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ARTICLE I.

CHURCH AND STATE.

The fundamental relations implied in the distinction between “the things which are God’s, and the things which are Cæsar’s,” have been recognised, more or less clearly, from the beginning of the history of our race. These relations are that of man to man in a state of society, on the one hand, and, on the other hand, that of man to God. They have been designated by different names, and have been the objects of divers kinds of legislation, according to the diversities of age and country; but, whether known by this name or that; whether, in practice, partially separated or totally confounded, the relations themselves have been, and could not but be, apprehended. The relation of man to man would force itself upon the notice by the necessities of every day’s existence; the relation of man to God would be developed in the operations of conscience, arraiging the offender before an invisible tribunal, and pointing him to a coming retribution. Yet it cannot be denied that in reference to few objects of human thought

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have attempts at articulate exposition been more unsuccessful than in reference to this; or, that the wisdom of the wisest man has still more signally failed, by any kind of political machinery, to realize perfectly the theories which make the most plausible approximations to the truth.

It is only in modern times, indeed, that the philosopher has undertaken to grapple with these relations, with a view to the practical separation of the spheres of the temporal and the spiritual, the civil and the ecclesiastical, the Church and the State. In the ancient forms of civilization, in its leading types, the Oriental, the Greek, and the Roman, we look in vain for any discrimination between these powers. In the East, the cradle of the human race, and the seat of vast empires, where the patriarchal idea and the patriarchal sentiment pervade and mould the whole fabric of society, the monarch is not merely the highest religious functionary, but a divinity, the object of worship to his subjects. In Greece, the cradle of philosophy, and the scene of the proudest triumphs of speculative thought, we find a similar, though not so complete an identification of the civil and the religious. The miraculous subtlety of Aristotle was as unequal to this discrimination, as it was to the discovery of the fact and the necessity of a physical creation *ex nihilo*. Among the Romans, whose extraordinary genius for government made them the masters of the world, we find a still larger infusion of orientalism than among the Greeks, and far less of a speculative tendency; and consequently, a more complete confusion of the relations which belong to man as a sojourner on earth, with the relations which belong to him as the subject of a supreme invisible power. In illustration of this point, we take the liberty of quoting a paragraph or two from an Essay on Roman Legislation, by that able lawyer and accomplished scholar, Hugh S. Legaré, of South Carolina. We offer no apology for the length of the quotation, as it is the legislation of Rome, more than all other causes combined, which has determined

the posture of all Christendom for ages upon this great question:

“The legislation and history of Rome are altogether unintelligible without a distinct apprehension of the causes, the extent, and the consequences of this extraordinary influence—[the influence of the class of the hereditary priests and jurists of the Republic, the ulema behind the throne greater than the throne itself.] All nations are governed more by manners and opinions than by laws, and the Romans above all other nations. But their manners and opinions were formed and directed by this *caste* of lawyer-priests, an institution quite oriental, transmitted to them through Tuscany, at once by inheritance and by education. ‘In every part of their annals, from the earliest struggles of the *plebs*, in the freshness and vigor of youthful health and enthusiasm, under their immortal tribunes, down to periods of degeneracy and servitude, the same spirit is everywhere visible. Religion, law, subordination, or all these names in one, *discipline*, civil and military, at home and abroad—‘this was their sorcery.’ Created to teach the law to all coming time, they regarded it with instinctive awe, approached its oracles as those of their Gods, and yielded to it a devoted, yet magnanimous and enlightened obedience. Hence it was that revolution after revolution occurred; that the assemblies of the *Curia* were superseded by those of the Centuries, and these in turn overshadowed by those of the tribes; that the veto of a single tribune, clothed himself in no armor but that of religion, (inviolable, *sacrosanctus*,) could bring on universal anarchy by preventing all elections, and leaving every office vacant; that repeated secessions of the *plebs* to the mountain appropriately called *sacred*, or to the Janiculum, took place; that for centuries together the story of Roman politics, omitting the wars altogether, is, in the hands of Livy, and even of Dionysius, by far the most thrilling and sublime of historical romances; and yet that, in the midst of so many elements of disorder and violence, not one drop of blood was shed in civil war, and the glorious commonwealth,

‘Rising in clouded majesty, at length,
Apparent queen, unveiled her peerless light.’”

Again, speaking of the *libri rituales*, (to the Romans what the Mosaic ritual was to the Hebrews,) Mr. Legaré says,

after Festus: "They teach the rites with which cities are to be founded, and altars and temples dedicated; the holiness of the walls of towns; the law relating to their gates; how tribes, wards, and centuries are to be distributed; armies organized and arrayed; and other, the like, things relating to peace and war." Then adds: "We see the same influence extending itself over the very soil of the Roman territory, and making, in the technical language of their augury, one vast temple of it. It was consecrated by the auspices; it could become the property only of one who had the auspices, that is, a patrician or *Roman*, properly so called; once set apart and conveyed away, it was irrevocably alienated, so that sales of the domain were guaranteed by religion, and it was sacrilegious to establish a second colony on the place dedicated to a first. Auspices could be taken no where else but on some spot which *they* had rendered sacred. The city, by its original inauguration, was also a temple; its gates and walls were holy; its *pomerium* was unchangeable, until higher auspices had suspended those under which it was first marked out. Every spot of ground might become, by the different uses to which it was applied, sacred, (*sacer*,) holy, (*sanctus*,) religious, (*religiosus*.) To the assembly of the *Curia*, the presence of the augurs was, of course, indispensable; that of the *Centuries* could not be held, unless the augurs and two pontiffs assisted at it, as it was dissolved instantly at their bidding, on the occurrence of any sinister omen. The first *agrimensor*, says Niebuhr, was an augur, accompanied by Tuscan priests or their scholars. From the foundation of the city, the sacredness of property was shadowed forth in the worship of the god Terminus, and that of contracts protected by an apotheosis of Faith. In short, the worthy Roman lived, moved and had his being, as the Greek writers observe, in religion."

We have, as yet, made no allusion to the history of the Old Testament, because, while, as to its subject, it belongs to the East, it is, as to its origin, the word of God, and

therefore cannot be expected to contain any merely philosophical views upon this or upon any other question; and further, because the dispensation which it is its main purpose to reveal and to illustrate, was altogether peculiar, and was designed to be temporary. But the very fact that it contains the history of an oriental people, makes it specially instructive, if found to present or to imply views of the connexion of the civil and ecclesiastical powers different from those generally prevailing in the East. And the additional consideration that we have, in those venerable records, the primæval history of our race, will furnish an ample apology, if any apology be necessary, for a brief notice of it.

We learn, then, that the whole race was once confined to the limits of a single family, and that all the intricate and manifold relations of human society, which have been developed in the progress of civilization, once lay here in the germ. The family was the nursery both of the secular and the spiritual power. But these powers were combined in the person of the *paterfamilias*, who was both king and priest, governing and ordering his household in regard to the things of this life, and instructing them and leading them in the knowledge and worship of God. In process of time, even after the visible church had been formally set up in the family of Abraham, we meet with that mysterious person, Melchizedek, who was at once king of Salem and priest of the most high God. In him the powers of these twin ordinances of God, the Church and the State, appear still united, but discernible as distinct and separable. Then, under the institute of Moses, we find the sacerdotal functions given to a separate order of officers, and the whole ministry of the tabernacle to a particular tribe; while the elders, the representatives of the patriarchal system, seem to have continued the exercise of civil functions. We do not pretend that there was an entire separation of the secular and the spiritual. It is possible that the synagogue,

with its mingled jurisdiction over civil and ecclesiastical affairs, may even then have existed, as that jurisdiction was based on the patriarchal principle upon which the whole Hebrew commonwealth was organized. But we assert that we have here in the books of Moses, what we find no where else in the East, a class of high and honorable functions in the matter of divine worship, with which the highest officer in the State dared not intermeddle. It is certainly a striking circumstance that, in a theocracy like that of Israel, its public forms should recognise, to so great an extent, the distinction between civil and sacred functions. As a theocracy, it could not easily admit of their entire separation; and it must be borne in mind, that as the State was organized with a view to the interests of the Church as supreme, if any argument be drawn from Judaism in support of the union of Church and State, it is rather in favor of the ultramontane than of the Erastian theory. In this respect, paganism presents a strong contrast to Judaism, in giving supremacy to the civil. But in both, as also in Mahometanism, the two powers are so combined that their history cannot be separately written. There is no history of the synagogue, or the mosque, or the pagan temple, as there is of the Church.

So thoroughly rooted had the union of the two powers become by immemorial custom and tradition, in the thinking, feeling, and entire life of mankind, that there can be little doubt of the wisdom and love of that dispensation by which the Christian Church was exposed, almost from the beginning of its existence and for the first three hundred years of its career, to the bitter persecution of the civil power. The line was thus clearly drawn between God and Cæsar, and it was demonstrated that the Church could live not only without alliance with the State, but in spite of all its power and hate. But no sooner did Cæsar profess himself the friend of Christ and His cause, than the old idea of union was revived, and Cæsar assumed once more the

exercise of power in the Church of God. Then came the reaction of the human mind, too violent to rest in the centre of truth, and swinging to the opposite extreme; still holding to the union, but making the civil subordinate to the ecclesiastical. The popery of Hildebrand, of Innocent III, and Boniface VIII, was the Nemesis of the Erastianism of Constantine, Theodosius, and Justinian. The doctrine, however, of these emperors was only the old Roman doctrine of the first centuries of the republic, with the change of Christianity for paganism. After the desperate struggle between the popes and the emperors, which kept the world in an uproar during the middle ages, came the earthquake of the Reformation. Even that great revolution did not dissolve the union of Church and State. It continued to exist, in some countries, as in Germany, Holland, England, and even in Scotland, to hinder the progress and mar the purity of the work of God, and in others, as in France, to extinguish it almost altogether.

It was in the Church of Scotland that the independence of the spiritual power was first proclaimed in modern times. John Erskine of Dun declared to the Regent Mar, "There is a spiritual jurisdiction and power which God has given unto His Kirk, and to them that bear office therein; and there is a temporal jurisdiction and power given of God to kings and civil magistrates. Both the powers are of God, and most agreeing to the fortifying one of the other, if they be rightly used." Andrew Melville dared to say to King James: "There are two kings and two kingdoms in Scotland; there is King James, the head of the Commonwealth, and there is Christ Jesus, the King of the Church, whose subject James the Sixth is, and of whose kingdom he is not a king, nor a lord, nor a head, but a member." (Stuart Robinson's Lecture before Maryland Institute, p. 18.) "For the space of more than a century," says Mr. Robinson, "this noble army of the martyrs attested the spiritual freedom of Christ's kingdom, in the face of every

effort of Cæsar to crush out the truth. But the seduction and arts of power at length accomplished what the violence of power could never do; and in the act of settlement of the Scottish kingdom under Queen Anne, the only testimony for this great truth was silenced, and in consequence, the Scotch church of the eighteenth century degenerated even to the point of spiritual death. Nothing could more forcibly illustrate the power of current and generally admitted error in blinding the eyes of intelligent men against the plainest results of their own principles, than the fact that, when the slavery of the Church to the power of the State could no longer be endured, and the memorable exodus of the Free Church of Scotland occurred, even then Chalmers and his compeers could not go all the length of the apostolic idea of church freedom; but clung, as indeed their disciples still cling, to the idea (while they practise voluntarism) that the State should support the Church; as though it were possible for the Church to depend upon the State for support, and still be independent."

Such being the history of the case, it ought not to create surprise, if the public mind, even in the freest and most enlightened nations of modern times, should not appear to have a clear comprehension of the principles which control this subject, or that, in practice, there should be so great a neglect of those principles. Momentary glimpses of the truth may be discerned along the ages, even in the darkest ages, under the pressure of persecution, when the weak were compelled to take refuge from brute force under the ramparts of sound principles; but the light which shines clearly in the darkness is lost again in the blaze of recovered power, and the persecuted of yesterday are the persecutors of to-day. Decrees of councils, bulls of popes, rescripts of emperors, decisions of jurists, opinions of publicists, dogmas of the civil and dogmas of the canon law, all conspire to join together what God has put asunder—the things that are His and the things that are Cæsar's. And now, in

the middle of the nineteenth century, and in America, we who have been accustomed to boast that it was our mission as a people to teach the world the truth upon this subject, have witnessed among ourselves, if not the revival of the maxims of the canonists and civilians, at least the adoption of measures which can only be acquitted of atrocious wickedness and folly by the truth of those maxims. "So far," says Vattel, "as religion is seated in the heart, it is an affair of the conscience, in which every one should be directed by his own understanding; but so far as it is external and publicly established, it is an affair of the State." It is upon this maxim that the officers of the usurper at Washington have proceeded, when they have dragged from their pulpits and banished from their churches the ministers of Christ, because their prayers sinned against political orthodoxy, either in the way of omission or of commission. And on the other hand, the Church, forgetting that her power is strictly a power only to declare and do her Master's will, as revealed in His word, has usurped the functions of the State, and fulminated its curses against all who hold the heresy of State sovereignty. Then, among ourselves of the Southern Confederacy, there are those who seem ambitious to revive the absurdities of the Fifth Monarchy fanatics, and to exclude from the councils of the State all except the saints; and others, who speak as if a particular form of religion were destined to be the religion of the Southern Confederacy, or, at least, of its army and navy. And doubtless there are among us, as in the old Union, tender-conscienced atheists also, who are shocked at the recognition of a God at all in the administration of the government.

All these facts go to show the importance of standing and looking for the old paths, that we may walk therein. The revolutionary temper of the public mind prompts us to look for something new; but we want nothing new. We are not Jacobin destroyers, despising the wisdom of

the past; but like William the Silent and the Dutch, like Hampden and Sidney and Somers, like Washington and the glorious fathers of the first war for independence, it is our mission to "maintain" and to restore. We need no new principles; but we do need to review and to remember the old, to refresh ourselves and renew our youth at the fountain of truth. This is our apology, for asking the attention of our countrymen once more to the principles which constitute a true theory, or an approximation to a true theory, of the connexion of Church and State. We say an *approximation* to a true theory, because there is room for doubt whether a scientific expression can be given to the nature and limitations of either Church or State, so clear and so sharply defined as to afford rules of universal application. One of the factors of the problem still waits for a thorough analysis and construction; and the political history of this country would seem to demonstrate that we do not comprehend the nature of the State. But we may approach the truth by considering the points in which the Church and the State agree, and then the points in which they differ.

I. The Church and the State agree in these three points: 1. That they are ordained of God. 2. That they are ordained for His glory. 3. That they are ordained for the good of mankind. These statements will not be disputed by any of our readers; and we shall not stop to argue them.

II. They differ in the following points:

1. That the State is an ordinance of God considered as the creator, and, therefore, the moral governor of mankind; while the Church is an ordinance of God considered as the saviour and the restorer of mankind. The State is ordained for man as man; the Church for man as a sinner in a condition of inchoate restoration and salvation. The State is for the whole race of man; the Church consists of that portion of the race which is really, or by credible profession, the mediatorial body of Christ.

We say that civil government is designed for man as man. We find it existing in the germ, when the race consisted of one man and one woman. The woman was in a state of subordination to the man. This subordination was not the penal consequence of transgression, as is evident from 1 Timothy, 2 : 11-14, where Paul argues that the transgression was the consequence of the violation, by the woman, of the order established by Heaven ; of her ambitiously forsaking her condition of subordination, and acting as if she were the superior or the equal of the man. If it should be asked where was the necessity or the propriety of an order implying subordination, in beings who were created in the image of God, in knowledge, righteousness, and true holiness, the answer is, that the propriety was founded upon the diversities of capacity in intellect and other endowments of human nature, which it pleased God should exist in the man and the woman. If man had not fallen, it would have been his duty still to bring up his children in the knowledge of God, and to *direct* them in the way in which they should glorify their Maker, albeit these children, by the terms of the supposition, would all have been holy and without inclination to go astray ; nay, more, in no danger at all of apostasy from God. In other words, if all creatures, because they are creatures, need direction from God, there is not only no absurdity in making some of them the instruments of directing others, but there are traces of the wonderful wisdom and goodness of the Creator in such an arrangement. Society is not an unison, but an exquisite harmony ; a grand instrument of various chords for the harping of hymns and hallelujahs to the God and Father of all. Even among the unfallen angels, we have reason to believe, there are thrones, dominions, principalities, and powers—order in the form of a celestial hierarchy. Man having fallen, however, and the love which constituted the very spirit and temper of his mind having given place to enmity, something more than *direction* was now necessary.

He needed *restraint*—his appetites must be bridled and coerced. The law of the two tables, which, in his state of innocence and uprightness, had been written upon his heart, summarily, in the *positive* form of *love*, must now be written externally, in detail, upon tablets of stone, and in a *prohibitory* form—"thou shalt *not*." And in reference to the second table, which prescribes the duties growing out of the relations of man to man, it became necessary that overt acts of transgression, which were not only morally wrong, but injurious to society, should not only be discountenanced by prohibition, but restrained and prevented by punishment. Hence arose a government of force.

The case, then, stands thus: In any condition of our race, the social nature of man must have given rise to the secular power. In a state of innocence, it would have been simply a *directing* power, a constitution designed merely to carry out and fulfil, without confusion, the blind instincts or impulses of love, love of self and love of "neighbor." In a fallen state, it has become, of necessity, a *restraining* and *punishing*, as well as a directing power. But in both conditions and in both forms, it is an ordinance of God, "the author of the constitution and course of nature." It is the nature of man to exist in society, and society is necessary to his existence. But society cannot exist without order and law of some sort. Therefore, government is as necessary to man as society, and, for this reason, is as natural to man as society. It may not be an *original* endowment of man, but it is *natural*; and if natural, then the ordinance of God. The perception of distance by the eye is not an *original* endowment of man, but the organ is so constituted that, in the course of time, it necessarily acquires it; and it is, therefore, *natural* to man, and therefore the ordinance of God. Civil government, then, is a branch or department of the moral government of God, the creator and ruler over man. God governs man by mechanical laws, by chemical laws, by vital laws, and He governs

him by civil laws. He who leaps from a precipice, or drinks a glass of poison, and dies, dies under a law of God which *executes itself*. He who murders his brother, and dies on the gallows, dies under a law of God, *executed by the hand of man*. In all these cases, death is a penalty inflicted by God for the violation of a rule of His government, physical or moral.

Once more: If this be a just view of the subject, civil government is a great *moral* institute, not a mere expedient of human sagacity and wisdom for the prevention of evil. It is this low, wretched, utilitarian view, which has contributed its full share to the ruin of the late United States government, in which the criminal law was fast becoming as pure an affair of utilitarian regulation as the civil. But the government of God, as creator, is a government of justice; and the civil magistrate, who is His minister, servant, *διακονος*, has no right to inflict any punishment which justice does not sanction, and is bound to inflict the punishment which justice requires. This remark is made for the sake of one important inference, and that is, that every civil government on earth is bound explicitly to recognise its responsibility to God as the moral governor of mankind. It is perfectly monstrous that the power which bears the sword and assumes the awful prerogative of taking human life, either in peace or war, should not acknowledge itself to be the servant of the sovereign Lord of life and death; that the power which represents the majesty of justice, should not recognise its responsibility to Him who is the eternal fountain and standard of all righteousness. One of the sins, doubtless, for which the vengeance of God descended upon the late Federal government, was the atheism of its fundamental law; and it is a matter of devout thanksgiving unto God, that the people of the new Confederacy have had the grace given to them explicitly to acknowledge their dependence upon Him, both in their Confederate Constitution and in their Confederate escut-

cheon. We have written "*Deo vindice*" upon the flag which our noble countrymen have borne aloft on a hundred bloody and victorious battle-fields. Let us never forget that God, our "Vindex," is the punisher of our sins, as well as the protector of our rights, and the avenger of our wrongs. Let us also remember, that it is not enough to bear this solemn truth upon our banners; we must bear it upon our hearts, lest we meet the fate of those of old, who "flattered Him with their mouths, and lied unto Him with their tongues."

So much for civil government as the ordinance of God, the creator, preserver, and moral governor of mankind. The Church differs from it in this, as has been said, that it is the ordinance of God, as the saviour of men, in the person of Jesus Christ, His only begotten Son. It contemplates man, not as upright, in his original condition of innocence, nor simply as a fallen being, but as "the prisoner of hope;" or more strictly still, as the "heir of salvation," really or by credible profession. Its great function is to teach, to convince, to persuade, "to bear witness to the truth." Its triumphs are the triumphs of love; it drags no reluctant captives at the wheels of its chariot; the design of its ordinances, its oracles, its ministry, is, through the efficacious operation of the Holy Ghost, to bring its captives into hearty sympathy with its King, and so to give them a share in the glory and exultation of the triumphs of the King. It has nothing to do with the power of the *sword*; its symbol is the *keys*. Its discipline is not the discipline of avenging justice, asserting the unbending majesty of the law, but the discipline of a mother, whose bowels yearn over the wayward child, and who inflicts no pain except for the child's reformation and salvation. The authority of her King is spiritual. His voice is, "Son, give me thy *heart*;" and by the power of His Spirit, He sweetly and powerfully constrains those whom He chooses for members of His kingdom, "to call Him Lord." They who

are His, or profess to be His, have, or make a credible profession of having, the great law of love written upon their hearts, and, therefore, need more the *directing* than the *restraining* power of the law.

The difference in this point between the civil and the ecclesiastical power, may throw some light on the question which has been agitated in our church of late, as to the duty of recognising the kingly office of Christ our Lord, in the civil constitutions of the country. Christians are all agreed that Jesus, their Saviour, is King of kings and Lord of lords, not only in the sense that He is the greatest of kings, but in the sense that all earthly kings and lords are subject to His authority. But the question is, whether civil rulers derive their authority from Him, as Mediator, or whether they derive their authority from God, as moral governor of mankind. The latter seems to us to be the truth. Christ says that, "His kingdom is not of this world." This is His solemn testimony before a civil magistrate whose authority He recognises. (See John 19 : 10, 11; Rom. 13 : 1, etc.) Now, was Pilate, as a representative of the Roman government, acting as an officer of the kingdom of Christ? If so, to what perplexity are we reduced in the interpretation of such a text as John 18 : 35-37? If any authority is "of this world," it certainly is the authority of the civil magistrate. If it should be said, that as Christ is "*head over all things unto the Church,*" His supreme headship should be acknowledged by all "powers that be;" we answer, first, that it ought to be done where it can be honestly and truly done; and we doubt not that the day is coming, when all "the kingdoms of this world will become the kingdoms of our Lord and of His Christ," and "all kings shall fall down before Him, and all nations shall serve Him." But how is it now? "No man calleth Jesus Lord but by the Holy Ghost," says Paul, in 1 Cor. 12 : 1. Are there more than a very small minority of the people of the Confederate States, who are, in the judgment

of charity, persuaded by the Holy Ghost that our blessed Saviour is Lord and King? What then? Will the acknowledgment of Christ in the Constitution make us a "Christian nation?" Have not the kings of France enjoyed the titles of "eldest sons of the Church," and "most Christian kings?" What shall we say of Henry VIII and Philip II? O Christ! what crimes have been committed in thy name! No; there is no magic in the name of Christ emblazoned in our Constitution and on our banners to transform us into a Christian people. Many a foul heart has beaten under the "cross" of the Crusader; fouler far than beat under the crescent of the Saracen. To make the change proposed in our Constitution, would have one of two effects: either to make us a nation of hypocrites, or to exclude from our public service every sort of ability which was not found associated with a cordial reception of Christ as King, or, at least, with a sincere recognition of His authority. Are we prepared for either alternative? We believe that as civil government was ordained for all men, and not for the saints only; as there is a moral constitution in all men which responds to the authority of God as moral governor, and they can recognise Him as such without the saving power of the Holy Ghost; and as God, the God of nature and providence, has endowed men with capacity for government who are not Christians; all that is necessary, in the way of an explicit acknowledgment of responsibility, is the acknowledgment of our responsibility to God as the governor of nations. But we shall have more to say on this subject under the next head.

2. The next point of difference between Church and State, is in the rules by which they are to be respectively regulated in the exercise of their functions. The rule for the Church is the word of God, the Scriptures of the Old and New Testaments. This is the statute book of the visible kingdom of Christ. The rule for the State is the "light of nature," or the human reason. The power of the Church

is, strictly and only, "ministerial and declarative;" the power of the State is magisterial and imperative. The Church has no power to *make* laws, but only to *declare* the law of God. All her acts of government are acts of obedience to her Head and King. The State has the power to make laws, as well as to declare them; has a legislative as well as a judicial power. Hence, the form of government for the Church, the regulative and the constitutive principles of her organization, are not matters to be determined by human reason, but to be derived from the Bible as the constitution and statute book: while, in the State, these are matters to be settled by the history and condition of political communities. The life of the State is natural, and it is left to assume an organization for itself. The life of the Church is supernatural, and God prescribes an organization for it.

If it should be asked, whether the Bible is no rule for the civil power—whether the secular magistrate may proceed, in all cases, as if God had not revealed His will in writing—the answer is: assuredly not. In the first place, the light of nature is made much more clear by the revealed will of God. For example, in respect to the justice and expediency of capital punishment for the crime of murder; the Bible not only gives its sanction to this penalty, but makes it the duty of the magistrate, as the sword-bearer, to inflict it. So also as to the lawfulness of defensive war. The sword-bearer is bound to wage such a war. According to the light of nature, interpreted by the Bible, the Quaker theory of war is not merely a sickly sentimentalism, but a rebellion against the organic law of society and government. The law of marriage is another example. In the second place, the erroneous teaching of the light of nature is rectified by the Bible. In the case of a weekly rest, for example, the word of God demonstrates that such a rest belongs to man as man, was ordained before his fall, and is necessary to his well-being. Reason and experience

have amply demonstrated the same truth, that "the Sabbath was made for man;" but it is doubtful whether the fact would have been recognised by the light of nature alone. In the third place, every man who has received this revelation is bound to accept it as a revelation from God, and to regulate his faith and practice by its authority, either in a positive or in a negative way. In some of his duties, the Bible is a positive rule; in others, it is a negative rule. Touching the whole matter of the method of salvation, the whole question as to what is necessary to be believed or done in order to obtain eternal life, the Scriptures are a *positive* guide, teaching what is to be believed or done, and *all* that is to be believed or done to that end. Touching the life that now is, the avocations necessary to sustain the being or to promote the well-being of society, agriculture, commerce, manufactures, civil and criminal laws, the man, if he be a civil magistrate, or whatever else, is to be governed by the *negative* authority of the Bible. He can do any thing which the Bible does not *forbid*. The principle contended for by Hooker and the Court party, in the time of Elizabeth, against Cartwright and the Puritans, for the regulation of the Church, though a false one for the Church, was true in application to the State,—that any thing may be lawfully ordained which is not forbidden in the Word. We say false in its application to the Church, because contrary to the injunction that "nothing be added, to the requirements of God:" the Word being a *positive* charter, and therefore signifying prohibition by *silence*. It is true in its application to the State, because the Bible is not, for the State, a *positive* rule.

Let us now, for a moment, return to the question which has been discussed, and consider it in the light of those principles. Should the supremacy of Christ, as King of kings, and the supreme authority of the Bible, be formally and explicitly acknowledged in our civil constitutions? We answer, again:

1. By all means, if it can be truly and honestly done. If all the sovereign people could say "amen," as heartily, or even as sincerely, to such an addition to the section on "liberty of conscience," as they do to the section as it now stands in the Constitution, there would be no objection to it, except that it was not necessary—that it was not an essential function of a civil constitution to make such a declaration. If the body that framed the Constitution had been able sincerely to declare, in presenting it to the States for their ratification, that they, the members of that body, had felt their responsibility to Christ as king, in framing that document, such a declaration would have been a noble testimony from individual citizens, and a happy augury for the people. But, evidently, the value of such a testimony would depend upon its *sincerity*; and to have introduced it into the constitution itself as the solemn utterance of "we, the people," when it was notorious that not one-half of the people even professed to believe it, what were this but to incorporate hypocrisy in the fundamental law? Would to God that our statesmen, who profess to be Christians, might be more courageous, as individuals, in bearing their testimony for Christ!

2. As the doctrine of the supremacy of Christ is a doctrine of pure revelation, it forms no part of the essential functions of civil government to teach it, or profess it. The supremacy of Christ is founded upon His work as a priest, for the salvation of His elect. The State is a branch of the moral government of God, as the righteous judge of all, and is bound to recognise God only in this capacity. The Church, which is the body, or professes to be the body of the saved, is bound to recognise the Saviour, prophet, priest, and king. This is her very vocation, to be a witness-bearer, and the Bible regulates her testimony and her profession. The State must not contradict her testimony; and that is all the State is bound to do. What is the definition of the Church visible, in the Westminster Confession of

Faith? "The visible Church consists of all those throughout the world that *profess the true religion*, together with their children; and is the kingdom of the Lord Jesus Christ, etc." Now, if our brethren could carry their point, the State and Church would be, at least logically, confounded; for the same definition would answer, in a great degree, to both of them. They both *profess the true religion*, that is, the revealed religion of *salvation*, with mercy, and not justice, as its prominent feature. Nor is the proposed profession of the State a meagre one. Implicitly, it is the whole Gospel; explicitly, it is as full as was the profession of the Church for hundreds of years. And if the State begins to make a profession of the Christian religion, it is impossible to predict where it will stop. The only safety for liberty and for religion, is in rigidly enforcing the maxim that the Bible is, in the sense already illustrated, a *positive* rule for the Church, a *negative* rule for the State.

But we are asked, if the State is bound to respect the negative authority of the Scriptures, where is the impropriety in her *professing* that respect? We answer, that it is one thing to be *bound* to perform a duty, and quite another thing to be *prepared* to perform it. Every man who hears the Gospel is bound to confess Christ before man; but we are in the habit of warning men against coming to the Lord's table, unless they are believers. We repeat, that the Church is the body whose vocation it is to profess faith in Christ and in His word; and any other doctrine will have the effect of confounding the Church and the State. If any legislator, or judge, or governor, chooses to profess his responsibility to Christ for his own public acts, a responsibility he really feels, let him do it. We should render our hearty thanks to God for every judicious public act of this kind. But let it be remembered that it is his own personal responsibility he is confessing, and that he is not speaking for those who feel no such responsibility.

It may be added, that we have not intended, in any thing that has been said, to deny that the State is a moral personality; that there is an "organic life," or a "public conscience," belonging to political communities. All this is freely admitted. But it has been shown, we think, that this moral personality is subject to the government of God as a government of justice, of natural justice; that this public conscience and organic life are to be regulated and controlled by the light of nature, interpreted and corrected by the word of God, when the State is in possession of that word.

The view advocated by some of our brethrep, of the personality of the State, which makes it something totally different at once from the administration at any given time, and from the whole body of the people, so that the State may be Christian while the administration and the people are Jews, Turks, or atheists, is a view which passes our comprehension. Such a theory might, with some color of plausibility, be maintained under a despotism like that of Louis XIV, of France, who boasted that he was the State. But what is the State, according to the Confederate Constitution? What is the State, according to the terms of the proposed amendment to the article on liberty of conscience? These are the terms: "Nevertheless, we, the *people of these Confederate States*, distinctly acknowledge our responsibility to God, and the supremacy of His Son, Jesus Christ, as King of kings and Lord of lords; and hereby ordain that no law shall be passed by the Congress of these Confederate States inconsistent with the will of God, as revealed in the Holy Scriptures." What can be clearer than that the State, here, is the "*people of the Confederate States?*" Not the whole mass of the population—women, children, foreigners, slaves—but the political corporation, the *populus*, the *demus*, the body of voters—a minority of the whole population. Now, of this minority a large majority are rebels against Christ. Yet this is the body,

whose religion, it is insisted, must be the Christian religion, whatever the religion or no-religion of the people may be! It is the body, at least, which must *profess* the Christian religion! Or shall we say that the Constitution itself, the parchment roll on which the fundamental law is written, is the State, whose religion is Christian, although "the people" who ordain it are not? We confess that all this sounds to us very much like the old realism of the schools, which asserted for abstract ideas a substantive existence, different from and independent of the concrete things in which they were manifested and exemplified. We say this with a veneration amounting to awe, for the memory of that great genius and noble man of God, whose illustrious name gives support to this movement for an amendment of the Confederate Constitution.

The two points of difference, which we have attempted to illustrate, between the civil and the ecclesiastical power, comprehend some others, which, although already incidentally referred to, are worthy of an articulate statement. For example:

8. The Church and the State differ in their *sanctions*, as well as in their *authority* and their *rule*. The sanction of ecclesiastical government is *moral*, appealing to the faith and the conscience, a parental *discipline*, designed for the good of the offender. Its symbol is the "*keys*." The sanction of civil government is *force*, appealing to the bodily sensibilities of the subject or the citizen; a *penal* administration, designed to vindicate the majesty of justice and the supremacy of law, with a very incidental, if any, reference to the good of the transgressor. Its symbol is the "*sword*." It is so perfectly obvious that the employment of force is abhorrent, from the whole nature and genius of the Church, that even the fiends of the "Holy Office" were compelled to profess the greatest horror of shedding the blood of heretics, and piously turned them over to the secular arm.

4. "The scope and aim of civil power is only things *temporal*; of the ecclesiastical power, only things *spiritual*. *Religious* is a term not predicable of acts of the State; *political* and *civil*, not predicable of acts of the Church." (See Robinson, *ut supra*.) The proclamation of the President in regard to days of fasting and prayer is a religious act; but then it is not an act of government. It is merely an invitation or request, addressed by a citizen in high place, to his fellow-citizens. If it were done as an act of government, it would be a usurpation of the prerogative of the Church. On the other hand, if the Church does a political act, it is guilty of a usurpation of the prerogatives of the State. Rebellion—which, by the way, is a totally different thing from revolution, the latter always implying the existence of a civil government, under whose authority the revolutionists are acting, and thereby excluding the very idea of treason)—rebellion is always a *sin*, as well as a *crime*; and a church member may be disciplined for rebellion, but the fact must first be found by the civil authority and accepted by the Church. Nothing can be more presumptuous and absurd, than the decision by a church court sitting in the city of Philadelphia, as to the allegiance of one of its members, who is a citizen of Virginia. If he is obeying the laws of the State of which he is a citizen, no power on earth can convict him of the crime either of treason or rebellion. One more illustration may be added. The act by which ministers of the gospel, as such, are excluded in some of the States of this Confederacy, perhaps in all, from civil office, is an usurpation, by the civil power, of the functions of the Church. If it be a sin, an infraction of solemn vows, for ministers to hold civil office, as we believe it is, it is, nevertheless, a sin which it is the function of the Church, not of the State, to rebuke. As to the grounds of expediency upon which this disfranchisement of ministers has been defended, we only say that the history of the world, if candidly studied, will show that the Church is in much

greater danger from the ambition, or the stupidity of politicians, than the State is, from the ambition or avarice of ecclesiastics.

But enough. The theory of Church and State illustrated in the foregoing pages is the Virginia doctrine, as we understand it—the doctrine of the Presbytery of Hanover, in their memorials to the legislature of that grand old Commonwealth, from 1775 to 1785, in which last year Mr. Jefferson's "Bill for Establishing Religious Freedom" became a law. It has been called the "American" theory; but the history of the Northern States has shown, that the current theory there, has been rather the "semi-theocracy" of New England, according to which, as Mr. Robinson observes, "the Church becomes an agency for keeping the proper party in power, a congress-managing society, a public-opinion-manufacturing society. Hence its three-thousand-clergymen's-memorial-to-Congress; its religious press devoted to Fremontism, and its treasury of religious funds to carry the election in Pennsylvania."

Whether the views expressed in this article be sound or not, there can be but one opinion among intelligent men as to the necessity of reviewing these old controversies, and of feeling, once more, for our foundations. If what we have written should contribute, in the smallest degree, to a safe and satisfactory conclusion, we shall be amply rewarded for our trouble.