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VICTOR HUGO.

ARE we right in saying that the dust has already begun to settle upon the volumes of Victor Hugo on the library shelf, and that the first instalments of his literary legacy\* have scarcely broken the silence gathering about his name? The morrow of the death of a public favorite is apt to be severe upon his memory. Modern life moves on with such speed that the enthusiasms of yesterday are left far behind us to-day. But as yet no new-comer has taken the place that for threescore years the great French poet has occupied in the world's eye, and these handsomely printed pages may well tempt us to pause and look back for a while.

Between the date of Waterloo and to-day, what a crowd of great men has come and gone upon the theatre of European events! Turn and turn about, kings and mountebanks, poets, philosophers, patriots, novelists, dramatists, and demagogues, have had their hour; but one figure has remained throughout the whole series of exits and entrances, playing on occasion the part of each of the others—now poet, now novelist, now, alas! mountebank—growing continually in size, like the genius of the *Arabian Nights*, till his shadow has filled the earth. If he did not literally play the part of king, it was because, according to M. Zola, he did still better: from being a hero in the republic of 1848, he was promoted by his exile to the rank of a demigod. From the day when Chateaubriand did not call him an “*enfant sublime*,” simply because the phrase had already

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\* *Théâtre en Liberté*, 1 vol. 8vo. Paris: Quantin, 1836. *La Fin de Satan*, 1 vol. 8vo. Paris: Quantin, 1836.

## RELIGION IN THE PUBLIC SCHOOLS.

[This article was the last ever written by its distinguished author. Its solemn warning and earnest plea find additional emphasis in the fact that while uttered in full health and vigor, as the deliberate convictions of a strong mind at the zenith of its power, they are yet a dying legacy. The reader will feel at once what a promise for the future, what a proof of vigorous life, these pages contain. The end was sudden. Doctor Hodge died in the exhaustion which follows great suffering, on Thursday the 11th of November last, toward midnight. The tidings of his death were received not only in the immediate circle of his friends, but in the still wider circle where his name and work had always roused the keenest interest—in the cities of the Atlantic sea-board, wherever there were members of the great church with which he was identified—with a sense of irreparable loss and with the shock of a personal and public bereavement. The general sympathy has already found expression in the newspapers and periodicals. But it is only among those who felt his immediate influence, those who knew him in the common round of every-day life, who came under his charge as a teacher and educator, who were associated with him in the performance of public duties, that his real worth can be felt and the importance of his loss be estimated. The first series of this Review was conducted by his famous father, and reached under him the position from which in the last generation it exercised its great influence. Its second series found in the no less famous son a valued contributor; and this, the third, has enjoyed from the beginning the favor and counsel as well as the substantial assistance which entitle the editor to express, however imperfectly, his feeling of deep sorrow, and to explain how irreparable is the loss to this journal.]

THERE is no question upon which there prevails more confusion of thought, and, consequently, difference of opinion among those fundamentally agreeing in principle, than that of the relation of religion to the education furnished by our public schools. It is agreed that the perpetuity of a free state necessarily requires the general education of the people. It is also agreed that no agency can so effectually secure this necessary end as a school system supported by public taxation and controlled by the state herself. But if the American principle of the absolute divorce of church and state be maintained, how can the state have any definite religious character? and, if not, how can it administer a system of education which embraces a religious element? Of all the conflicting systems of religion, represented in the national population, how is it possible for the state to select one in order to embrace it in its educational system? If Christianity be adopted as the religion of the majority, shall it be in its Papal or in its Protestant form? How can it ever be equitable to take the money of even a small minority of Jews or infidels in order to disseminate a faith which they abhor? and, especially, how

can it be endured that their children should be indoctrinated with the hated creed?

The infinite importance of this problem has hitherto failed to be appreciated by the mass of our Christian people, because the inevitable tendencies of our present system of public schools have been disguised during the period of imperfect development. In the East these schools have been kept under local control, in decidedly Christian communities of fixed traditions, and they have been supplemented and restrained by numerous Christian academies and colleges. But a very wide, profound, and silent change has been rapidly effected. The system has been developed in the newer states from the common school to the state university. In the East the system has been gradually centralized, and local schools have been conformed to the common rule of the State Boards of Control. Congress has been asked to assume the reins by the appropriation of millions for the supply of schools throughout the Southern States and the Territories, and by the erection of a National University. The entire literature provided has been laboriously purged from every theistic or Christian reference. The school Readers of former times, as the *Columbian Orator*, published in Boston in 1797, the *New English Reader*, published in 1841, and the *McGuffey Readers*, so universally used in Ohio a generation ago, were full of extracts from the best Christian classics. These have been everywhere superseded by Readers embracing only secular, non-religious matter. Doctor Guyot's Series of Geographies, the best in the market, was rejected by the School Board of Chicago, after a year's trial, because they recognized the existence of God. A Christian college-president said to Rev. H. D. Jenkins, D.D.:

"That is my *Political Economy*, prepared for use in high-schools and academies. I sent it the other day to one of our State Superintendents of Education; but it was returned to me with the note that its first sentence condemned it for use in public schools."

That first sentence was: "*The source of all wealth is the beneficence of God.*" For the first time in the world's history a complete literature is being generated from which all tincture of religion, whether natural or revealed, is expurgated, for the education of the youth of a whole nation.\* "Non-denominational" used to mean

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\* Ex-President Theodore Woolsey, in his great work on *Political Science*, Vol. II., p. 414, asks urgently: "Shall it come to this, that not even the existence of the Supreme One is to be assumed in the schools, nor any book introduced which expresses any definite

that which does not discriminate between the various Christian sects. Now it means that which does not discriminate between the sects of theists and atheists, of Christianity and of unbelief. A "non-denominational" college is a non-religious college.

Under these problems, therefore, there lurks the most tremendous and most imminent danger to which the interests of our people will ever be exposed, in comparison with which the issues of slavery and of intemperance shrink into insignificance. We feel sure, moreover, that although an absolute solution of these questions may be very difficult, that a comparatively just and safe practical adjustment is clearly within the grasp of our Christian people, if they clear their minds and use their power.

I. It is absolutely impossible to separate religious ideas from the great mass of human knowledge. In many connections, where these are not positively implied they are virtually denied. By "religion" we connote two related ideas: (1) natural theism; (2) Christianity as a supernatural revelation, whose organ and standard is the Bible. In affirming the absolute impossibility of separating religious ideas from the instruction given in our public schools, we do not mean that it is the proper function of any of them to teach a complete system of Christian doctrine or duties. It is only meant that they cannot successfully ignore that religious element which enters into the essential nature of the subject-matter of their teaching.

*First.*—This is proved from the very nature of the case. Education involves the training of the whole man and of all the faculties, of the conscience and of the affections, as well as of the intellect. The English language is the product of the thought, character, and life of an intensely Christian people for many centuries. A purely non-theistic treatment of that vocabulary would not merely falsify the truth of the subject, but would necessarily make it an instrument of conveying positively antitheistic and antichristian ideas. All history is a product of divine Providence, and is instinct with the divine ends and order. This is especially true of the history of the Anglo-Saxon race, which is a record of the conflict of religious ideas and forces from the first. It is self-evident that a non-theistic or a non-christian treatment of that history would be utterly superficial

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faith in regard to Providence or final causes?" And it has long since come to this that a minister of the Gospel has justified the state, inasmuch as he affirms it "proposes to give only a secular education, that would be useful and needful in this life, if there were no God, and no future for the human soul."—*Religion and the State*, Rev. Dr. Spear, pp. 52, 53.

and misrepresenting. It cannot be questioned that morals rest upon a religious basis, and that a non-theistic ethics is equivalent to a positively antitheistic one. The same is no less true of science in all its departments. It ultimately rests upon the ground that the universe is a manifestation of reason. If God is not therein recognized he is denied, and a non-theistic science has always been and will always be a positively atheistic and materialistic one. The universe can be interpreted only in terms of mind or of molecular mechanics. Wm. T. Harris well says, in the *Journal of Social Science*, May, 1884, p. 130:

“Faith is a secular virtue as well as a theological virtue, and whosoever teaches another view of the world—that is to say, he who teaches that a man is not immortal, and that nature does not reveal the divine reason—teaches a doctrine subversive of faith in this peculiar sense, and also subversive of man’s life in all that makes it worth living.”

It is obvious that the infinite evils resulting from the proposed perversion of the great educating agency of the country cannot be corrected by the supplementary agencies of the Christian home, the Sabbath-school, or the church. This follows not only because the activities of the public school are universal and that of all the other agencies partial, but chiefly because the Sabbath-school and church cannot teach history or science, and therefore cannot rectify the anti-Christian history and science taught by the public schools. And if they could, a Christian history and science on the one hand cannot coalesce with and counteract an atheistic history and science on the other. Poison and its antidote together never constitute nutritious food. And it is simply madness to attempt the universal distribution of poison on the ground that other parties are endeavoring to furnish a partial distribution of an imperfect antidote.

It is greatly to be regretted that this tremendous question has been obscured and belittled by being identified with the entirely subordinate matter of reading short portions of the King James version of the Bible in the public schools. Another principal occasion of confusion on this subject is the unavoidable mutual prejudice and misunderstanding that prevails between the two great divisions of our Christian population, the Romanist and the Protestant. The protest against the reading of the *Protestant* version of Scripture came in the first instance from the Romanists. Hence, in the triangular conflict which ensued, between Protestants, Romanists, and infidels, many intelligent Christians, on both sides, mistook the stress

of battle. Every intelligent Catholic ought to know by this time that all the evangelical churches are fundamentally at one with him in essential Christian doctrine. And every intelligent Protestant ought to know by this time, in the light of the terrible socialistic revolutions which are threatened, that the danger to our country in *this* age is infinitely more from scepticism than from superstition. We have, Protestant and Romanist alike, a common essential Christianity, abundantly sufficient for the purposes of the public schools, and all that remains for specific indoctrination may easily be left to the Sabbath-schools and the churches respectively. We are in the same sense Christian theists. We believe in God the Father, Son, and Holy Ghost, in His fatherly providence and love. We believe in the same divine-human Saviour, and place alike all our hope of salvation on His office and work as Mediator. We believe in the infallibility and authority of the inspired Word of God, and we nearly approximate agreement on all questions touching the Sabbath, the oath, the rights of property, marriage and divorce, etc., and with regard to the religious elements of science, physical and moral, and on all questions in which the state, or the schools of the state, have jurisdiction. Let us mutually agree, as citizens, not as ecclesiastics, upon a large, fair, common basis of religious faith, for the common needs of the state and her schools, leaving all differences to the churches, and, thus united, we will carry the country before us.

The testimony of the Rev. H. D. Jenkins, D.D., a Presbyterian minister, in the *Christian at Work*, August 19, 1886, seems to show that our Romanist brethren are nearer this infinitely-to-be-desired position than are most of us Protestants, who are so divided that common understanding and action is in our case more difficult. Doctor Jenkins says :

“ Permit me to say that I have never in my life examined a series of school-books with more minute scrutiny than I have given to this set, and I have no hesitation in saying that they are truer to the ideal of our fathers” [the Puritans] “ than any set of books I know to be in use in the state schools of America. There is a higher literary excellence to be found in their *Readers* than is to be found in those used in our public schools ; than it is possible to find, when from our literature the ethical and religious element is so carefully weeded out. And apart from one or two dogmatic books, which are used as text-books—notably their Catechism—there is not a page in the whole didactic series which I could not freely put into the hands of my own children, or give to the children of my Sunday-school. Not only are they largely composed of extracts from our best evangelical writers, but Protestant and Romanist appear in their pages with equal impartiality. Their *Readers* present a truer and juster view of the state of literature in America to-day than can

be gotten from the books in use in the public schools. Their *History of the United States*, not seeking to ignore all those spiritual factors which gave shape and power to the past, is a far more complete exhibition of the formative elements in the national life than that taught under the patronage of the State. Throughout the entire series there is not taught one single doctrine distinctive of Romanism, or hostile to evangelical truth; not one reference to the mother of Jesus in any terms that would sound strange in a Protestant pulpit; not one allusion to the invocation of the saints; not one hint of the existence of purgatory, and not one suggestion of salvation by any other means but by simple trust in Jesus, the Saviour of men."

In view of the entire situation, shall we not all of us who really believe in God give thanks to Him, that He has preserved "the Roman Catholic Church in America to-day true to that theory of education upon which our fathers founded the public schools of the nation," and from which they have been so madly perverted.

*Second.*—The proposed attempt at erecting a complete national system of public schools, from whose instruction, in all grades, all positive religious elements are to be expurgated, is absolutely without precedent in the history of the human race. The schools of China have always been penetrated with the religion of China, such as it is. The schools of Europe of every grade, Protestant as well as Romanist, have, from the time of Charlemagne, been the children of Christianity. The schools of Germany, hitherto the most efficient in the world, provide even for the teaching the whole outline of dogmatic Christianity. The schools of revolutionary Paris alone emulate the agnostic profession and practice of our own system.

*Third.*—This new principle of the absolute elimination of the theistic and Christian elements from the instructions of our common schools is in direct opposition to the spirit and declared convictions of their founders. At the first, the population of New England was religiously homogeneous. The conflict has been precipitated by the unfortunate misunderstandings of Protestant and Romanist Christians, and by the utterly unwarrantable claims of a relatively small but aggressive party of recently imported foreign infidels. For two hundred years after the first colonization of the country every college and almost every academy and high-school was erected with Christian ends in view. Massachusetts established Harvard College in 1636. The president and each professor was obliged to profess "his belief in the Scriptures of the Old and New Testaments," "and in every year and every week of the college course, every class was practised in the Bible and catechetical divinity." Yale College was founded in 1701. The charter de-

fined its end to be the propagating the Christian Protestant religion. The Assembly's catechism, in Greek, was read by the freshmen; the sophomores studied Hebrew; the juniors and sophomores and the seniors, both at Harvard and Yale, were thoroughly instructed in divinity in the admirable compend of Wollebius.

Horace Mann was Secretary of the Board of Education of Massachusetts eleven years, from 1837 to 1848. He was, more than any other man, the author, expositor, and eloquent defender of the system. He may well be called the Father of the American Common-school system, and is able to speak of its original character and intention as an unquestionable authority. The changes he made, in order to render the schools of that state more homogeneous, and available for all classes of the people, necessarily drove many of the old grammar-schools and academies out of the field, and excluded the teaching of the peculiar dogmas of any particular Christian denomination. This inevitably excited anxiety as to the spirit and ultimate bearing of the system on the essentials of religion held in common by the great majority of the people. In order to remove all apprehension on this score he expressed his views and those of his associates frequently, and in the most emphatic manner, in his annual reports. He says :

“Such is the force of the conviction to which my own mind is brought by these general considerations, that I could not avoid regarding the man who should oppose the religious education of the young as an insane man; and were it proposed to debate the question between us, I should desire to restore him to his reason before entering upon the discussion.”—*Reports*, pp. 710-715, “On Religious Education.”

He did not depend for this religious instruction upon any agencies exterior to his own schools. The education he proposed to give the whole people in his schools he defines as “a training of the whole man.”—Pp. 573-575. “I wish to vindicate the system with which I have been so long and so intimately connected, not only from the aspersion, but from the suspicion, of being an irreligious, or antichristian, or un-Christian system.”—P. 717. “But our system earnestly inculcates all Christian morals; *it founds its morals on a basis of religion*; it welcomes the religion of the Bible, and in receiving it allows it to do what it is allowed to do in no other system—to speak for itself.”—Pp. 729-730. “The Bible is received, therefore it is not un-Christian.”—P. 735. “Further, our law explicitly enjoins morality, therefore, it cannot be un-Christian.”—P.



736. "Our system explicitly calls upon the "resident ministers of the Gospel to coöperate."—P. 737.

II. This is a Christian country, in the sense that Christianity is an original and essential element of the law of the land.

*First.*—This easily demonstrated position does not, even the most remotely, tend to invalidate our cherished American principle of the absolute separation of church and state. Christianity is a supernatural revelation of God, recorded in the Bible. It is not an ecclesiastical organization, nor essentially dependent upon one. Churches and church officers of every kind are never lords over the consciences of men, neither have they any authority within the sphere of the state, but they are simple agencies used by God at His discretion for the dissemination of the Gospel among men. The state and the church are both divine institutions, having different ends, spheres, laws, methods, and agents, and the officers and the laws of neither have any jurisdiction within the sphere of the other. They are, nevertheless, both equally divine institutions, and the members and officers of each are alike subject to God, and bound to obey every word He directs to either one of them in their appropriate sphere. It is Christianity, or God's revelation to men in the Scriptures, and not any external society or agency, which is declared to be an essential element of the law of this land.

*Second.*—By this assertion it is not meant that the state is directly or indirectly committed to any ecclesiastical creeds or confessions, or to any interpretation of the contents of Scripture as to matters of either faith or practice, presented by the church or her representative. The state must interpret the lessons of Scripture for herself, as far as these bear upon her peculiar duties, just as the church must interpret them for herself and within her own sphere. The Christianity affirmed to be an essential element of the law of this land is not the Christianity of any one class of the Christian population, but the Christianity which is inherited and held in common by all classes of our Christian people.

This principle is expressed very plainly in a decision of the Supreme Court of Pennsylvania in the year 1824 :

"Christianity, general Christianity, is, and always has been, a part of the common law of Pennsylvania ; not Christianity founded on particular religious tenets ; not Christianity with an established church, and tithes, and spiritual courts ; but Christianity with liberty of conscience to all men."\*

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\* Sergeant and Rowles' Reports, p. 394.

Chief-Justice Kent, in a decision of the Supreme Court of New York, in 1811, says:

“Christianity, in its enlarged sense, as a religion revealed and taught in the Bible, is not unknown to our law.”

*Third.*—Nor, in the third place, does this affirmation that essential Christianity is an element of the law of our land mean that the civil government is bound either directly or indirectly to provide for the preaching of the Gospel, or for the doing anything else in that interest which falls within the sphere of the church. Whatsoever belongs to the church for that very reason does not belong to the state. But it simply means that Christianity, as a revelation, binds all Christian men to obedience in every relation and department of duty upon which that revelation reflects the will of God. The state should obey God in carrying out within its own sphere the will of God, however made known. God has revealed to all men much of His will, through the natural law written upon the heart. No respectable publicist pretends that this natural revelation of God's will shall be discarded by the state, or that the civil law must ignore moral distinctions because a class of our free citizens repudiate them. And God has also been pleased to make, through the Christian Scriptures, a special supernatural revelation of His will to all men, touching several matters which necessarily fall within the sphere of the civil law. These are such as the observance of a day of rest from the business of the world, the oath, the right of property, capital punishment for murder, marriage and divorce. Hence also, when the state, for her own defence, assumes the function of providing for the education of the rising generation of the whole people, the Christian character of the state requires that, as far as she teaches those branches of knowledge of which Christian theism is an inseparable element, as, *e. g.*, history, ethics, philosophy, science, she should include that element in her teaching also.

The evidence of this proposition thus limited and explained is threefold: (1) The a priori necessity of the case. (2) The historic genesis of our common law and political institutions. (3) The present actual facts of the case.

1st.—Every state must possess, in the whole range of its activities as a state, precisely the intellectual, moral, and religious character of the governing majority of its citizens. The state is nothing else than the people, constitutionally organized, acting in their

organic capacity through the machinery of law. If the people are morally righteous their action upon all questions possessing a moral character must be righteous. If the governing majority of the people believe in God as the Creator and moral Governor, and in the authority of the Bible as His Word, then organic action must express personal belief, and in all cases conform to the will of God, whether revealed in the light of nature or in the text of Scripture, as the majority understands them. If the citizen disbelieves in God and His Word, he does not believe in them at any time or in any relation, but if he does really believe in them, then he must act in conformity to them at all times and in all relations. It is simply absurd to say that a single believer must individually obey every indication of God's will, and that a multitude of believers collectively may, if they please, shut their eyes and ignore his voice. It is purely absurd to say that a believing man, on Sunday, must recognize and obey the voice of Christ speaking in his Word, and directing belief and action in the sphere of the church, and that the same believer, on Monday, sitting in a State or the national legislature, may disregard the same voice explicitly commanding his obedience in matters coming within his control as a legislator; as, *e. g.*, marriage and divorce, the Sabbath, or education. The thing is simply impossible. If attempted and pretended it is monstrous treason. Neutrality is absolutely impossible. If we are not for the King we are against him. If we do not acknowledge we deny him, if we do not obey we rebel. If the state acts under the light of nature, and without the light of supernatural revelation, it is certainly *non-Christian*, but it will be either theistic or atheistic. But if it act under the clear light of the Bible in the hands of all the people, it must be either Christian or *anti-Christian*.

This has always been believed hitherto. All nations of all past ages have confessedly founded their states upon their religions. This is true of Egypt, Greece, and Rome, of China, Japan, and all else within the purview of history. The precedents of the few short-lived atheistic states of history are alike exceptional and appalling.

This principle is recognized by the greatest writers on law in our language. Blackstone, Introduction, § 2, says :

“Upon these two foundations, the law of nature (dictated by God himself) and the law of revelation, depend all human laws ; that is to say, no human law should be suffered to contradict these.”

And Washington, in his Farewell Address, that legacy of political wisdom from the Father of his Country, says :

“Reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principles.”

Every Christian, at least, must accept this political axiom. The Scripture, which he acknowledges to be the Word of God, fully commits him to this conclusion. Jehovah weighs nations as well as individuals in his balances. He estimates them as righteous or unrighteous, as godly or ungodly. These are characteristic Scriptural predicates of nations. It is predicted that all “nations” shall serve Christ, and that “nation” is declared to be blessed whose God is the Lord.\* The kings of the earth, as public magistrates, in whom the character of the state is embodied, are declared to be immediately accountable to God for their stewardship. Christ is “Prince of the kings of the earth.”† “The powers that be are ordained of God.” “Rulers are the ministers of God to us for good.” “Whosoever resisteth the power resisteth the ordinance of God.” “Wherefore, ye must needs be subject not only for wrath, but also for conscience’ sake.”‡ This is, moreover, the essential basis of all liberty for the individual, in an organized state. The law must be obeyed, either from physical constraint or willingly. Where obedience is irksome, or apparently to my disadvantage, I obey either in deference to the will of God, or to the physical force inherent in the majority. Obedience cannot be ethical unless it be religious, and it cannot be free unless it be ethical.

2d.—The principle for which we contend is demonstrated by all the facts relating to the historical genesis of our institutions. All organisms, political as well as physical, are generated by lengthened processes out of germs, and the character of the germ always passes over into the resultant organism. The elements subsequently introduced are digested and assimilated by the preëxisting constitution to its own nature, they never assimilate the preëxistent constitution to their nature. This is not a poor metaphor, based upon a superficial analogy between political societies and physical organisms. It is the definitely ascertained law of the growth of the one as well as of the other. It is at once a law of necessary sequence, and at the same time of most equal justice to all the parties concerned. It is only justice if recent immigrants, who voluntarily and for their own advantage enter into partnership with us in our paternal heritage,

\* Jer. xxvii. 7; Prov. xiv. 34; Ps. xxxiii. 12; xliii. 1.

† Is. xxiv. 21; lx. 10; Rev. i. 5.

‡ Rom. xiii. 1-5.

should conform to all its long-established conditions. It is infamously unjust if the recent immigrant, immediately upon his advent, should demand the revolution of our established political principles in conformity with his untested speculations, while he ignores our history, and the rights of the majority who differ from him.

Every colony going out from an historical community in order to found new states in unoccupied territories necessarily carries with it an inheritance of laws and customs which constitute the germs of the new commonwealth. These lie latent (*a*) in the characters of the persons emigrating; (*b*) in their inherited social relations; (*c*) in their inherited legal customs, the *lex non scripta*, or common law; and (*d*) in the charters of their kings, or chief magistrates. The colonies, which by continuous political evolution generated the United States of America, were from the first constituted almost exclusively of earnest Christian believers. The Puritan settlers of New England emigrated at infinite pain and cost for the single purpose of founding a truly Christian government. The purpose of the Quaker followers of William Penn, the founder of Pennsylvania and West Jersey, was no less specifically religious. The Dutch of the valley of the Hudson and of East Jersey; the Huguenots, who mingled largely with the other colonists from Charleston to Massachusetts; the Cavaliers of Virginia; the Romanists of Maryland; the Scotch-Irish of Pennsylvania, West Virginia, and North Carolina, all were earnest believers, and deliberately intended to found their nascent commonwealths on the basis of their religion.

Bancroft says that "the birth of constitutional liberty took place in the cabin of the *Mayflower*." There the charter of the first colony was formed and signed. It begins thus:

"In the name of God, Amen. We, etc., . . . having undertaken for the glory of God, and advancement of the Christian faith, and honor of our king and country, a voyage to plant the first colony on the northern part of Virginia," etc.

The Dutch East India Company, from its formation in 1621, provided for the religious as well as for the secular wants of the colonists in New Amsterdam.\*

In 1606 James I. of England gave a charter to the Colony of Virginia, in which the king appeals to "the Providence of Almighty God," and declares that one object of the plantation is "the pro-

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\* See *Christian Life and Character of the Civil Institutions of the United States*, by Rev. B. F. Morris. Philadelphia, George W. Childs, 628 and 630 Chestnut Street, 1864. To this wonderful collection of facts this article is much indebted.

pagation of the Christian religion." In another charter, given three years afterwards, the king says :

"It shall be necessary for all such as inhabit within the precincts of Virginia to determine to live together in the fear and true worship of Almighty God, Christian peace, and civil quietness."

William Penn, the proprietor and law-giver of Pennsylvania in 1682, declares that "the origination and descent of all human power is from God," so that "government seems to me to be a part of religion itself." The English element of this primary immigration ultimately absorbed and dominated all the rest, and consequently brought the English traditional common law into active force in all the territories covered by the charters of the original colonies. That common law is consequently the basis of civil and political life throughout our whole land, excepting those portions bought from France or Spain, or conquered from Mexico. It is so recognized in all our courts, state and federal, except in so far as it has been modified by our changed circumstances, or by positive legislation. That this English common law is the creature of Christianity has never been questioned. This has grown and been confirmed by the habits and legislation of our really Christian people through the two hundred and fifty years in which our institutions have been growing on American soil, and in doing so they have spread through all our zones, over all our mountains and plains, a mass of precedents, half-unconscious traditions, self-executing habits, instincts, prejudices, of our millions of people, which it would be a herculean task to undo by positive legislation in a thousand years. Our people would not if they could, and they could not if they would.

The first constitutions which these colonies formed for themselves were explicitly Christian. Connecticut gave the first example of a written Constitution self-imposed by any State. That first Constitution recognizes "the Providence of Almighty God." It declares that the great end of the establishment of that political commonwealth was "to maintain and preserve the Gospel of our Lord Jesus." It declares that "the Scriptures hold forth a perfect rule for the direction and government of all men in all duties they are to perform to God and man." The first act of the Legislature of the Province of Pennsylvania, at Chester, December, 1682, declares that "Government in itself is a venerable ordinance of God," and that it was the principal object "of the freemen of Pennsylvania to make

and establish such laws as shall best preserve true Christian and civil liberty, in opposition to unchristian, licentious, and unjust practices." The Colonial Legislature of New York, in 1665, ordered that a church should be erected in each parish, and that ministers should preach every Sabbath. The Church of England was established in the Colony of Virginia, and remained so until after the Revolution. The first charter of South Carolina, granted in 1662, by Charles II., declared that pious zeal for "the propagation of the Gospel" had been the actuating motive of the colonists. The second charter, granted in 1669, provided a "Fundamental Constitution," which declared the Church of England "to be the national religion of all the king's dominions, as also of Carolina." It permits Jews and other dissenters from the purity of the Christian religion to form churches, on condition they should (1) acknowledge the existence of God, (2) and that he should be worshipped, and (3) that every man, at the command of the magistrate, should testify in some form indicating a recognition of divine justice and of human responsibility.

At the era of the Revolution all the colonies adopted Christian constitutions in assuming their new character as sovereign states. The State Constitution of Massachusetts, adopted 1780, declares "That the happiness of a people, and the good order and preservation of civil government, essentially depends upon piety, religion, and morality." It proceeds to provide that the Legislature shall require the "several towns to make suitable provision for the support of Protestant teachers of piety, religion, and morality." And it ordains that every person "chosen governor, lieutenant-governor, senator, or representative, and accepting the trust, shall subscribe a solemn profession that he believes in the Christian religion, and has a firm persuasion of its truth." South Carolina, in her Constitution, in 1778, declares "that all persons and religious societies who acknowledge that there is a God, and a future state of rewards and punishments, and that God is to be publicly worshipped, shall be tolerated. The Christian Protestant religion shall be deemed, and is hereby constituted and declared to be, the established religion of the State." The English church continued the established church of Virginia until after the Revolution. The "Act for the establishment of religious freedom," passed through the influence of Jefferson, recognizes "Almighty God," and Christ, "the Author of our religion, the Lord both of body and mind." The constitutions of

Pennsylvania, North Carolina, Delaware, and Maryland, all formed in 1776, all required a professional belief in the truths of the Christian religion as a condition of holding any office, or place of trust. Those of New Jersey and of Georgia, in 1777, restrict toleration to the various sects of the Protestant religion. The constitutions of New Hampshire, Vermont, and Connecticut, all in various terms declared the duty of worshipping God, the truth of the Christian religion, and the importance of its institutions. The Constitution of the State of New York, in 1777, recognizes the special character of the Christian ministry by excluding clergymen from holding any civil or military office under the state. The Legislature of New York, in 1838, declares: "This is a Christian nation. . . . Our Government depends for its being on the virtue of its people—on the virtue that has its foundation in the morality of the Christian religion, and that religion is the common and prevailing faith of the people." The Great and General Court of Massachusetts issued a proclamation in 1776, declaring "that piety and virtue, which alone can secure the freedom of any people, may be encouraged, they command and enjoin upon the good people of this colony that they lead sober, religious, and peaceable lives, avoiding all blasphemies, contempt of Holy Scripture and of the Lord's Day, and all other crimes and misdemeanors." The seventh section of the Bill of Rights, forming part of the Constitution of Ohio (1802), which was in force during the period in which their common-school system was perfected, ends as follows:

"Religion, morality, and knowledge, however, *being essential to good government*, it shall be the duty of the General Assembly to pass suitable laws to protect every religious denomination in the peaceable enjoyment of its own mode of worship, and to encourage schools and the means of instruction."

The men who formed the Federal Constitution were, with no known exception, earnest believers in the moral government of God, and the great majority were earnest Christians. Franklin and Jefferson, who would naturally be thought of as exceptions, occupied very much the position of the more conservative and reverent class of our modern Unitarians. The former introduced the resolution into the Convention for drafting the Federal Constitution, for opening their sessions with prayer, saying: "The longer I live the more convincing proofs I see of this truth, *that God governs the affairs of men.*" The latter said, in his first Message as President:

"Can the liberties of a nation be thought secure, when we have removed their



only firm basis, a conviction in the minds of the people that these liberties are the gift of God ? ”

But, far better than these, Washington, Patrick Henry, Samuel Adams, John Adams, Roger Sherman, Richard Stockton, John Witherspoon, Gouverneur Morris, Benjamin Rush, Alexander Hamilton, Charles Carroll, John Jay, Elias Boudinot, James Madison, James Monroe, and afterwards John Quincy Adams, Andrew Jackson, Henry Clay, Daniel Webster, and Abraham Lincoln, were sincere and outspoken believers in the truth and universal obligation of the Christian religion.

The first act of the Continental Congress, Tuesday, September 6, 1774, was to resolve that the Rev. Mr. Duché be desired to open Congress to-morrow morning with prayer.” On occasion they resolved to attend divine service as a body. They frequently recommended to the authorities of the several states the observance of days of humiliation, fasting, and prayer. In September, 1777, Congress, voting by States, resolved that : “ The Committee on Commerce be directed to import 20,000 Bibles.” In 1781, the Rev. Mr. Aitken asked Congress to aid him in printing an edition of the Bible. A committee was appointed to attend to the matter, which subsequently secured the examination and approval of the work done by Mr. Aitken, by Bishop White, and Doctor Duffield :

“ Whereupon, *Resolved*, That the United States, in Congress assembled, highly approve the pious and laudable undertaking of Mr. Aitken, . . . and being satisfied of his care and accuracy in the execution of the work, they recommend this edition of the Bible to the inhabitants of the United States.”

Although the Federal Constitution does not explicitly recognize Christianity, it contains no single phrase that by remote implication reflects upon it, and in several incidentals it implicitly signifies its truth : as when it bears date “ in the year of our Lord 1787 ” ; and when in four places it demands the sanction of an oath, which is essentially a religious act ; and as when it provides for the observance of the Christian Sabbath (Art. I, § 7).

From the first, under this Constitution, Congress has provided for itself a constant succession of chaplains, and the sessions of both Houses have been continuously opened with religious services. Chaplains have also always been provided by law, and paid from the public purse, for the army, navy, and prisons of the United States. The same has been done by all the several states for the service of their Legislatures, militia, prisons, penitentiaries, and reformatories

of all kinds. And these chaplains are required by law to be regularly authorized ministers of one or other of the Christian denominations.

From the first, throughout our whole history, the Colonial and State Legislatures, the Continental and United States Congress, have frequently appointed thanksgiving days and days of fasting, humiliation, and prayer. In Virginia, June, 1774, at the first news of the Boston Port Bill, Mr. Jefferson, through Mr. Nicholas, proposed a day of "fasting, humiliation, and prayer," "to implore Heaven to avert from us the horrors of civil war," etc. On December 11, 1776, another fast day was appointed, and God acknowledged as the supreme "Disposer of events, and Arbiter of the fate of nations." In November, 1776, Congress sent an address to the several States and to Washington's army, calling for a service of thanksgiving for the victory over Burgoyne, in which all men are exhorted "to confess their manifold sins," and to make "supplication that it may please God, through the merits of Jesus Christ, mercifully to forgive," etc.

These fast-day observances were the united acts of Congress and of the several State Legislatures and their governors. They were the acts of the Nation, and of the states in their political character, and as such they have been repeated continuously to the present time. The local Thanksgiving Day of New England puritanism, as Christian in its origin as Christmas itself, has become a fixed national institution. In every instance the Thanksgiving-Day proclamations of President or Governor constitute an explicit official recognition of God and of his providential and moral government, and implicitly of the Christian religion. In many conspicuous cases the full faith of Christianity has been definitely confessed. In 1780, Congress uttered a call to thanksgiving, which entreats God to "cause the knowledge of Christianity to spread over the earth." Again, on Thursday, March 19, 1782, "The United States, in Congress assembled," call men to pray "that the religion of our divine Redeemer, with all its divine influences, may cover the earth as the waters cover the seas." Again, the United States, in Congress assembled, in 1783, "call men to give thanks that He [God] hath been pleased to continue unto us the light of the blessed Gospel." Again, in 1787, "The United States of America, in a Committee of States assembled," recommend to the "Supreme Executives of the several States," to call the people to give thanks to God, that He "has been pleased to continue to us the light of Gospel truth." The proclamation for a fast day, March 23, 1778, recognizes the "Redeemer of mankind," and another

of March 8, 1799, recognizes the "great Mediator and Redeemer and the Holy Spirit." The Senate of the United States, March 2, 1863, passed a resolution which explicitly declares the faith of the Government in the success of the war to rest upon "the assurances of His [God's] Word," and their purpose to seek God "through Jesus Christ." And the proclamation of Abraham Lincoln, of same date, signed also by Wm. H. Seward, acknowledges the "Holy Scriptures" as the revelation of God. The acknowledgment of Christianity is frequently found in the proclamations of the governors of the several States, *e. g.*, as of Seward, of New York, in 1839 and 1840, of Bouck, in 1844, of Silas Wright, in 1845, of John Young, in 1847, 1848, of Horatio Seymour, 1853, 1854, of Andrew, of Massachusetts, 1861, of Olden, of New Jersey, 1862, of Berry, of New Hampshire, 1862, of Lowe, of Iowa, and Brown, of Georgia, 1858.

These facts, and the vast multitude which they represent, have been fully recognized by some of the most profound of our lawyers. Daniel Webster, "the interpreter of the Constitution," says :

"There is nothing we look for with more certainty than this principle that Christianity is part of the law of the land. General, tolerant Christianity, independent of sects and parties."

In his *Institutes of International Law*, Judge Story, of Massachusetts, for many years a Justice of the Supreme Court of the United States, said :

"One of the beautiful traits of our municipal jurisprudence is that Christianity is part of the common law, from which it seeks the sanction of its rights, and by which it endeavors to regulate its doctrine."

In 1824, the Supreme Court of Pennsylvania declared, in a judgment on a case of blasphemy, that "Christianity, general Christianity, is part of the common law of Pennsylvania." Judge Parsons, of Massachusetts, delivered an opinion to the same effect. Chief-Justice Kent, of New York, in 1811, delivered a similar opinion. In the same year, Justice Allen, of the Supreme Court of New York, delivered the unanimous opinion of that court to the effect that "Christianity is part of the common law of this state, in the qualified sense that it is entitled to respect and protection as the acknowledged religion of the people."

3d. In support of our contention that Christianity retains its initial status as an essential element of the law of our land, we appeal to the fact that, in spite of the importation of multitudes of infidels

among the socialists and political impracticables that Europe is continually sending us, the proportion of professed Christians to the mass of the community has been steadily increasing. The census of 1880 makes the communicating members of the Protestant churches 9,517,945. Allowing the very moderate estimate of 2,548,335 as the number of actual communicants out of the total of 6,370,838 of the Romanists, we have, as the total number of Christian communicants in the country, 12,066,280. The total *adult* population, in 1880, was about 25,000,000, making almost every other adult a communicant, and hence the overwhelming majority adherents to Christianity and its institutions. The ratio of communicants in the evangelical churches to the entire population was, in 1800, 1 to every 14.50; in 1850, 1 to every 6.57; in 1870, 1 to every 5.78; and, in 1880, 1 to every 5 of the inhabitants. From 1800 to 1880 the population of the nation increased 9.46 fold, while, in the same time, the evangelical communicants increased 27.52 fold. From 1850 to 1880 the population increased 116 per cent., and the evangelical communicants increased 184 per cent., while, in addition to this, the Roman Catholic population, which was very small before 1840, has increased more than 400 per cent. in the last thirty years.

III. What, then, shall we conclude is the demand of simple, rational equity as between the rival claims of the believing and of the unbelieving contestants in the case in hand? The antichristian minority consists of two parties: (1) The Jews, who believe in God, and in the Old Testament as the revelation of His will; (2) the agnostics, many of whom do not really know that they do not know, and only half believe that they do not believe. They have no fixed convictions and no inherited institutions. Has the great mass of the nation, the true heirs in succession of our Christian sires, the subduers of the wilderness, the conquerors of independence, the founders of Constitution and laws, no rights? Shall the Christian majority consent that their wealth shall be taxed, and the whole energy of our immense system of public schools be turned to the work of disseminating agnosticism through the land and down the ages? Ex-President Woolsey\* asks:

“What right has the state to permit a man to teach a doctrine of the earth or the solar system which rests on atheism, if theism and revelation must be banished from the scholastic halls. Why permit evolution to be publicly professed more than predestination?”

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\* *Political Science*, Vol. II., p. 408.

IV. The alternative is simple. Christians have all the power in their own hands. Says President Woolsey:\*

“If this should be” [the policy of excluding all religion] “the course of opinion growing out of the doctrine of personal and family rights, will not one of two things happen—that all the churches will become disaffected toward the common schools, as the Catholics now are, and provide teaching for themselves, while the schools will be left to the *sax infima populi*; or that some kind of compromise will be made between the sects and the state, such as all of them, with one exception, would now disapprove?”

The danger arises simply from the weak and sickly sentimentalism respecting the transcendental spirituality of religion, the non-religious character of the state, and the supposed equitable rights of a small infidel minority. All we have to do is for Catholics and Protestants—disciples of a common Master—to come to a common understanding with respect to a common basis of what is received as general Christianity, a practical quantity of truth belonging equally to both sides, to be recognized in general legislation, and especially in the literature and teaching of our public schools. The difficulties lie in the mutual ignorance and prejudice of both parties, and fully as much on the side of the Protestants as of the Catholics. Then let the system of public schools be confined to the branches of simply common-school education. Let these common schools be kept under the local control of the inhabitants of each district, so that the religious character of each school may conform in all variable accidents to the character of the majority of the inhabitants of each district. Let all centralizing tendencies be watchfully guarded against. Let the Christians of the East, of all denominations, increase the number and extend the efficiency of all their Christian academies and higher colleges. And let the Christians of the vast West preoccupy the ground, and bend all their energies in their efforts to supply the rising floods of their incoming population with a full apparatus of high-schools and colleges, to meet all possible demands for a higher education.

One thing is absolutely certain. Christianity is ever increasing in power, and, in the long run, will never tolerate the absurd and aggressive claims of modern infidelity. The system of public schools must be held, in their sphere, true to the claims of Christianity, or they must go, with all other enemies of Christ, to the wall.

A. A. HODGE.

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\* *Political Science*, Vol. II., p. 414.