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No. 2.

A WORD WITH YOU.

We ask you to turn aside and give us your attention for a few moments on an important business matter. We want to talk with you about the **CHRISTIAN STATESMAN**. It is the official organ of the National Reform Association. It is the organization's mouthpiece. It is the right arm of the movement. Its success is essential to the work of the Association. Is it not, then, exceedingly important that you and I do all that we can to increase the efficiency and circulation of the **STATESMAN**? We can help the whole work by doing this.

ITS WORTHINESS OF SUPPORT.

Does not the value of the journal merit your co-operation? Is it not well worth reading and circulating? It occupies a field of its own, and this field is one of great importance. It is the purpose of the management to make the discussions in this field timely and helpful. To this end, under the direction of the Executive Committee of the National Reform Association a corps of Editorial contributors has been selected whose pens will constantly add to the contents of the journal furnished by the editors. Its pages will thus be enriched by discussions covering the entire field of Christian civil government from the points of view of different writers. Steps have also been taken by the Executive Committee to secure the prompt publication of the journal at the beginning of each month.

DIFFERENT FEATURES.

Careful work may be expected in every department of the magazine:— Timely notes in *The Outlook*; Thoughtful Editorials; Contributions from various writers on the questions of the hour; Selected articles; Letters from those in the field; wide-awake News-Items; and reports concerning workers, conventions, and other meetings. A series of articles, twenty or twenty-five in number, covering a wide range of National Reform truth, has just been begun and is in progress. Is there any other magazine that will furnish you the same material?

PUBLICATION IS EXPENSIVE.

The **STATESMAN** is the property of the National Reform Association. It is paid for month by month out of the treasury of the organization. All money received in subscriptions to the journal goes into the treasury. The work of publication is done as cheaply as possible, but a considerable percentage of

laboring class are simply ignorant of the commonest truths of human experience.

It is a momentous conflict between these opposing tendencies. The chief theater of it is at the South, but the North is involved in it. We have had our own outbreaks of savagery, in which race-hatred made wild beasts of men; and so long as our industries shut the negro out of all the best opportunities, we have few stones to throw at our Southern brethren. Our trades unions are less frank in their treatment of the negro than Governor Vardeman or Senator Tillman, but they are not much less inhuman. We must clear our skirts of these stains be-

fore the North can hope to speak to the South as persuasively as it ought to speak respecting the rights of the negro.

Nevertheless, the problem at the South, as we have already seen, is a national problem, and we must not withhold our hands from doing what we can to help in its right solution there. With those true and brave witnesses whose voices we have heard, and with all who stand with them for the opportunity of the negro to be a man, we join ourselves in an earnest endeavor to open to him the gates of opportunity and to lift up before him the ideals of Christian civilization.—
The American Magazine.

The National Reform Movement.

STUDIES IN CHRISTIAN CITIZENSHIP.

IV.

The Ultimate Source of the State's Authority.

BY THE REV. D. McALLISTER, D. D., LL.D.

According to the definition given in a preceding study, the state is possessed of all-comprehensive and exclusive political authority. And this authority over all within its territory it exercises as a sovereign power, or a power without any earthly superior.

The Fact of the State's Authority.

This supreme and sovereign authority of the state is no mere theory. It is a matter of fact. "The state

takes charge of the person and of personal conduct. It defines crime. It makes its prohibitions and commands the measure of the lawful and the right. Hence, it raises or lowers, makes consistent or inconsistent, the standard of public morals, whether it disclaim any such intention or not. It employs force to an

unlimited degree. It punishes by the infliction of pain to any amount it may deem necessary. It banishes, it imprisons, it puts to death." (Prof. Tayler Lewis in 'Paper before the Cincinnati National Reform Convention of 1872. See Proceedings, page 40. Compare also Thomas Arnold's "Lectures on Modern History," 33, 65. See also his "Sermons," vol. IV, 434.)

Even writers who seemed disposed to minimize political sovereignty are constrained to admit that we find a superior or supreme power in every state, as a matter of fact. There may be question as to whether this sovereignty is always exercised or not; whether it always secures obedience or not; and whether under it a willing obedience may not rather be evoked than an unwilling obedience compelled. (See Prof. Giddings of Columbia University in his article on "Sovereignty and Government" in the *Political Science Quarterly* for March, 1906, pages 10 and 12.) But back of all such questions is the admitted fact of "this tremendous power of the general and deliberate will," in other words, the sovereignty or supreme authority of the state.

This Authority also
a Necessity.

cease to be a state, and would fail of the ends for which it exists. This necessity, involved in the definition of the state, affords proof that such supreme and sovereign authority must be traced to a source above the state itself. Otherwise the state becomes an irresponsible monster—a veritable Leviathan, such as Hobbes has represented it to be.

The People the
Mediate Source.

and its ultimate source. The supreme power of any state, or its sovereignty, resides in the people of that state, not as a mass, but as the controlling sum of the constituent elements of the political organism. Through this human channel or mediate source the authority of the state passes into the government; and it is fitting that the sovereign people should enact constitutional or fundamental law for the control of the government in all its departments, legislative, judicial and executive. In this fundamental law, as distinct from the statutory enactments of the legislative department of the government, the will of the sovereign people finds expression; but this human sovereignty should duly acknowledge the divine sovereignty of the Lord of all. With such due acknowledgment of the ultimate divine source of the state's authority, not as an empty form, but as a controlling principle, there will be less danger of an abuse of such unlimited power. It is only in case of such sincere acknowledgment, expressing the conviction and controlling purpose of a nation's life, that the state becomes "least likely to do wrong" or if wrong is done, most likely soon to correct it. And thus citizens can conscientiously "render to Caesar the things that are Caesar's and unto God the things that are God's," without any conflict. (See Luke 20:25.) In this way also there will be less likelihood of citizens having to choose to obey God rather than man. (See Acts 4:19; 5:29.)

The possession of this tremendous power by the state is a necessity of its existence. Without it, the state would

Otherwise Might
makes Right

authority above itself, no will above that of the people to be obeyed as supreme law, what the state may or can do becomes, for it, right, provided only that its acts are in harmony with its accepted ultimate standard of right. The state has the power to do a certain thing, and the people will that this thing shall be done, and that determines the whole question of right and wrong. The might makes the right. This philosophy cannot hold, it is universally conceded, in reference to the individual or the family. Can it hold any better in the case of the state?

And Authority is
Based on Force.

It is frankly maintained by many writers who fail to find its ultimate source in God, that political authority rests on force. For example: "The essential characteristic of all government, whatever its form, is authority . . . And the authority of governors, directly or indirectly, rests in all cases ultimately on force . . . Government, in its last analysis, is organized force." (Prest. Woodrow Wilson, "The State," section 1154.) To the same effect, from another standpoint, says Prof. Burgess: "Of course the state may abuse its unlimited power over the individual, but this is never to be presumed. It is the human organ least likely to do wrong, and therefore we must hold to the principle that the state can do no wrong." (Political Science, vol. I, 56. 57.) Still another writer says: "It is in fact quite superfluous to show in this age that from their own inherent nature, divine or moral sanctions can have no application to political matters. That compulsion for which we are seeking, and which is described as political, is a compulsion that is backed by outward human physical force, and its sanctions have reference to actual fear of physical evil." (Prof. Willoughby's "Nature of the State," 52, 53.)

Force, Power, Author-
ity Defined.

In examining these statements it is important to define terms clearly. "Force" is simply physical might. It is the actual ability to do something or compel something to be done. "Pow-

If the people are the ultimate source of political authority, certain consequences are inevitable. With no

er" is often used in the same sense of mere physical force. Sometimes, on the other hand, as in the King James translation of Romans 13:1, it is the equivalent of "authority." So in the able work of Raboisson, "Du Pouvoir," the French word standing for our word "power," means strictly authority. This word "authority" properly represents the Greek term in Romans 13:1 and Matthew 28:18. It means rightful power; a right of compulsion backed by something more than force; power resting on the eternal and unchangeable principles of right. So-called "authority" without this foundation is nothing more than brute force. It may be found in a band of robbers. It may be permitted in the providence of God like any other evil or wrong. (Compare John 19:10, 11.) Pilate's power to crucify our Lord was the mere physical force and compulsion of an unjust ruler. Can that be a basis for the authority of the state? And yet would not the basis of authority in the following definition answer just as well for the mere force of a gang of highwaymen? "A state is a numerous assemblage of human beings generally occupying a certain territory amongst whom the will of the majority, or of an ascertainable class of persons, is, by the strength of such a majority or class, made to prevail against any of their number who oppose it." (T. E. Holland's "Elements of Jurisprudence," 6th edition, p. 40.)

A Plausible Illustration Examined.

Prof. Willoughby seeks to justify this view of the state's authority by an illustration that would separate the whole field of morals from the proper sphere of the political being. By a large quadrangle he represents the entire field of human conduct. About half of this quadrangle represents that part of human conduct not enforceable by law. This he terms the field of morals or ethics. A portion of the other half of the large quadrangle represents conduct capable of enforcement, and the rest of this half represents what is actually enforced. What is thus actually enforced by the state's authority, or what may be so enforced is said to be outside of the laws of morality. That is, the authority of the state, in its proper sphere of action, is not based upon or derived ultimately from the divine law of morals or the Supreme Moral Ruler, but rests on the compulsive power of the state itself. (See "The Nature of the State," 113, 114.)

How far this Illustration Holds.

This illustration holds as to different spheres or classes of conduct of the subjects of the state's authority. Some of these actions, as in the worship of God, are not enforceable by the state. But the state in its proper sphere is itself a moral being and therefore under moral law; and by the law of morals it must determine what in human conduct is enforceable by law and what is not. That itself is a moral question. The portion of the quadrangle representing what is actually enforced may with changing circumstances take in less or more of the portion representing what is enforceable. This wider enlargement or narrower limitation of what the state actually enforces is a question of political expediency, but none the less of moral responsibility of the state under the law of its divine Creator and Ruler.

Moral Law Immutable.

This is not a change of moral law itself in the changing circumstances of men. The divine law of morality revealed in nature and in fuller measure in the Scriptures is eternal and immutable. And it is one and the same law. Prof. Taylor is open to Prof. Willoughby's criticism in holding to different laws, each of which is said to be eternal and unchangeable, one succeeding another, and the new law becoming of force because of the new nature and new circumstances of men. (See Prof. Taylor's "Law of Nature," in *Annals of the American Academy of Political and Social Science*, April, 1891.) It is self-contradictory to term such successive and inconstant laws eternal and immutable.

The Application and Penalty of Law may Change.

While moral law itself is like its Divine Giver absolutely eternal and unchangeable, its application and its penalties may vary with the varying circumstances of men. Death has been properly inflicted for stealing food amidst the privations of a polar expedition. And military necessity may call for a much severer penalty in time of war for the remissness of a guard or sentinel than that with which it would properly be much more leniently punished in times of peace. The fuller light of the Gospel of Christ, wherever it is enjoyed, calls for changes not

in the moral law of God, but in its application and enforcement. This is a principle of the divine government to which Paul called the attention of Athenian philosophers, when, speaking of different nations and the idolatries of some of them, he said: "The times of this ignorance God winked at, but now [when the light of Christ's Gospel has come to them] he commandeth all men everywhere to repent." (Acts 17:30.) And from this divine example this principle may well have its application in the exercise of the state's authority. What at one time is unenforced by the state should at another time be enforced. And what at one time is enforced by one penalty may or should at other times be enforced by other penalties more or less severe. And this discrimination is the duty of the state under moral law, with a view to the highest welfare of those under its authority. This is the field for practical statesmanship. And this exercise of the state's authority in the wisdom of a true conservatism combined with the greatest measure of assured progress, is what the divine law of nature and the Christian religion requires. Should not the state therefore acknowledge this divine law and base its authority upon it? (Compare Dr. Friedrich Fabri's "Die Stellung des Christen zur Politik [The Attitude of the Christian Toward Politics]," throughout; also his "Stat and Kirche, [State and Church]," 8-20.)

Christ's Teaching on this Point

Nothing can be clearer than our Lord's teaching on this point. The monogamic law of the marriage

relation is a part of divine, unchangeable moral law. See (Genesis 1:24; Matt. 19:5-6.) The breaking of this relationship on insufficient grounds of divorce is properly forbidden by the authority of the state. Such actual enforcement of conduct was the original duty of the state, and in days of Christian enlightenment is now its moral obligation. But in days of ignorance and moral deterioration this matter passed out from the sphere of the actually enforced. But that did not remove Moses as a lawgiver, nor the modified Hebrew political law of the marriage relation, from the sphere of morals under the divine law for human conduct. (See Matthew 19:3-9, Mark 10:2-9.)

The Essence of Political Atheism.

To remove any part of human conduct from subjection to the divine law of morals is practical atheism. Hence, to secularize the state by making its proper sphere of action independent of moral law and the Divine Giver of that law, is to make the state practically atheistic. And as a matter of course, in such a secular or atheistic state an appeal to "the Higher Law," or the divine law of morals, is out of place. On this secular theory of the state's authority, Wm. H. Seward's appeal to "the Higher Law" in our National Congress during the discussion of the unquestionably moral subject of human slavery, was logically regarded as an impertinence. (See Seward's Works, vol. I, 66, 74, 108, 130.) There can be no consistent appeal to that law in any question of public morals, such as Mormonism, divorce, temperance, social impurity, or the Sabbath, unless God himself be acknowledged as the ultimate source of the state's authority. The French Revolution of over a century ago illustrated the logical outcome of attempted atheistic civil government. The nation forgot God and denied him and his moral law, and was turned into a nation's hell (See Psalm 9:17) of anarchy and blood. The connection of cause and effect is here easy to trace, for "there are passions sleeping in the human breast that, in the open sea of actual life, will always awake and overwhelm the vessel of freedom, if they are not quelled by one Eye." (See Peter Bayne's "Christian Life," 252-254, and compare Edmund Burke's "Reflections on the French Revolution of 1789." London Edition of 1790, specially 54-57.)

What does the Bible say here ?

On this whole subject of the state's authority the Word of God is most explicit.

"There is no power, [no rightful authority] but of God. The powers that be [existing political beings clothed with rightful authority] are ordained of God." Hence the ruler who exercises this authority is "the minister of God." (See Romans 13:1-6.) "All power [rightful authority] is given unto me in heaven and in earth," says the Lord Jesus. (Matthew 28:18.) A host of passages may be cited in proof of this truth. (See I Cor. 15:27; Eph. 1:21, 22; John 5:22, 27; Rom. 14:9; Phil. 2:9-11; Heb. 2:8; 1 Peter 3:22; and

many other references.) The state is under Christ as "King of kings." (I Tim. 6:15; Rev. 17:14; 19:16.) By him as the personal Wisdom of God, "kings reign and princes decree justice; . . . princes rule, and nobles, even all the judges of the earth." (Proverbs 8:15, 16.) All rulers are required to give due homage to the Son on pain of perishing for disobedience "when his wrath is kindled but a little." (Psalm 2:12.) Thus the state's authority derived ultimately from God is to be exercised under the acknowledgment of the lordship and according to the law of the Lord Jesus Christ. (Compare the writer's "Manual of Christian Civil Government," 145- 153.)

Law Must be Divine.

Man cannot make law. The old Romans understood this. They used the word "lex" — from "lex" — from "fero" with its derivative "latum," "to bear," and not "facio," "to make." Law is divine. It is for man to bring it to bear by his authority on the subjects of human government. This divine law revealed originally in nature, is more fully revealed and in adaptation to all man's needs in his fallen condition, in the Sacred Scriptures of the Christian religion.

Definition of the Law of Nature.

Paul refers to the law written in the hearts of men generally (Romans 2:15), and revealed in the works of creation (Romans 1:20), by which men destitute of the light of the Gospel of Christ shall be judged. This law, in its civil aspect, has been defined as "that common, universal, divine and good rule of reason which governs creatures combined in a natural association." (Pulszky's "Theory of Law and Civil Society," 79.) As Prof. Willoughby says, such "natural laws [or law of nature as a summary unit] from their inherent nature, must necessarily be moral laws, and moral laws only. They may serve to represent what *should* be, but not what *is*. When they obtain actual acceptance and enforcement at the hands of a political power, they become *ipso facto* civil or positive laws." ("The Nature of the State," 105, 106.) All this is true. But so far is it from proving that such a law has no application to the life of men in political relations, it implies the very contrary. It is a moral law, and man is in all his relations a moral

being. If the state's authority does not rest ultimately on such a law, it can make no appeal to reason and conscience. (Comp. Prof. Giddings' article cited above, p. 12) But being under the moral law, the state has a moral character and accountability. It has moral ends and is true moral power. The Creator who gave the state its being as a moral person gave it this original law of nature. God's Word assures us that man was created perfect. We do not need now to prove this truth. It may be admitted as the teaching of the prevailing religion of our country. If man had remained in the image of his Creator, and the state had continued as God first gave it being in man's perfect nature, that law of nature would have been sufficient for its needs. Actual states coming into existence in the course of human history would all have realized in obedience to this law the true idea of the state. But this has not been the course of history.

The Fact of Man's Present Evil Condition

Here again comes to view the fact of man's present very imperfect condition. This indisputable corruption in man powerfully influences of necessity his civil life. Call it man's fall or what else we may, it is no mere abstract theological doctrine. Evil is in the world. Human reason has become darkened. The law of nature written in man's heart or reason is grievously transgressed. So far as states feel after and find this law and its Giver in whom men live, and move, and have their being, so far even now, without the light of Revelation, they realize the original ideal of the state. And their rightful authority is thus derived from its ultimate and divine source. But states with only the obscured light of natural law are what the Psalmist describes as "dark places of the earth, "full of the habitations of cruelty." (Psalm 74:20)

Need of a Fuller Revelation of Moral Law.

This admitted corrupt condition of mankind proves the need of a further revelation of moral law. The depths of immorality into which the most cultured of nations sank emphasize this moral need. Art and literature could not give Greece and Rome integrity and permanence. Human reason in these most intellectual peoples of our race was clouded by what God's Word calls "sin." (Romans, chapters 1 and 2.) Again God said: "Let there be light and there was light." The same divine Ruler who gave the law of nature supplemented that revelation of moral law by the fuller revelation of his Word. This is the accepted truth of Christianity which in these discussions may properly be taken for granted. And this written revelation of moral law, in perfect harmony with the law of nature, constitutes for men in all relations of human life their supreme rule of conduct. It must therefore be

suprem law for men organized into nations or state: in all moral questions of that department of human life. And the Divine Giver of this law must be the ultimate source of the state's authority in its own sphere of action. This is what Sir Wm. Blackstone means when he says: "Upon these two foundations, the law of nature and the law of revelation, depend all human laws; that is to say, no human laws should be suffered to contradict these." ("Commentaries," Sharswood's edition, vol. I, 42.)

If political authority does not flow from such an ultimate source, and is not to be tested by such a supreme standard, the ship of state is adrift without compass or rudder on a stormy sea. But such a supreme standard and test is given to the state in the law of Christian morals. The state is itself to interpret and apply this test. There may be errors in doing this, for no man or association of men is infallible. But honest efforts will correct mistakes and the state will more and more conform to its true idea. This cuts up by the roots the force theory and the theory that "whatever is is right." It makes sure the fulfillment of the patriot's prayer for his nation, "esto perpetua [may she never perish]." It prepares the way for her to become, by suitable acknowledgment and in fact, "a kingdom of our Lord and his Christ."

LITERATURE.—On account of the special importance of this study, and for the sake of students who wish to follow it up with care and who can have access to good public libraries, a somewhat extensive list of authors is added, selected from a much fuller list.

On sovereignty or supreme political authority in general.—Jameson's "Constitutional Convention," 17-25. Cooley's "Constitutional Limitations," 1, 2. Also his "Principles of Constitutional Law," 20-22, 31-33. Lalor's "Cyclopedia of Political Science," under words "authority" and "sovereignty," vols. I and III. Woolsey's "Political Science," vol. I, sections 72, 73. Burgess' "Political Science," vol. I, 52-59, 75. Willoughby's "Nature of the State," chapters 9, 10, 11. "The State," by Woodrow Wilson, sections 1227, 1228. Bluntschli's "Staatslehre [Theory of the State]," part I, chap. 4, sections 1 and 2. His "Allgemeines Staatsrecht [Universal State-law]," vol. II, chapters 1-13. Maurice's "Social Morality," Lectures 8 and 10. Laboulaye's "Constitutional Ques-

tions," 409-421. Also his "State and its Limits," and "Ancient and Modern Liberty," 1-102, 103-67 [all in French]. Austin's "Jurisprudence," vol. 1, Lecture 6. Black's "Constitutional Law," 13-19. Lieber's "Political Ethics," vol. I, book 2, chap. 6. Von Mohl's "Encyclopedia of Political Science," [German], 115-122. Story on the "Constitution," sections 207-209. Benjamin Constant's "Cours de Politique Constitutionnelle [Course of Constitutional Politics]," vol. I, chapter 1. Lord Brougham's "Political Philosophy," vol. I, 91-94. Prof. Posada's "Derecho Politico," vol. I, book 6, chapters 1 and 2.

2. *On sovereignty in our own nation.*—Story on the "Constitution," sections 215, 321, 322. Dicey's "Law of the Constitution," 4th ed., 69, 71, 137-140. Thayer's "Cases on Constitutional Law," 288-292, 317-325, opinions of Chief Justice Marshall and Justice Strong. "Constitutional History as seen in American Law," by Dr. D. H. Chamberlain, 213-315. Burgess' "Political Science," vol. I, 142-154.

3. *On sovereignty or supreme political authority as related to God.*—Martensen's "Christian Ethics," 2d division (social), section 72. Dorner's "System of Christian Ethics," section 76. Taparelli's "Diritto Naturale [Natural Law]," vol. I, chap. 5. Bluntschli's "Allgemeines Staatsrecht," vol. II, book 3, chap. 6. Stahl's "Staatslehre," vol. II, section 43-48. Also his "Philosophie des Rechts [Philosophy of Law]," vol. II, part 1, book 2, and part 2 throughout. Mulford's "Nation," 59, 135, 136.—Prof. Dunning, in a spirit of humorous depreciation, calls Mulford's book an "apocalyptic rhapsody." It should prove an "apocalypse" to some political scientists.—Joseph De Maistre's "Study on Sovereignty," in the posthumous volume of his Miscellanies, 177-440. Brownson's "American Republic," 113-137. See also his "Essays," "Authority and Liberty," 262-292. Raboisson's "Du Pouvoir," specially part 1, chapters 5, 6 and 7, and book 2, chapters 2, 3 and 4. Auguste Nicolas' "L'Etat sans Dieu [The State without God]," specially section 8, pages 102-122.—Roman Catholic authors generally, like these cited here, present well the truth of the derivation of political authority from God, but they distort the truth by wresting it in the attempt to uphold the Papacy.—Reference should also be made to the standard commentaries on Romans 13:1-7, specially Chas. Hodge's and Prof. M. B. Riddle's. Also notes of latter in volume on Romans in the Lange series. See also a special exposition of this passage in a small volume entitled "Civil Government," by Prof. J. M. Willson.

Acknowledgments.

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