

Church and State.

BY REV. WM. MOORE, D.D., OTTAWA.

I.

I. THE STATE.—The most practical definition of the State is found by an examination of what it does or claims to do. The State is a power claiming and exercising supreme jurisdiction over a certain portion of the earth. Here it acknowledges no superior except God. It is the sovereign arbiter of life and death. It fixes civil status. It regulates social action. To a very large extent it determines, according to its sovereign pleasure, the rights, the duties, and the relations of all human beings within its territorial sway.

As a matter of fact, the liberty of the individual is circumscribed by the will of the State. If the subjects of one power enjoy a larger measure of personal liberty than those of another, it is simply under a concession from the same absolute source.

The State assumes to determine the public good for which it exists and for this end claims the highest prerogative of sovereignty. It takes charge of the person, and of personal conduct. It defines crime. It makes its prohibitions and commands the measure of what is lawful and right. Hence, even in the teeth of its own disclaimer, it raises or lowers the standard of public morals. It employs force to an unlimited degree. It punishes by the infliction of pain to any amount it may think necessary. It banishes, imprisons, and puts to death.

The State claims to be the source of all rights of property. Whatever is held, whether of land or chattels, is by its permission and under its regulation. The State grants, confiscates, and determines the tenure or conditions of holding as it pleases. It prescribes how property shall be obtained, transmitted, inherited, or devised. It determines what shall be money. It has unlimited power of taxation. It demands the sacrifice of individual convenience for the sake of what it deems, rightly or wrongly, to be the general good. It makes war and peace with other nations. It suppresses rebellions at whatever cost of treasure and blood. It claims the life of every man for the public defence, and, for that matter, in every conflict it may choose to wage, whether aggressive or defensive, whether right or wrong.

The State determines ultimately all political rights as they are commonly called; all political duties, as I would prefer to call them. It prescribes the age, sex, and qualification for the exercise of the franchise. As its most important power, and one inseparable from its action for good or ill, it regulates all social relations. It declares and must declare what shall constitute marriage and what shall cause its dissolution; whether it shall be an invincible bond, or a mere contract to be terminated at the convenience or whim of the parties.

The State educates, prescribing both who shall teach and what shall be taught. It takes possession of us at our birth, keeps us under control during our whole life, and when we die it marks the time, and place, and cause of our departure, and the place of our burial.

All these sovereign attributes are inherent in the State, and have their times of practical exhibition. In short, there may be predicated of every such ultimate political organization what has been said of the British Parliament, as the representative of the British nation, "It is omnipotent. There is no earthly power that can touch its hand or say unto it, 'What doest thou.'"

And all these powers or prerogatives belong to every State irrespective of form. They inhere in a republic as truly as in an absolute despotism.

People sometimes talk of the State as if it were the creature of the constitution, whereas the very framing of a constitution is one of the highest exercises of sovereignty. The limitations woven into the constitution are self imposed, and, being thus imposed at pleasure, may, at pleasure, be repealed.

Forms of procedure cannot ultimately restrict the State in this respect, for the

simple reason that it makes the forms themselves. The State can be what it pleases to be, either through formal proceedings which it calls constitutional amendment, or through a steady tendency of judicial and political constructions always moulded by the popular tendencies lying behind them, or, if these be considered too slow, or some real or fancied exigency demands it, by falling back upon the absolute sovereignty as something never lost, and from which constitutions emanate, as being, even in their restrictions, an expression of ultimate unlimited power.

Whence comes this marvellous entity, the State?

Does it come from the consent of the parts? No; for the simple reason that it claims and exercises powers which no social compact can possibly confer. This is a case in which the whole is greater than all its parts. As the temple was more than the stone and timber and brass and iron and gold and silver and jewels of which it was composed; as the human body is more than the simple aggregation of all its particles, so the State is more than all the individuals within the scope of its authority. The State stands; the parts are in perpetual flux. The State may say, as does the brook,

"Men may come and men may go,
But I go on forever."

There is indeed a sense in which it is true that government exists by consent of the governed. But here we must distinguish things that differ. The form of the Government, or the personnel of the administration is one thing, the State itself is another. The form of Government or the personnel of the administration may be, and often is, changed at the behest of the people; but the State, or Government of some sort, tense and powerful as that which acts under our own Imperial Constitution, or tenuous and weak as that which rules among the wandering Eskimo of the far north, there must be, and from this not even anarchy itself can set us free.

Again. Is the State founded on brute force? We have been told that civil government, in its first stages, classes rather with the dynamic than with the moral forces. It is the law of the strongest, a mere physical absolutism without any consideration of right whether as due to enemies or subjects. But surely this is idle talk. Government from its very nature cannot begin with the strongest. As between rulers and ruled, the strength is always with the mass of the people. A physical absolutism is absolute absurdity. Men or factions can get possession of the powers of the State only under some pretence of right, under some claim of moral or religious sanction. Take even the case of Parkinson, of New Orleans. His power over the mob, of which he was the leader and inspiring genius, lay in his appeal to the instinct of self-preservation. In substance he said, when the law, or State, is powerless to protect, the people must resume the original right of self-defence and enforce it, if need be, by the destruction of robbers and assassins. The plea is not, we have the power, but we have the right; in other words, in the last resort the use of brute force must vindicate itself on moral grounds. As Aristotle long ago said "men are political animals." There is a pre-existent necessity for the State, and its foundations are laid in the constitution which we received from the hand of God.

Let us not obscure the real issue. The State must be, to use the imagery of John Milton, either a grand Christian man or an atheistic brute. There is, in point of fact, no middle term.

Let us for a moment assume the current secularist theory of the nature and functions of the State and see where it leads. It follows, as a necessary consequence, that there can be no prayer at the opening of the parliament or legislature, no chaplains appointed for the army or navy, or for the asylums or other institutions under the care of the State; that legislation must proceed on purely non-religious grounds, that marriage becomes a mere civil contract; that the Sabbath, if protected at all, must be upon purely sanitary grounds, the absolute necessity for a periodic rest, an interruption of the incessant grind of competition, in order to preserve the physical well-being of the race; that churches must be taxed because the secular state cannot recognize the Church except as a mere club or fraternity, one among many. There follows, also, the entire secularization of education, so that the very name of God must be excluded from the text books of the public schools, and finally the abolition of the oath in courts of justice in so far as it implies an appeal to the revising judgment of the heart searching God, and the substitution thereof of an affirmation sanctioned only by the civil penalties of fine and imprisonment. In a word, it implies the practical adoption of four at least out of the five planks of nearly every infidel convention, the report of whose proceedings has come under my observation in the last twenty-five years.

That I am not overstating the logical consequences of the adoption of this theory of the nature and functions of the State, I think, is clear from the positions already assumed under its guidance.

As far back as 1842-43 a law was passed in the State of New York forbidding sectarian teaching and books in the public schools. Under this law everything was regarded as sectarian to which anyone objected on religious grounds. In some instances teachers were actually dismissed for using the Lord's prayer in the presence of the pupils at the opening of the school.

In the State of Wisconsin, on the platform of one of the State Normal Schools, a regent of the University of Wisconsin publicly protested against the prayer with which the exercises of Commencement Day had been introduced on the ground that, the moment a teacher, in his capacity as such, begins to exercise any religious function whatever, to exert any religious influence upon the minds of those under instruction, that moment he infringes upon the reserved rights of the people.

The Popular Science Monthly, vol. 30, page 356, says, "What more dishonest and unworthy method of pre-empting and prejudicing the mind of the young could possibly be devised than that of school worship." The same writer says "The one thing in connection with religion in the school which is most indefensible of all is worship."

Dr. Guyot's series of geographies, said to be the best in the market at the time, were rejected by the School Board of Chicago after a year's trial because they recognized the existence of God.

A Christian college President said to the Rev. H. D. Jenkins, D.D., "That is my Political Economy prepared for use in High Schools and Academies I sent the other day to one of our State Superintendents of Education; but it was returned to me with the note that its first sentence condemned it for use in public schools. The first sentence was, 'The source of all wealth is the beneficence of God.' Further illustration is useless."

Well might President Theodore Woolsey, in his great work on Political Science, vol. ii, page 414, ask "shall it come to this, that even the existence of the Supreme One is not to be assumed in the schools, nor any book introduced which expresses any definite faith in regard to providence or final cause."

It has come to this long ago, that a minister of the Gospel, (the Rev. Dr. Spear, of Brooklyn) has justified the State inasmuch as he affirms it "Proposes to give only a secular education, that would be useful and needful if there were no God and no future for the human soul."

If it were possible to vacate the premises and leave them absolutely void; if it were possible for us to eliminate revealed religion from the whole circle of human learning without at the same time putting something else in its place; if it were possible to leave conscience in perfect darkness, entirely undeveloped, it would be bad enough. But it is not possible. No religion is irreligion. The denial of Theism is Atheism. Exclude religion from the public schools and a godless evolution must take its place only to be poured into the minds of youth in the most pliant and receptive period of their existence.

(To be continued).