bear in mind several facts; namely:

1. The property in question, whatever it be, has been put to the use which it now serves by the free act of its owners. It is just where they choose to have it, and doing just the service which they prefer to have it do. In a majority of cases, though not in all, it would have been put in the same form, to do the same work, had it been subject to taxation from the first.

2. The protection of this property by the State gives it a considerable part of its value for the use to which it is applied. Thus the State is actually doing something every year to preserve or increase its value. It watches over it by day and by night. It defends it from the thief, the robber, and the mob. It warns every man to avoid every act that can interfere with the use of that property for the purpose chosen. And often in large cities, through the protection

of government and the enterprise of business, this property increases in value almost a hundred fold, so that the favored organization is made rich. Who of us is conscious of his full obligation to the State for his peace in the house of God? or for his success in the rooms of any great Christian Society?

3. The State is supported, in part, at least, by taxes levied upon the property of the people; and therefore, if a part of that property is devoted to uses which exempt it from taxation, a heavier burden must be laid upon the rest. Is not this the same in effect as a gift from the State of the amount saved to the Church by exemption? It must be, if we look at the matter from a simply fiscal point of view. But would Christians of any name in this land be willing to commit themselves for the future to the policy of receiving from the State a yearly stipend for the prosecution of their work, that stipend being exacted from the people without regard

to their religious belief? If not, then it is clear that they should not wish their church property to be relieved permanently from taxation.

But it is said, that much property besides that which is held by Christian churches, is exempted from taxation; and that if the exemption is withdrawn from the latter, it should be from the former also. This is no doubt correct; but the present essay is concerned with the honor and influence of religion, especially the Christian religion, and the writer is chiefly solicitous to have Christians look at the question with candor from as many points of view as they can take. If the true spirit, the very genius of Christianity requires the friendly independence of Church and State, it is highly important for the followers of Christ to see this, and act in harmony with their Master's will. It must be wiser for them to do this of free choice under the pure light of

truth, than to be constrained to do it by the wrath of evil men, which is so often overruled for good in the progress of events.

It has also been said, that churches render invaluable service to the State, more than equal to the favor of exemption. This may also be true; but it is not usual for good men to expect a recompense in this life for their moral influence or their liberality to the poor. Besides, the service which churches render to the State is incidental; it is not an end distinctly contemplated in their organization. Still further, they are more numerous in many localities than the service which they render to the State requires. Why should the government release from taxation three houses of worship in a small town, when a single house would accommodate all the worshippers who can be brought together, and when the different churches are equally useful as a police force? And lastly, it is not certain that such a church as the Cath-

olic will always be useful in a free State. It may now be useful in this country, and indeed the writer presumes that it is; but for a single important reason he cannot repress a fear that it will not always remain so.

The head of that church, residing in a foreign land, is supposed to be infallible. If he is not so in reality, but is liable to fall into error and sin, even when acting as head of the church, his authority is such as to make those who submit to it without reserve an element of some danger in a republic. For a man who is obeyed as infallible may have ambitious thoughts, plans, purposes, not altogether in harmony with the spirit of freedom and free institutions. The case is very different when the infallible authority is a book which has no ambition to gratify, no personal aim or prejudice to affect its teaching, and, above all, when every man is encouraged to interpret that book for himself. History has proved that the in-

fluence of the Bible, freely interpreted by Protestants, will never endanger a republican form of government. Can the same be said without qualification of the influence of the Papal See? If so, the suggestion of doubt in respect to the possible attitude of that church towards the State hereafter, may be passed by as superfluous.





Date Due

Jan 4 '37

[REDACTED]





Princeton Theological Seminary-Speer Library



1 1012 01031 7636