

"of an enormous Hierarchy. A Tax which in England is sufficient to maintain a constant War." They with difficulty got the measure set aside. The aspiring Zealots can't forgive the Disappointment. They still keep in view the same Object. —
William Tennent.

Mr Tennent's Speech

On the Dissenting Petition, delivered in the house of Assembly,
Charleston South Carolina, January 11th 1777 — H

Mr Speaker

I am much concerned, lest an unfavorable construction should be put upon any word that may fall from me in the course of this debate, as reflecting upon the respectable Members of the Church of England. I wish Sir, to be understood as bearing the Gentlemen of that Church, a very high respect.

None that now exist have been the Authors of that which we complain of: with the generosity of sentiment, that now prevails; with the same enlightened mind, I am persuaded they never would have been the authors. I dissent from the Church of England, it is true, but I trust, it is upon the most liberal grounds: when I oppose its establishment, I do not mean to oppose the Church itself. I would equally oppose the establishment of any other, though I admired its constitution ever so much. I firmly believe that this petition arises from an unextinguishable love to the free & equal rights

of mankind; & not from a dislike to one denomination of Christians, more than another. And Sir, while a love to freedom & equality is the grand sentiment that inspires all ranks of Men, in this great contest; while you feel an unconquerable spirit of freedom, animating you to all these measures, how can you find in your heart to blame those who risk their all, & stand with you in the foremost rank of zeal & danger, if they should only desire to secure to themselves & children, the same privileges that you enjoy? You must pardon them, if sensible of the injuries that have been done them in times past, while we mutually groaned under a foreign yoke, & anxious for the complete freedom & happiness of their posterity, they should improve the important moment of forming a Constitution for this most righteous purpose.

And now Sir, I beg leave to offer a few of those reasons which induce me to oppose the religious establishment of any one denomination of Christians in this State, under our new Constitution. 1st My first & most capital reason, against all religious establishments is, that they are an infringement of religious liberty. Religious establishments, as far as they operate, do interfere with the rights of private judgement & conscience: in effect, they amount to nothing less, than the Legislature's taking the consciences of men into their own hands, & taxing them at discretion. We contend, that no Legislature =

under Heaven, has a right to interfere with the judgement & conscience of men, in religious matters, if their opinions & practices do not injure the state. The rights of conscience are now too generally understood, to make it needful to take much pains to convince mankind that they appertain to an higher tribunal, & that the objects of human legislation, are quite of a different nature. The State may give countenance to religion, by defending & protecting all denominations of Christians, who are inoffensive & useful. The State may enact good laws for the punishment of vice, & the encouragement of virtue.

The State may do anything for the support of religion, without partiality to particular societies a imposition upon the rights of private judgement. But when the legislative authority of the State, sets itself up as a judge in Church controversies, & proceeds by law, to declare this system of opinions right, & that wrong; when it proceeds to lay hardships upon the professors of the one, while it lavishes its bounties on the other, & that while both are equally useful & inoffensive — I say, in this, it not only mistakes the proper objects of legislation, but is chargeable with manifest injustice. No Legislature upon earth, has a right to do such a thing; nay, we contend, that such a right cannot possibly be communicated to them. I can communicate to my representative, a power to dispose of part of my property, for the security of the remaining part: I may give him a right

to resign a part of my personal liberty to the obligation of good laws, as a means of preserving the rest, — but cannot, — I say it is out of my power, to communicate to any man on earth, a right to dispose of my conscience, & to lay down for me what I shall believe & practice in religious matters. Our judgement & practice in religious matters, is not like our purse; we cannot resign them to any man or set of men on earth; & therefore, no man or set of men on earth, either has, or can have, a right to bind us in religious matters. The rights of conscience are unalienable, & therefore, all the laws to bind it, are, ipso facto, null & void. Every attempt of this kind is tyranny, let it be made by whatever body of men, & in whatever age. Of all tyranny, religious tyranny is the worst, & men of true sentiment, will scorn civil, where they cannot enjoy religious liberty. And now Sir, permit me to take a short view of religious establishments, & see, whether they do not, more or less, bear hard upon the rights of private judgement, & practice, in greater or smaller degree, of this worst of tyranny.

On all hands it will be acknowledged, that those establishments are of this nature, which lay heavy penalties upon those who refuse to conform to them. Can you form an idea of more horrid cruelty exercised upon the rights of conscience, than that which imposes fines, imprisonment & death, upon those who presume to differ from the established religion? =

You Sir, look back with honor upon the history of such savage cruelty, — the more cruel, as it has ever been exercised under the colour of law. Of the same nature, though differing somewhat in the degree of their cruelty, are those establishments, which incapacitate good subjects, who differ from the speculative opinions of the State. Judgement & conscience, in these matters, is, a right to be, as independent of our will, as our height or colour. They are formed by the circumstances of the time in which we live, by the manner of our education, by the capacity of our mind, & the degree of evidence. Would not that prince be esteemed a cruel Tyrant, who should ordain, that every man of six feet high, & of a sandy complexion, should be excluded from the rights of Citizens? An assembly of two hundred Senators, who could ordain, that good citizens should be deprived, on account of their inoffensive opinions, would be two hundred times as cruel.² The next kind of establishment that we meet with, is, that which now obtains in this State. I shall speak cautiously of it, but I shall take the liberty to speak fully, & shall only mention facts. —

Its chief characteristics are, that it makes a legal distinction between people of different denominations, equally inoffensive; it taxes all denominations, for the support of the religion of one; it only tolerates those that dissent from it, while it deprives them of sundry privileges which the people of the establishment

enjoy. I say it makes a legal & odious distinction between subjects equally good. The law knows & acknowledges the society of the one, as a Christian Church; the law knows not the other Churches.

The law knows the Clergy of the one, as Ministers of the Gospel; the law knows not the Clergy of the other Churches, nor will it give them a license to marry their own people. Under this representation of the government, licenses for marriage are even now refused by the Ordinary, to any but the established Clergy. The law makes provision for the support of one Church, — it makes no provision for the others. The law builds superb Churches for the one, — it leaves the others to build their own Churches: the law, by incorporating the one Church, enables^d it to hold estates, & to sue for rights; the law does not enable the others to hold any religious property, not even the pittance which are bestowed by the hand of charity for their support. No dissenting Church can hold or sue for their own property at common law. They are obliged therefore to deposit it in the hands of Trustees, to be held by them as their own private property, & to lie at their mercy.

The consequence of this is, that too often their funds for the support of religious worship, get into bad hands, & become either alienated from their proper use, or must be recovered at the expence of a suit in Chancery. These are important distinctions indeed, but there are not all. The law vests the Officers of the Church of England with power to tax not only

his own people, but all other denominations within the bounds of each respective parish, for the support of the poor: an enormous power! which ought to be vested in no one denomination more than another. Greater distinctions still! where there are parishes the law throws the whole management of elections, that most inestimable of all the rights of freemen! into the hands of Church Officers exclusively. And why all this inequality?

Why does the law thus favor one, & bear hard upon every other denomination of Christians? The reason is only to be found in the spirit of the times when this unequal establishment was framed, & in the Machiavelian policy of the British government; which ought not any longer to take place in this Country. But that which shows much of the injustice & oppression of the present establishment, is the tax which it makes all other denominations pay to the support of the religion of one. It puts its hand into the pocket of nine denominations, all equally pretending to the merit of good subjects & citizens, to bestow upon one & support its dignity.

Sir! is this consistent with our first notions of justice & equality? And here, it matters not whether the religious tax is equally levied upon the people at large, or whether it is paid by a general duty. The treasury is the equal property of all denominations in the state, & if it comes out of the treasury, it comes in effect out of their pocket.

The sums advanced by the Treasury, for the support of the Church of England, within the space of the last ten years, preceding the 31st of December 1775, amount £164, 827, 16. 3.

The expence of the year 1772 only, was £18, 031. 11. 1.

The religious estate, now in the actual possession of the Church of England, drawn more or less from the purses of all denominations by law, would probably sell for three hundred & thirty thousand pounds. Now, if you suppose that Dissenters have always made more than one half of the government, the sum that has been actually taken out of their pockets for the support of a Church with which they did not worship, must amount to more than £82, 013. 10 within the ten years aforesaid; & a very large sum of their property, in glebes, parsonages, & Churches, lies in the possession & improvement of the Church of England. But if the Dissenters do make a great majority of the inhabitants, the argument is still stronger, & the impropriety of obliging the purse of the major to suit itself to the consciences of the minor, can't fail to weigh with every candid mind. The inequality of the religious burden, is the more evident, when you consider, that the number of the established Churches in this State is only twenty, & many of them very small, whereas the number of formed dissenting congregations, the generality of which are much larger than those of the establishment,

is at least seventy nine, as appears from a schedule now in my hand. Still more unequal it appears, when you take into computation the large sums which Dissenters do actually pay over & above their share of expence to the Church of England, for the support of their own worship. From the best intelligence that I can obtain, they have made provision for the support of their own worship, & would actually pay the sum of £40,000 annually, could they be furnished with Clergy. But the deficiency of gospel ministers reduces the sum very considerably.

Sir, you may say, that the doors of the established Church are open equally to all denominations, & that all may equally enjoy the benefit of it. I have heard of such an argument. But besides that it is notorious, that what the public has paid for, in some instances has been converted into private property, & become the real estate of individuals, it would here be extremely natural to ask, how a rational Dissenter can enjoy the benefit of the Establishment? The only answer that I can give to such a question is a very short one: he must do it at the expence of his own private judgement & conscience. "But Dissenters are tolerated; there is a free toleration: does any man impose upon them? who forbids to their worshiping as they please?" I answer: In this respect they stand upon the same footing with the Jews. Nobody molests them. But would it, Sir, content our brethren of the Church of England, to be barely tolerated? that is, not

punished for presuming to think for themselves. Is a bare toleration sufficient for the majority of a free State? of a free State that expects to gain its liberties by the sword? Would not a bare toleration be viewed by our brethren with infinite disdain; is this equality? Sure the justice of this house, now unfettered by British violence, will not permit the continuance of such a monument of inequality. 3^d There are some who entertain an idea of keeping up the Establishment, merely as a matter of religious superiority, without taxing other denominations.

But they seem to forget, that every reason for which they desire the superiority by Establishment, operates as an abridgement of religious liberty. For when a Man presumes to follow his own judgement in religious matters, & refuses to conform, he must at least submit to this inferiority, or rather bear the reproach of the law, as not being on a level with those that are Christians in its esteem. Still there remains injustice, & a foundation for dissension & faction. For Sir, let it be remembered, that there are many Dissenters in this State, who care but little for the money that it costs them to support the Church of England. They value much more their religious, their unalienable rights, than the expence. Sir, you very well know, that it was not the three pence on the pound of tea, that roused all the virtue of America. It is our birth right that we prize. It is a full & undiminished freedom in the exercise of our own judgement, in all religious matters,

that we value & esteem. And for a mere empty name, without profit, for a mere title of pre-eminency without emolument, is it worth while to have a bone of endless contention in the State, & to maintain these odious distinctions? 4th There is a proposal, Mr Speaker, to establish all denominations by law, & to pay them all equally. This Sir, may operate as a scheme of division, but in practice it must appear equally absurd & impossible.

Above, as the establishment of all religions would in effect be no establishment at all. It would destroy the very end of an establishment, by reducing things just to the same state they would be in without it, with this disadvantage, that large bodies of men who could not obtain Church Officers, might be oppressed, by being obliged to pay for that which they received no benefit from. But it would be found impracticable, as people of different sentiments live intermingled, & there could be no possible distinction of Parishes, so as to accommodate different denominations. But if the Establishment must from time to time conform itself to the prevailing party in each Parish or District, there would not only be the same ground for complaint that there now is, but it would prove the means of everlasting strife. And indeed I am afraid that the expense would be found upon trial insupportable. Sir, it is impracticable in this State to establish all denominations, & it is only thrown out to amuse us. But to admit the establishment of a few dissenting Churches, in preference to all others, as a

means to make them acquiesce! It is too big with injustice to procure the consent of an honest man. Let us all have equal privileges or nothing. Equality or Nothing! ought to be our Motto. In short, every plan of Establishment, must operate as a plan of injustice & oppression; & therefore, Sir, I am utterly against all Establishments in this State.

Leave each Church to be supported by its own members, & let its real merit be all its pre-eminence. Thus while you give proper scope for a laudable emulation, you take away all complaint of injustice, & build your State upon the solid foundations of equity & righteousness. If these arguments have failed to weigh at other times, they ought now to have amazing weight. While you are contending for the rights of mankind with one of the greatest powers upon Earth, will you leave your own Constitution marked with injustice & oppression, & that in the most important of all respects that Mortals ever contended for? What are all the liberties for which we dare to grapple with Great Britain, when compared with our religious liberties? Can you imagine, that the numerous Dissenters who venture their all in support of American freedom, would be fond of shedding their blood in this cause, if they did not with confidence expect that they should have justice done them, & that ^{they} should stand upon the same footing with their brethren? Can you imagine

that a refusal of justice would not damp their ardour, if not utterly disarm them? Do they ask any more than what they have an absolute & indefeasible right to enjoy? Sir, these are rights which they cannot possibly relinquish. Their claim is founded in eternal justice, & this stands confessed by their most violent opposers. They must pay an equal share of that tax which independency will cost you, they must spill a greater share of blood, & therefore they cannot, I say they cannot consent to the smallest inferiority in privileges either civil or religious.

But Sir, in the present case, the claims of good policy join those of common & confessed justice. Religious Establishments discourage the opulence & cramp the growth of a free State.

Every fetter, whether religious or civil, detars people from settling in a new country. Take off every unnecessary yoke, & people of all denominations & professions will flock in upon you with all their arts & industry. If a spirit of toleration raised the United Provinces to such a pitch of glory & grandeur, by inviting people from every quarter Europe; if an entire equality has made Pennsylvania the emporium of America, to the immortal honour of its wise legislator; what good effects may not be expected from the same spirit of laws in this State. That State in America which adopts the just & most liberal plan will be the most opulent & powerful, & will well deserve it. Sir, as a narrowness in these matters is the disgrace of the human mind, so is it the

125
disgrace of any system of laws whatever. I could wish to draw
the attention of the house to another important motive, that
is, the future peace & happiness of this State. Grant this
petition, & the foundation of religious discord is eternally removed.

It is inequality that excites jealousy & dissatisfaction.

Make your laws partial towards people of any one set of
opinions, suppose it only in philosophy, & you entail immortal
strife & debate upon your Children. If all your people are equally
free & happy, it will be no matter who is in or who is out,
i.e. in respect to denomination. When the people have a full
voice in legislation, the case is vastly different from what it
has been in times past, while royal violence stood ready to
support the claims of injustice. Gentlemen of the Church of
England, should methinks, be as much concerned to obtain
the prayer of this petition as any others. The course of things
is very uncertain. None know where numbers & interest
may carry matters in future time. Some have unjustly
accused Dissenters with an intention to establish themselves.

It was partly that accusation that gave birth to the petition
before you. But if the Gentlemen of the Church of England
do really apprehend danger of such a mortifying issue in
process of time, sure they of all men ought to be most anxious
so to fix the basis of the Constitution, as far ever to prevent it.
I mean by making it a foundation article, that there never

shall be any such Establishment. This is the only security of the Church of England, as well as of other Churches.

The Church has long had the advantage; she has reaped uncontrolled, the emoluments of the State; she has subsisted on the abridgment of the equal privileges of others; she has flourished by aid of their property. Let the time past suffice.

With the new constitution, let the day of justice dawn upon every rank & order of men in this State. Let us bury what is past for ever. We even consent, that the estate which she has for a Century past been drawing more or less from the purses of all denominations; an estate of no less value than three hundred & eighty thousand pounds, remain in her quiet possession, & be fixed there. Let her only for the future cease to demand pre-eminence. Let her fully consent that others enjoy the same privileges, in every respect, with herself.

This all we ask; we seek no restitution. After the vast sums partially expended by the State upon one denomination, all the others ask not a farthing to be returned to them. Let her be contented with her superb Churches, her spacious burying grounds, her costly parsonages, her numerous glebes, & other Church estates, obtained in a great degree from the public purse, while not a farthing has been granted to other Churches; & let her not now insist upon such glaring partiality any longer. But it is impossible to do justice to this great cause by confining myself to a narrow

127
compass. I am obliged to answer one capital objection before I sit down, & reserve to myself the right of answering the arguments which are used in favor of a continuance of the Establishment, in case I find it needful. The objection I mean is that with respect to the time. You hear it from all quarters, by those who speak in favor of the Establishment, "it is perfectly just, that an equality of privileges should take place. None can contradict the justice of the petition. If you had only delayed it to a proper time, we should have become advocates for it ourselves. But we have too much now upon our hands.

"Wait until matters are better settled, & you are sure of it." I believe the Gentlemen that I have heard speak in this manner, are sincere as to their own intentions; but I must be excused from believing, that the zealous friends of an Establishment so partial, will be of the same mind with them. I think if the time is left to them, it will prove as it did in the case of the Man, the time of whose execution was left to himself: it so happened, that all the persuasions of the executioner could not make him believe that the time present was proper.

I remember from the history of the revolution, when the Papists were like to prove too strong for the favourers of the accession, the Dissenters thought it a proper time to insist on some alterations in the penal laws, which though levelled against Papists, were so artfully managed, as to take in all Dissenters

with them. The only way found to content them, was, by solemnly promising to give them relief, as soon as ever the affairs of the Nation would permit it. They were prayed & intreated to be silent at that time; "it would be dangerous to make any allegations, the Papists would take advantage of it, & endanger the accession".

They simply yielded to the prayers of the Establishment: but, a full proof, that to postpone where the rights of justice demand, is to betray them: a full proof of the danger of deferring to another time, what ought to be done now. I will only ask any Man, who knows the history of the Nation since that time, whether those promises have ever been fulfilled! Are they placed upon the equal footing that was promised? Not that there were not found some who faithfully endeavoured to fulfil their promises, but the majority thought it proper to ride on in the same manner, after they found themselves well fixed in the saddle.

But Sir, suppose the petitioners had no such instance to warn them; suppose the event was not so perfectly natural & to be expected. Yet let me ask any Gentleman, who thinks that this is not the proper time, a few questions.

Is it not a fact that we are reviewing the Constitution; that what was designed only as a protomove affair may become so perfected as to be fit to stand? Is it not an agreed point, that it is dangerous to have the Constitution placed upon the same footing with any common law, subject to be canvassed

every Session? If then, there is ever a time in which it is proper to apply for redress of any grievance which may be supposed to lie in the present frame of the State, when should that be but when the Constitution is to be reviewed & fixed? Is there, can there be another time so natural? Or should a thing in which the liberties of the People are so essentially concerned, not enter into the Constitution, but be left to the precarious fate of any common law? Shall it be left to be promoted or crushed at hazard?

Should not the Constitution take care of the religious as well as civil liberties of the People? Or do you think the former of less importance than the latter? When these questions are properly answered, I then beg leave to ask; if this matter is not now attended to, will not the Church of England be established by law under the new Constitution, & become the constitutional Church? If so, then will not all those oppressions which have been practiced under heretofore, be constitutional in this free state? And is this a matter of small moment to the major part of the People? And must they sit still out of mere compliment? Must they compliment away their freedom in this manner, & not only suffer, but even lend their aid, by putting their own hands to it, with the sanction of the People at large? It is strange that Gentlemen can expect it.

How can we answer our neglect to our constituents, who expect that we shall make them free? How can we answer it to our posterity, who ever now ought to rise in our imagination, & demand of us to

leave them free? This is the natural time, & this is the only time.

Things ought to be done in their proper season. And Gentlemen may pretend what they please, if they are averse to grant justice in the present season of it; if they are unwilling to do it now, they will be more so by & by. One thing I am sure of, they will have fewer motives to engage them to do it by & by. He that is disposed to do justice, is willing to do it without delay. The old maxim is good, to delay justice is to deny it.

See, at this time, all ranks of people more sensibly feel the claims of justice, than they will hereafter. They now feel the rod of oppression: & there is nothing like suffering to bring us to our senses. They are now struggling against arbitrary power. They can now realize the hardships. Let those times pass, & ease will naturally lull them into an inattention to the rights of mankind. That this is a proper time the example of other States confirms. Pennsylvania, New Jersey, Delaware have led the way; Virginia & North Carolina are now meditating the same important step. Maryland has done it already.

That this is the proper time is plain, as the People are now waiting to see what they have to expect, for what it is they are to waste their treasure & their blood? They are ready to do it cheerfully, if they may with certainty expect to be made & kept as happy as their brethren. They ask no favours; they ask only the common rights of Mankind. By some it is said to be dangerous

to grant this request at the present time. They own it is just. I thought to be. The Members, say they, in the House will deny it, but the time is dangerous. But Sir, are we indeed reduced to that situation, that it is dangerous to do common justice? Every Man allows it to be just: well then who is to be feared? Are you afraid of those who confess the justice of the present application? Acknowledging it to be just & right, will they be apt to revolt against their own sentiments? Will the danger arise from the dissenting denominations? No; it answers the prayer of their petition. Will the danger arise from the Church of England?

I cannot think it. It is too harsh an imputation upon the Gentlemen of that Church. They will not endanger the state on account of that which they know & universally allow to be just. I cannot, I will not admit the supposition. Sir, I have the pleasure of knowing too many of them to think so.

Many of them have signed the petition. Many more have declared their sentiments in the most liberal terms. There is too much Catholicism & love to liberty among them. They don't desire any longer to oppress their brethren. They profess a generous disdain of the thing. They have property sufficient to maintain their own Clergy liberally; & if the State did not take it off their hands, I believe they would do it more liberally than it is now done. If the Dissenters did not apply now, it might by & by be retorted upon them, & that with great justice.

"You have had a hand in framing the Constitution, as well as we. The Church of England is the constitutional Church, by your own act & deed. Why did you not make your opposition in proper time? Why so much out of season? Why endeavour to subvert what your own hands have reared?" Sir, we should be dumb; or what is as bad, we should justly lie under the charge of some species of sedition. Sir, we mean to act a rational & constitutional part. And now Sir, it only remains to be seen whether this legislative body, now by God's goodness, free from the chains of foreign compulsion, will rectify the errors of less happy times: whether they will rise in the annals of this important age, by showing a temper superior to all illiberality & oppression.

Will you Sir, comply with the demands of common justice? Or are you willing to listen longer to the cry of oppression?

Will you make all your People equally free & happy? Do you desire to put an effectual end to all religious broils & contentions forever? Will you strengthen your own hands in defence of your bleeding Country? Do you wish to enrich it by an influx of healthy inhabitants from every quarter of ^{the} world? Would you secure yourself from the fetters of any one Denomination, with which the uncertainty of time may inundate this Country?

Will you give to every Denomination the best security of future religious freedom & happiness that the nature of the case admits? Grant them the prayer of the Petition: grant it

in substance, if not in the very expressions: Let it be a foundation article in your Constitution, "that there shall be no establishment of one religious denomination of Christians in preference to another."

That none shall be obliged to pay to the support of a worship in which they do not freely join". Yield to the mighty current of American freedom & glory, & let our State be inferior to none on this wide Continent, in the liberality of its laws, & in the happiness of its People.

This famous speech carried The Assembly in favor of the Petition to abolish a State Tax of \$800000 paid over to Church of England.

The following interesting Memoir was found among the papers of a learned & excellent Divine. The Trinitarian Analogy or a short way to the Christian Doctrine of a Trinity in Unity.

1st Man consists of a Soul & a Body, & as his Soul is supported by the power of God, so is his Body supported by the power of Nature.
2^d God having always taught Man invisible things, the Objects of Faith, by some reference to things visible the Objects of Sense, he has given us an understanding of his own Divine Nature, by shewing us how to take our Ideas of it from those Agents or Powers which govern the visible World, 3^d But the Powers of Nature, by which all natural Life & motion are preserved are Three, namely Air & Fire & Light. Experience shews this to all the World, the most ignorant are sensible of it, & the most learned cannot contradict it. These powers are all present whenever a candle is lighted; =