







# THE RELIGIOUS LIBERTY

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## Appeal and Remonstrance

RESOLUTIONS ADOPTED BY THE GENERAL CONFERENCE OF SEVENTH-DAY ADVENTISTS,

FEBRUARY 24, 1893.

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There is not a shadow of right in the general government to intermeddle with religion. Its least interference with it would be a most flagrant usurpation.

JAMES MADISON.

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The people of these United States are the rightful masters of both Congresses and Courts, not to overthrow the Constitution, but to overthrow the men who pervert that Constitution.

ABRAHAM LINCOLN.



36 of 300  
LF 5086

## APPEAL AND REMONSTRANCE.

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RESOLUTIONS ADOPTED BY THE GENERAL CONFERENCE OF SEVENTH-DAY  
ADVENTISTS, AT BATTLE CREEK, MICH., FEB. 24, 1893.

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WHEREAS, The Supreme Court of the United States, contrary to the principles upon which our government was established, and contrary to the Constitution of the same, has declared this to be a Christian nation; and —

WHEREAS, The Congress of the United States, following in the same course that the Supreme Court has taken, has violated the Constitution and invaded the dearest rights of the people by legislating upon the subject of religion, deciding a religious controversy and establishing a religious institution, in the matter of closing the World's Fair on Sunday; therefore, be it —

*Resolved*, That we do hereby submit to the government and people of the United States this, our appeal and remonstrance: —

As Christians, we appeal on the ground of the divine right which Jesus Christ has recognized and declared — the right of every man to dissent even from the words and the religion of Christ, in the words: “If any man hear my words and believe not, I judge him not; for I came not to judge the world, but to save the world.” John 12: 47.

As Protestants, we appeal on the ground of the historical right to protest against every interference of civil govern-

ment in the affairs of religion ; the grand charter of Protestantism, the Augsburg Confession, declaring :—

“ The civil administration is occupied about other matters than is the gospel. The magistracy does not defend the souls, but the bodies, and bodily things, against manifest injuries, and coerces men by the sword and corporal punishment, that it may uphold *civil* justice and peace. Wherefore, the ecclesiastical power has its own command, to preach the gospel and administer the sacraments. Let it not by force enter into the office of another ; let it not transfer worldly kingdoms ; . . . let it not prescribe laws to the magistrate touching the form of the State ; as Christ says, ‘ My kingdom is not of this world.’ ” — *Article 28.*

As American citizens, we appeal on the ground of the specifically declared constitutional right to the free exercise of religion according to the dictates of the individual conscience, totally free and exempt from all government connection, interference, or control.

As men, we appeal on the ground of the natural right of mankind to render to the Creator such homage and such only as each believes to be acceptable to him ; which right, men possess by virtue of being men, and not by virtue of government ; which was theirs before government was, and which would be theirs though there were no earthly government at all ; which is their own in the essential meaning of the term ; which is precedent to all the claims of civil society, and which would be the same to each man though there were not another person on the earth ; which they do not hold by any sub-infeudation, but by direct homage and allegiance to the Owner and Lord of all.

And whether as Christians, as Protestants, as American citizens, or as men, what we mean by religion always and everywhere is “ the duty which we owe to our Creator, and the manner of discharging it.”

Finally, in this our appeal from this action of the government of the United States, and our remonstrance against the principle and all the consequences of the action, we

adopt and adapt the words of Madison, Jefferson, the Presbyterians, the Baptists, the Quakers, and the other good people of Virginia, in their memorable defense, from 1776 until 1785, against the establishment of the "Christian religion" there, and the making of that "a Christian State."

We would humbly represent that the only proper objects of civil government are the happiness and protection of men in the present state of existence, the security of life, liberty, and property of the citizens, and to restrain the vicious and encourage the virtuous by wholesome laws, equally extending to every individual. But religion, or the duty which we owe to our Creator, *and the manner of discharging it*, can be directed only by reason and conviction, and is *nowhere* cognizable but at the tribunal *of the universal Judge*.

1. To illustrate and confirm these assertions we beg leave to observe that to judge for ourselves and to engage in the exercise of religion agreeably to the dictates of our own consciences, is an inalienable right, which, upon the principles on which the gospel was first propagated and the reformation from Papacy carried on, can never be transferred to another. We maintain, therefore, that in matters of religion, no man's right is abridged by the institution of civil society, and that religion is wholly exempt from its cognizance.

2. If religion be exempt from the authority of society at large, much more is it exempt from the authority of the government. The latter is but the creature and vicegerent of the former. Its jurisdiction is both derivative and limited. It is limited with regard to the co-ordinate departments of the government, and more necessarily is it limited with regard to the whole people. The preservation of free government requires not merely that the metes and bounds which separate each department of the governmental power be invariably maintained, but more especially that neither of them be suffered to overleap the great barrier which defends

the rights of the people. The rulers who are guilty of such encroachment exceed the commission from which they derive their authority, and are tyrants. The people who submit to it are governed by laws made neither by themselves nor by any authority derived from them, and are slaves.

3. It is proper to take alarm at the first experiment upon our liberties. We hold this prudent jealousy to be the first duty of citizens and the noblest characteristic of the American Revolution. The freemen of America did not wait till usurped power had strengthened itself by exercise and entangled the question in precedents. They saw all the consequences in the principle, and avoided the consequences by denying the principle. We revere this lesson too much soon to forget it. Who does not see that the same authority that can establish Christianity, to the exclusion of all other religions, may establish with the same ease any particular sect of Christians to the exclusion of all other sects? And it is impossible for the magistrate to adjudge the right of preference among the various sects that profess the Christian faith without erecting a claim to infallibility, which would lead us back to the Church of Rome. Who does not see that the same authority that can require assent to Christianity as the national religion may, with the same propriety, require assent to each particular phase and feature of that religion? That the same authority that can require the observance of the "Christian Sabbath" may, by the same right, require the observance of every other "Christian" practice, custom, or institution? Nay, more; that with the same propriety and the same right, the authority which may require assent to Christianity as the national religion may require assent to any other religion which the shifting policy of government might seem to demand? For it is certain that there is no argument in favor of establishing the Christian religion which may not, with equal propriety, be pleaded for establishing the tenets of Mohammed

by those who believe the Koran ; or Buddhism or any other religion by those who believe in such religion:

4. During almost sixteen centuries has the legal establishment of "Christianity" been on trial, under a number of different claims and phases. What have been its fruits? More or less in all places, pride, indolence, and insolence in the favored clergy ; ignorance and servility in the assenting laity ; in both superstition, bigotry, and persecution. Inquire of the teachers of Christianity for the ages in which it appears in its greatest power and luster ; those of every sect will point to the time before its incorporation with the civil power, whether it be viewed in its first propagation by the apostles or in its revival in the great Reformation.

5. On the other hand, what influence, in fact, have established religions on civil society? In some instances they have been seen to erect a spiritual tyranny on the ruins of civil authority ; in many instances they have been seen upholding the thrones of political tyranny ; *in no instance* have they been seen the guardians of the liberties of the people. A just government, instituted to secure and perpetuate public liberty, needs them not. Such a government will be best supported by protecting every citizen in the enjoyment of his religion, with the same equal hand which protects his person and property — by neither invading the equal rights of any sect or individual nor suffering any sect to invade those of another or of any individual.

6. This establishment of a national religion here is a serious departure from that generous disposition of this government, which, offering an asylum to the persecuted and oppressed of every nation and religion, has made this nation the glory of the ages and the admiration of the world. What a melancholy mark are these acts of sudden degeneracy ! Instead of holding forth an asylum to the persecuted, they are themselves a signal of persecution. They degrade from the equal rank of citizens all whose opinions in religion do

not bend to those of the governmental authority. Distant as these may be in their present form from the Inquisition, they differ from it only in degree. The one is the first step, the other is the last, in the career of intolerance. Henceforth the magnanimous sufferer from this cruel scourge in foreign regions must view this action of our government as a beacon on our coast warning him that now there is on earth no haven where he may be secure from religious oppression and persecution.

7. Finally, the equal rights of every citizen to the free exercise of religion according to the dictates of the individual conscience is held by the same tenure as all other rights. If we recur to its origin, it is equally the gift of nature; if we weigh its importance, it cannot be less dear to us; if we consult the national Constitution, the grand charter of those rights which pertain to the good people of the United States, it is not only enumerated with equal solemnity, but it is reserved with studied and special emphasis. Either, then, we must say that the will of the governmental authority is the only measure of that authority, and that in the plenitude of that authority it may sweep away all our fundamental rights, or that it is bound to leave this particular right untouched and sacred. Either we must say that the governmental authorities may control the freedom of the press, may abolish the trial by jury—nay, that they may despoil us of our very right of suffrage, and erect themselves into an independent and hereditary body; or we must say that they had no authority to make the declaration and decision, or to pass the acts under consideration.

What, then, shall we say? We say, as men only can say, that the government of the United States has no such authority, and in order that no effort may be omitted on our part against so dangerous a usurpation, we oppose to it this appeal and remonstrance.

We, therefore, as Christians, as Protestants, as American citizens, and as men, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the name and by the authority of the natural rights of mankind, of the Constitution of the United States, of the history of more than eighteen hundred years, and of the Lord Jesus Christ, solemnly publish and declare that we are and of right ought to be, free and independent of all connection, direction, dictation, interference, or control, of the government of the United States, *in matters of religion or religious observances or religious institutions of any kind or degree*; and that, as such, so far as earthly authority is concerned, we have full right to be religious or not religious, to worship or not to worship, to observe a day or not to observe it, according to the dictates of our own consciences and the convictions of our own minds.

And for the support of this appeal, remonstrance, and declaration, and with a firm reliance on the protection of the God and Father of our Lord Jesus Christ, we mutually pledge to each other and to the world, our lives, our fortunes, and our sacred honor.

## APPENDIX.

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That it may be seen that this appeal and remonstrance occupies strictly American and historical grounds, we submit the following documents from "the times of '76."

The Declaration of Independence had no sooner been published abroad, than the Presbytery of Hanover in Virginia, at its very first meeting, openly took its stand in the recognition of the new and independent nation, and addressed to the Virginia House of Assembly the following memorial:—

*"To the Honorable, the General Assembly of Virginia:* The memorial of the Presbytery of Hanover humbly represents: That your memorialists are governed by the same sentiments which have inspired the United States of America, and are determined that nothing in our power and influence shall be wanting to give success to their common cause. We would also represent that dissenters from the Church of England in this country have ever been desirous to conduct themselves as peaceable members of the civil government, for which reason they have hitherto submitted to various ecclesiastic burdens and restrictions that are inconsistent with equal liberty. But now, when the many and grievous oppressions of our mother country have laid this continent under the necessity of casting off the yoke of tyranny, and of forming independent governments upon equitable and liberal foundations, we flatter ourselves that we shall be freed from all the incumbrances which a spirit of domination, prejudice, or bigotry has interwoven with most other political systems. This we are the more strongly encouraged to expect by the Declaration of Rights, so universally applauded for that dignity, firmness, and precision with which it delineates and asserts the privileges of society, and the prerogatives of human nature; and which we embrace as the Magna Charta of our commonwealth, that can never be violated without endangering the grand superstructure it was designed to sustain. Therefore, we rely upon this Declaration, as well as the justice of our Honorable Legislature, to secure us the free exercise of religion according to the dictates of our own consciences: and we should fall short in our duty to ourselves, and the many and numerous



Equal and exact justice to all men, of whatever state or persuasion, religious or political.—*Thomas Jefferson.*

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It seems to us as though it has left nothing unsaid which needed to be said on this subject.—*The Sun, New York.*

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## INTERNATIONAL RELIGIOUS LIBERTY ASSOCIATION.

We believe in the religion taught by Jesus Christ.

We believe in temperance, and regard the liquor traffic as a curse to society.

We believe in supporting the civil government, and submitting to its authority.

We deny the right of any civil government to legislate on religious questions.

We believe it is the right, and should be the privilege, of every man to worship according to the dictates of his own conscience.

We also believe it to be our duty to use every lawful and honorable means to prevent religious legislation by the civil government; that we and our fellow-citizens may enjoy the inestimable blessings of both religious and civil liberty.

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congregations under our care, were we, upon this occasion, to neglect laying before you a statement of the religious grievances under which we have hitherto labored, that they may no longer be continued in our present form of government.

“ It is well known that in the frontier counties, which are justly supposed to contain a fifth part of the inhabitants of Virginia, the dissenters have borne the heavy burdens of purchasing glebes, building churches, and supporting the established clergy, where there are very few Episcopalians, either to assist in bearing the expense, or to reap the advantage ; and that throughout other parts of the country there are also many thousands of zealous friends and defenders of our State, who, besides the invidious and disadvantageous restrictions to which they have been subjected, annually pay large taxes to support an establishment from which their consciences and principles oblige them to dissent ; all which are confessedly so many violations of their natural rights, and, in their consequences, a restraint upon freedom of inquiry and private judgment.

“ In this enlightened age, and in a land where all of every denomination are united in the most strenuous efforts to be free, we hope and expect that our representatives will cheerfully concur in removing every species of religious as well as civil bondage. Certain it is, that every argument for civil liberty gains additional strength when applied to liberty in the concerns of religion ; and there is no argument in favor of establishing the Christian religion but may be pleaded with equal propriety, for establishing the tenets of Mohammed by those who believe the Alcoran ; or, if this be not true, it is at least impossible for the magistrate to adjudge the right of preference among the various sects that profess the Christian faith, without erecting a claim to infallibility, which would lead us back to the Church of Rome.

“ We beg leave farther to represent, that religious establishments are highly injurious to the temporal interests of any community. Without insisting upon the ambition and the arbitrary practices of those who are favored by the government, of the intriguing, seditious spirit which is commonly excited by this, as well as by every other kind of oppression, such establishments greatly retard population, and, consequently, the progress of arts, sciences and manufactures. Witness the rapid growth and improvement of the Northern provinces compared with this. No one can deny that the more early settlements and the many superior advantages of our country, would have invited multitudes of artificers, mechanics, and other useful members of society, to fix their habitation among us, who have either remained in their place of nativity, or preferred worse civil governments, and a more barren soil, where they might enjoy the rights of conscience more fully than they had a prospect of doing in this ; from which we infer that Virginia might have been now the capital of America, and a match for the

British arms, without depending on others for the necessaries of war, had it not been prevented by her religious establishment.

“Neither can it be made to appear that the gospel needs any such civil aid. We rather conceive that, when our blessed Saviour declares his kingdom is not of this world, he renounces all dependence upon State power; and as his weapons are spiritual, and were only designed to have influence on the judgment and heart of men, we are persuaded that if mankind were left in quiet possession of their inalienable religious privileges, Christianity, as in the days of the apostles, would continue to prevail and flourish in the greatest purity by its own native excellence, and under the all-disposing providence of God.

“We would also humbly represent, that the only proper objects of civil government are the happiness and protection of men in the present state of existence, the security of the life, liberty, and property of the citizens, and to restrain the vicious and encourage the virtuous by wholesome laws, equally extending to every individual: but that the duty which we owe to our Creator, and the manner of discharging it, can only be directed by reason and conviction, and is nowhere cognizable but at the tribunal of the universal Judge.

“Therefore we ask no ecclesiastical establishments for ourselves; neither can we approve of them when granted to others. This, indeed, would be giving exclusive or separate emoluments or privileges to one set of men, without any special public services, to the common reproach and injury of every other denomination. And for the reason recited, we are induced earnestly to entreat that all laws now in force in this commonwealth, which countenance religious domination, may be speedily repealed; that all of every religious sect may be protected in the full exercise of their several modes of worship; exempted from all taxes for the support of any church whatsoever, farther than what may be agreeable to their own private choice or voluntary obligation. This being done, all partial and invidious distinction will be abolished, to the great honor and interest of the State, and every one be left to stand or fall according to his merit, which can never be the case so long as any one denomination is established in preference to the others.

“That the great Sovereign of the universe may inspire you with unanimity, wisdom, and resolution, and bring you to a just determination on all the important concerns before you, is the fervent prayer of your memorialists.”<sup>1</sup>

The Presbytery of Hanover was immediately joined in the good work by the Baptists and the Quakers, who sent up petitions to the same purpose. The Episcopalian was the established church of Virginia, and had been ever since

<sup>1</sup> Baird's "Religion in America," book iii, chap. iii, par. 9-16.

the planting of the colony. The Episcopalians and the Methodists sent up counter-memorials, pleading for a continuance of the system of established religion. Two members of the assembly, Messrs. Pendleton and Nicolas, championed the establishment, and Jefferson espoused the cause of liberty and right. After nearly two months of what Jefferson pronounced the severest contest in which he was ever engaged, the cause of freedom prevailed, and Dec. 6, 1776, the Assembly passed a law repealing all the colonial laws and penalties prejudicial to dissenters, releasing them from any further compulsory contributions to the Episcopal Church, and discontinuing the State support of the Episcopal clergy after Jan. 1, 1777.

A motion was then made to levy a general tax for the support of "teachers of the Christian religion," but it was postponed till a future Assembly. To the next Assembly, petitions were sent strongly pleading for the general assessment. But the Presbytery of Hanover, still strongly supported by the Baptists and the Quakers, was again on hand with a memorial, in which it referred to the points previously presented, and then proceeded as follows:—

"We would also humbly represent, that the only proper objects of civil government are the happiness and protection of men in the present state of existence, the security of the life, liberty, and property of the citizens, and to restrain the vicious and to encourage the virtuous by wholesome laws, equally extending to every individual; but that the duty which we owe to our Creator, and the manner of discharging it, can only be directed by reason and conviction, and is nowhere cognizable but at the tribunal of the universal Judge.

"To illustrate and confirm these assertions, we beg leave to observe, that to judge for ourselves, and to engage in the exercise of religion agreeably to the dictates of our own consciences, is an unalienable right, which, upon the principles on which the gospel was first propagated, and the Reformation from popery carried on, can never be transferred to another. Neither does the church of Christ stand in need of a general assessment for its support; and most certain we are that it would be of no advantage, but an injury to the society to which we belong; and as every good Christian believes that

Christ has ordained a complete system of laws for the government of his kingdom, so we are persuaded that by his providence he will support it to its final consummation. In the fixed belief of this principle, that the kingdom of Christ and the concerns of religion are beyond the limits of civil control, we should act a dishonest, inconsistent part, were we to receive any emoluments from human establishments for the support of the gospel.

“These things being considered, we hope that we shall be excused for remonstrating against a general assessment for any religious purpose. As the maxims have long been approved, that every servant is to obey his master, and that the hireling is accountable for his conduct to him from whom he receives his wages; in like manner, if the legislature has any rightful authority over the ministers of the gospel in the exercise of their sacred office, and if it is their duty to levy a maintenance for them as such, then it will follow that they may revive the old establishment in its former extent, or ordain a new one for any sect they may think proper; they are invested with a power not only to determine, but it is incumbent on them to declare who shall preach, what they shall preach, to whom, when, and in what places they shall preach; or to impose any regulations and restrictions upon religious societies that they may judge expedient. These consequences are so plain as not to be denied, and they are so entirely subversive of religious liberty, that if they should take place in Virginia, we should be reduced to the melancholy necessity of saying with the apostles in like cases, ‘Judge ye whether it is best to obey God or men,’ and also of acting as they acted.

“Therefore, as it is contrary to our principles and interest, and, as we think, subversive of religious liberty, we do again most earnestly entreat that our legislature would never extend any assessment for religious-purposes to us or to the congregations under our care.”<sup>1</sup>

In 1779, they defeated the bill, which had been ordered to a third reading. But in the first Assembly after the war was over, in 1784, it was brought up again. It was entitled “A Bill Establishing a Provision for Teachers of the Christian Religion.” James Madison stood with Jefferson. As the bill was about to pass, they succeeded in carrying a motion to postpone it till the next session, but in the meantime, to have it printed and generally circulated. As soon as this had been accomplished, Madison wrote, also for general circulation and signature, a Memorial and Remon-

<sup>1</sup> *Id.*, par. 21-23.

strance, to be presented to the next Assembly, in opposition to the bill. This document reads as follows : —

“ We, the subscribers, citizens of the said commonwealth, having taken into serious consideration a bill printed by order of the last session of General Assembly, entitled, ‘ A Bill Establishing a Provision for Teachers of the Christian Religion,’ and conceiving that the same, if finally armed with the sanctions of a law, will be a dangerous abuse of power, are bound as faithful members of a free State to remonstrate against it, and to declare the reasons by which we are determined. We remonstrate against the said bill.

“ 1. Because we hold it for a fundamental and undeniable truth ‘ that religion, or the duty which we owe to our Creator, and the manner of discharging it, can be directed only by reason and conviction, not by force or violence.’ The religion, then, of every man must be left to the conviction and conscience of every man; and it is the right of every man to exercise it as these may dictate. This right is in its nature an unalienable right. It is unalienable, because the opinions of men, depending only on the evidence contemplated in their own minds, cannot follow the dictates of other men. It is inalienable, also, because what is here a right towards men is a duty towards the Creator. It is the duty of every man to render to the Creator such homage, and such only, as he believes to be acceptable to him. This duty is precedent, both in order of time and in degree of obligation, to the claims of civil society. Before any man can be considered as a member of civil society, he must be considered as a subject of the Governor of the universe: and if a member of civil society who enters into any subordinate association, must always do it with a reservation of his duty to the general authority, much more must every man who becomes a member of any particular civil society do it with a saving of his allegiance to the universal Sovereign. We maintain, therefore, that in matters of religion no man’s right is abridged by the institution of civil society, and that religion is wholly exempt from cognizance. True it is, that no other rule exists by which any question which may divide a society can be ultimately determined than the will of the majority; but it is also true that the majority may trespass upon the rights of the minority.

“ 2. Because, if religion is exempt from the authority of the society at large, still less can it be subject to that of the legislative body. The latter are but the creatures and vicegerents of the former. Their jurisdiction is both derivative and limited. It is limited with regard to the co-ordinate departments; more necessarily is it limited with regard to the constituents. The preservation of a free government requires not merely that the metes and bounds which separate each department of power be invariably maintained, but more especially that neither of them be suffered to overleap the great

barrier which defends the rights of the people. The rulers who are guilty of such an encroachment exceed the commission from which they derive their authority, and are tyrants. The people who submit to it are governed by laws made neither by themselves nor by any authority derived from them, and are slaves.

“3. Because it is proper to take alarm at the first experiment upon our liberties. We hold this prudent jealousy to be the first duty of citizens, and one of the noblest characteristics of the late Revolution. The freemen of America did not wait till usurped power had strengthened itself by exercise, and entangled the question in precedents. They saw all the consequences in the principle, they avoided the consequences by denying the principle. We revere this lesson too much, soon to forget it. Who does not see that the same authority which can establish Christianity, in exclusion of all other religions, may establish, with the same ease, any particular sect of Christians, in exclusion of all other sects? that the same authority which can force a citizen to contribute three pence only, of his property, for the support of any one establishment, may force him to conform to any other establishment in all cases whatsoever?

“4. Because the bill violates that equality which ought to be the basis of every law, and which is more indispensable in proportion as the validity or expediency of any law is more liable to be impeached. ‘If all men are by nature equally free and independent,’ all men are to be considered as entering into society on equal conditions; as relinquishing no more, and therefore, retaining no less, one than the other, of their natural rights. Above all, are they to be considered as retaining an ‘equal title to the free exercise of religion according to the dictates of conscience. Whilst we assert for ourselves a freedom to embrace, to profess, and to observe the religion which we believe to be of divine origin, we cannot deny an equal freedom to them whose minds have not yet yielded to the evidence which has convinced us. If this freedom be abused, it is an offense against God, not against man. To God, therefore, not to man, must an account of it be rendered. As the bill violates equality by subjecting some to peculiar burdens, so it violates the same principle by granting to others peculiar exemptions.’ Are the Quakers and Menonists the only sects who think a compulsive support of their religious unnecessary and unwarrantable? Can their piety alone be intrusted with the care of public worship? Ought their religions to be endowed above all others with extraordinary privileges by which proselytes may be enticed from all others. We think too favorably of the justice and good sense of these denominations to believe that they either covet pre-eminence over their fellow-citizens, or that they will be seduced by them from the common opposition to the measure.

“5. Because the bill implies either that the civil magistrate is a competent judge of religious truths, or that he may employ religion as an engine

of civil policy. The first is an arrogant pretension, falsified by the contradictory opinions of rulers in all ages and throughout the world; the second, an unhallowed perversion of the means of salvation.

"6. Because the establishment proposed by the bill is not requisite for the support of the Christian religion. To say that it is, is a contradiction to the Christian religion itself, for every page of it disavows a dependence on the powers of this world. It is a contradiction to fact; for it is known that this religion both existed and flourished, not only without the support of human laws, but in spite of every opposition from them; and not only during the period of miraculous aid, but long after it had been left to its own evidence and the ordinary care of Providence. Nay, it is a contradiction in terms; for a religion not invented by human policy must have pre-existed and been supported before it was established by human policy. It is, moreover, to weaken in those who profess this religion a pious confidence in its innate excellence and the patronage of its Author, and to foster in those who still reject it a suspicion that its friends are too conscious of its fallacies to trust it to its own merits.

"7. Because experience witnesseth that ecclesiastical establishments, instead of maintaining the purity and efficacy of religion, have had a contrary operation. During almost fifteen centuries has the legal establishment of Christianity been on trial. What have been its fruits? More or less, in all places, pride and indolence in the clergy; ignorance and servility in the laity; in both, superstition, bigotry, and persecution. Inquire of the teachers of Christianity for the ages in which it appeared in its greatest luster; those of every sect point to the ages prior to its incorporation with civil policy. Propose a restoration of this primitive state, in which its teachers depend on the voluntary regard of their flocks — many of them predict its downfall. On which side ought their testimony to have greatest weight — when for, or when against, their interest?

"8. Because the establishment in question is not necessary for the support of civil government. If it be urged as necessary for the support of civil government only as it is a means of supporting religion, and it be not necessary for the latter purpose, it cannot be necessary for the former. If religion be not within the cognizance of civil government, how can its legal establishment be necessary to civil government? What influence, in fact, have ecclesiastical establishments had on civil society? In some instances they have been seen to erect a spiritual tyranny on the ruins of civil authority; in many instances they have been seen upholding the thrones of political tyranny, in no instance have they been seen the guardians of the liberties of the people. Rulers who wished to subvert the public liberty may have found in established clergy convenient auxiliaries. A just government, instituted to secure and perpetuate it, needs them not. Such a government will be best supported by

protecting every citizen in the enjoyment of his religion with the same equal hand which protects his person and his property; by neither invading the equal rights of any sect, nor suffering any sect to invade those of another.

“9. Because the proposed establishment is a departure from that generous policy which, offering an asylum to the persecuted and oppressed of every nation and religion, promised a luster to our country, and an accession to the number of its citizens. What a melancholy mark is the bill, of sudden degeneracy! Instead of holding forth an asylum to the persecuted, it is itself a signal of persecution. It degrades from the equal rank of citizens all those whose opinions in religion do not bend to those of the legislative authority. Distant as it may be in its present form from the Inquisition, it differs from it only in degree. The one is the first step, the other is the last, in the career of intolerance. The magnanimous sufferer of this cruel scourge in foreign regions, must view the bill as a beacon on our coast warning him to seek some other haven, where liberty and philanthropy, in their due extent, may offer a more certain repose from his troubles.

“10. Because it will have a like tendency to banish our citizens. The allurements presented by other situations are every day thinning their number. To superadd a fresh motive to emigration by revoking the liberty which they now enjoy, would be the same species of folly which has dishonored and depopulated flourishing kingdoms.

“11. Because it will destroy that moderation and harmony which the forbearance of our laws to intermeddle with religion has produced among its several sects. Torrents of blood have been spilt in the Old World in consequence of vain attempts of the secular arm to extinguish religious discord by proscribing all differences in religious opinion. Time has at length revealed the true remedy. Every relaxation of narrow and rigorous policy, wherever it has been tried, has been found to assuage the disease. The American theater has exhibited proofs that equal and complete liberty, if it does not wholly eradicate it, sufficiently destroys its malignant influence on the health and prosperity of the State. If with the salutary effects of this system under our own eyes, we begin to contract the bounds of religious freedom, we know no name which will too severely reproach our folly. At least let warning be taken at the first-fruits of the threatened innovation. The very appearance of the bill has transformed ‘that Christian forbearance, love, and charity,’ which of late mutually prevailed, into animosities and jealousies, which may not be appeased. What mischiefs may not be dreaded, should this enemy to the public quiet be armed with the force of law?

“12. Because the policy of the bill is adverse to the diffusion of the light of Christianity. The first wish of those who enjoy this precious gift ought to be that it may be imparted to the whole race of mankind. Compare the number of those who have as yet received it with the number still remaining under

the dominion of false religions, and how small is the former? Does the policy of the bill tend to lessen the disproportion? No; it at once discourages those who are strangers to the light of revelation from coming into the region of it, and countenances by example the nations who continue in darkness in shutting out those who might convey it to them. Instead of leveling, as far as possible, every obstacle to the victorious progress of truth, the bill, with an ignoble and unchristian timidity, would circumscribe it with a wall of defense against the encroachments of error.

"13. Because attempts to enforce, by legal sanctions, acts obnoxious to so great a proportion of citizens, tend to enervate the laws in general, and to slacken the bands of society. If it be difficult to execute any law which is not generally deemed necessary or salutary, what must be the case where it is deemed invalid and dangerous? And what may be the effect of so striking an example of impotency in the government on its general authority?

"14. Because a measure of such singular magnitude and delicacy ought not to be imposed without the clearest evidence that it is called for by a majority of citizens; and no satisfactory method is yet proposed by which the voice of the majority in this case may be determined, or its influence secured. 'The people of the respective counties are, indeed, requested to signify their opinion respecting the adoption of the bill, to the next session of the Assembly.' But the representation must be made equal before the voice either of the representatives or of the counties will be that of the people. Our hope is that neither of the former will, after due consideration, espouse the dangerous principle of the bill. Should the event disappoint us, it will still leave us in full confidence that a fair appeal to the latter will reverse the sentence against our liberties.

"15. Because, finally, 'The equal right of every citizen to the free exercise of his religion, according to the dictates of conscience,' is held by the same tenure with all our other rights. If we recur to its origin, it is equally the gift of nature: if we weigh its importance, it cannot be less dear to us: if we consult the declaration of those rights 'which pertain to the good people of Virginia as the basis and foundation of government,' it is enumerated with equal solemnity, or rather with studied emphasis. Either, then, we must say that the will of the legislature is the only measure of their authority, and that in the plenitude of that authority they may sweep away all our fundamental rights, or that they are bound to leave this particular right untouched and sacred. Either we must say that they may control the freedom of the press, may abolish the trial by jury, may swallow up the executive and judiciary powers of the State: nay, that they may despoil us of our very rights of suffrage, and erect themselves into an independent and hereditary assembly, or we must say that they have no authority to enact into a law the bill under consideration.

“We, the subscribers, say that the General Assembly of this commonwealth have no such authority. And in order that no effort may be omitted on our part against so dangerous an usurpation, we oppose to it this remonstrance; earnestly praying, as we are in duty bound, that the Supreme Lawgiver of the universe, by illuminating those to whom it is addressed, may on the one hand, turn their councils from every act which would affront his holy prerogative, or violate the trust committed to them; and, on the other, guide them into every measure which may be worthy of his blessing, redound to their own praise, and establish more firmly the liberties, the prosperity, and the happiness of the commonwealth.”<sup>1</sup>

This remonstrance was so generally signed that the bill for a general assessment was not only defeated, but in its place there was passed, Dec. 26, 1785, “An Act for Establishing Religious Freedom,” written by Thomas Jefferson, and reading as follows:—

“Well aware that Almighty God hath created the mind free; that all attempts to influence it by temporal punishments or burdens, or by civil incapacitations, tend only to beget habits of hypocrisy and meanness, and are a departure from the plan of the holy Author of our religion, who, being Lord both of body and mind, yet chose not to propagate it by coercions on either, as was in his almighty power to do; that the impious presumption of legislators and rulers, civil as well as ecclesiastical, who being themselves but fallible and uninspired men, have assumed dominion over the faith of others, setting up their own opinions and modes of thinking as the only true and infallible, and as such endeavoring to impose them on others, hath established and maintained false religions over the greatest part of the world, and through all time; that to compel a man to furnish contributions of money for the propagations of opinions which he disbelieves, is sinful and tyrannical; that even the forcing him to support this or that teacher of his own religious persuasion, is depriving him of the comfortable liberty of giving his contributions to the particular pastor whose morals he would make his pattern, and whose powers he feels most persuasive to righteousness, and is withdrawing from the ministry those temporal rewards which, proceeding from an approbation of their personal conduct, are an additional incitement to earnest and unremitting labors for the instruction of mankind; that our civil rights have no dependence on our religious opinions, more than our opinions in physics or geometry; that, therefore, the proscribing any citizen as unworthy the public confidence, by laying upon him an incapacity of being

<sup>1</sup> Blakely's "American State Papers," pp. 27-38.

called to the offices of trust and emolument, unless he profess or renounce this or that religious opinion, is depriving him injuriously of those privileges and advantages to which, in common with his fellow-citizens, he has a natural right; that it tends to corrupt the principles of that very religion it is meant to encourage, by bribing with a monopoly of worldly honors and emoluments, those who will externally profess and conform to it; that though induced these are criminal who do not withstand such temptation, yet neither are those innocent who lay the bait in their way; that to suffer the civil magistrate to intrude his powers into the field of opinion, and to restrain the profession or propagation of principles, on the supposition of their ill tendency, is a dangerous fallacy, which at once destroys all religious liberty, because he being of course judge of that tendency, will make his opinions the rule of judgment, and approve or condemn the sentiments of others only as they shall square with, or differ from his own; that it is time enough for the rightful purposes of civil government for its officers to interfere when principles break out into overt actions against peace and good order; and, finally, that truth is great, and will prevail if left to herself; that she is the proper and sufficient antagonist to error, and has nothing to fear from the conflict, unless by human interposition disarmed of her natural weapons, free argument and debate, errors ceasing to be dangerous when it is permitted freely to contradict them.

*“Be it therefore enacted by the General Assembly, that no man shall be compelled to frequent or support any religious worship, place, or ministry whatsoever, nor shall be enforced, restrained, molested, or burthened in his body or goods, nor shall otherwise suffer on account of his religious opinions or belief; but that all men shall be free to profess, and by argument to maintain their opinions in matters of religion, and that the same shall in no wise diminish, enlarge, or affect their civil capacities.*

*“And though we well know that this Assembly elected by the people for the ordinary purposes of legislation only, have no power to restrain the acts of succeeding Assemblies, constituted with the powers equal to our own, and that therefore to declare this act irrevocable, would be of no effect in law, yet we are free to declare, and do declare, that the rights hereby asserted are of the natural rights of mankind, and that if any act shall be hereafter passed to repeal the present or to narrow its operation, such act will be an infringement of natural right.”<sup>1</sup>*

Such is the origin and history of the establishment of freedom of the individual conscience, as a constitutional right, both State and National, in the United States.

<sup>1</sup> *Id.*, pp. 23-26.

## TAXATION OF CHURCH PROPERTY.

At the same session of the General Conference of the Seventh-day Adventists, in which the foregoing appeal and remonstrance was adopted, the following resolutions in regard to the taxation of Church and other ecclesiastical property were also adopted (March 5, 1893):—

*Whereas*, In view of the separation which we believe should exist between the Church and the State, it is inconsistent for the Church to receive from the State pecuniary gifts, favors, or exemptions, therefore,

*Resolved*, That we repudiate the doctrine that Church or other ecclesiastical property should be exempt from taxation, and further,

*Resolved*, That we decidedly protest against any such exemption, and favor the repeal of such legislation as grants this exemption.

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