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Doctrinal Theology.

BIBLIOLOGY.

(Concluded.)

The doctrine of the inspiration of Scripture, the essentials of which have been presented in our last issue, is the cardinal topic of Bibliology. According to this doctrine, the Bible was written by divine inspiration¹⁾ inasmuch as the inspired penmen²⁾ performed their work as the personal organs³⁾ of God,⁴⁾ especially of the Holy Spirit,⁵⁾ who not only prompted and actuated them toward writing what they wrote,⁶⁾ but also suggested to them both the thoughts and the words they uttered as they wrote.⁷⁾

1) 1 Tim. 3, 16.

2) Rom. 15, 15. 1 Cor. 5, 9. 2 Cor. 2, 3. 4. 9. Gal. 1, 20. Phil. 3, 1. 1 Tim. 3, 14. 1 John 1, 4; 2, 1. 13. John 5, 46. 47. Luke 3, 4. Matt. 13, 14; 15, 7. Luke 20, 42.

3) Matt. 2, 5. 17; 8, 17; 12, 17; 13, 35; 24, 15; 27, 9. 35. Acts 2, 16; al.

4) Matt. 1, 22. Acts 4, 24. 25. Hebr. 4, 7. Rom. 9, 25; 1, 2.

5) Acts 1, 16; 28, 25. 2 Sam. 23, 1. 2. 2 Pet. 1, 19—21. 1 Pet. 1, 11. 12. Matt. 13, 11. Luke 12, 12.

6) 2 Pet. 1, 21. 2 Tim. 3, 16. Rom. 15, 18. 19. Gal. 1, 11. Jer. 30, 2.

7) Jer. 30, 2. Rom. 15, 18. 1 Thess. 2, 13. Acts 2, 4. 2 Pet. 1, 19—21. John 10, 34. 35. Matt. 22, 43. 44. Rom. 15, 9—12. Gal. 3, 16. Rom. 10, 16. 1 Pet. 3, 6. Heb. 12, 26. 27; 8, 8. 13; 7, 20. 21; 4, 7. Rom. 4, 6. 7. 9. Eph. 4, 8. 9. John 7, 42. Luke 16, 17.

Historical Theology.

RELIGIOUS LIBERTY IN THE CHARTERS AND EARLIER CONSTITUTIONS.

The Constitution of the United States says in Article VI: — “No religious test shall ever be required as a qualification to any office or public trust under the United States.”

And in the First Amendment it is made a provision of our national fundamental law that “Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof.”

Our present purpose is not to trace the evolution of the principles embodied in these passages of our federal constitution, but to exhibit the legislative enactments concerning religion and the liberty of conscience in the colonial Charters and the Constitutions prior to the adoption of our federal Constitution. The material for a comparative study of these instruments with reference to the various points of political legislation was collected by Sydney George Fisher in his work on the “Evolution of the Constitution of the United States.” It should be understood that the extracts hereinafter given do not cover the acts of colonial assemblies in the exercise of their legislative authority, enactments of which we may submit a selection of specimens in a future article.

The earliest charter to be here considered was that of RHODE ISLAND. It was obtained by the Rev. John Clarke, a Baptist minister, who went to England as an agent with a petition asking that a patent might be granted which should enable the petitioners “to hold forth a lively experiment, that a most flourishing civil state may stand, and best be maintained, with a full liberty of religious concern-

ments." The charter, which was granted in 1663, twenty years after the patent whereby they were allowed to govern themselves by any form of government which the majority should deem appropriate, contained the following passage on religious concerns:—

"That our royall will and pleasure is, that noe person within the sayd colonye, at any tyme hereafter, shall bee any wise molested, punished, disquieted, or called in question, for any differences in opinione in matters of religion, and doe not actually disturb the civill peace of our sayd colony; but that all and everye person and persons may, from tyme to tyme, and at all tymes hereafter, freelye and fullye have and enjoye his and their owne judgments and consciences, in matters of religious concernments, throughout the tract of lande hereafter mentioned; they behaving themselves peaceable and quietlie, and not using this libertie to lycentiousnesse and profanenesse, nor to the civill injurie or outward disturbance of others; any lawe, statute, or clause, therein containned, or to be containned, usage or custome of this realme, to the contrary hereof, in any wise, notwithstanding."

The "Concessions and Agreements of the Proprietors of EAST JERSEY," of 1665, which instrument was prepared by the proprietors of the province, said:—

"That no person qualified as aforesaid within the said province at any time shall be anyways molested, punished, disquieted or called in question for any difference in opinion or practice in matters of religious concernments, who do not actually disturb the civil peace of the said province, but that all and every such person and persons may from time to time and at all times truly and fully have and enjoy his and their judgments and consciences in matters of religion throughout all the said province; they behaving themselves peaceably and quietly and not using this liberty to licentiousness, nor to the civil injury or outward disturbance of others; any law, statute, or clause contained or to be

contained, usage or custom of this realm of England to the contrary thereof in any wise notwithstanding."

About four years after the Concessions and Agreements of the Proprietors of East Jersey, in 1669, JOHN LOCKE, the philosopher, prepared his famous "Constitution" for the government of the CAROLINAS, in which he said:—

"No person whatsoever shall disturb, molest, or persecute another for his speculative opinions in religion, or his way of worship."

In 1677, the "Concessions and Agreements of the Proprietors of WEST JERSEY" appeared and contained this:—

"That no men, nor number of men upon earth, hath power or authority to rule over men's conscience in religious matters; therefore it is consented, agreed and ordained, that no person or persons whatsoever within the said province, at any time or times hereafter, shall be any ways upon any pretence whatsoever, called in question, or in the least punished or hurt, either in person, estate, or privilege, for the sake of his opinion, judgment, faith or worship toward God in matters of religion. But that all and every such person and persons may from time to time, and at all times, freely and fully have and enjoy his and their judgments and the exercise of their consciences in matters of religious worship throughout all the said province."

The royal Commission granted in 1680 for the government of NEW HAMPSHIRE during the king's pleasure, said:—

"We do hereby require and command that liberty of conscience shall be allowed unto all protestants; that such especially as shall be conformable to y^e rites of y^e Church of Eng^d shall be particularly countenanced and encouraged."

The MASSACHUSETTS charter of 1691 was granted by Mary and William after the charter of 1629 had been annulled. The new charter declared:—

"We do by these presents for us, our heirs and successors, grant, establish and ordain that forever hereafter

there shall be the liberty of conscience allowed in the worship of God to all Christians (except papists) inhabiting, or which shall inhabit, or be residing within our said province or territory.”

In 1696, Governor Markham and the people of PENNSYLVANIA, made a frame of a constitution, which was to remain in force unless Penn objected. This was during Penn's absence. But when he returned to the province, he again went into law-making with the people, and, after many meetings and consultations, and much deliberation, the Charter of Privileges, usually known as the Constitution of 1701, was completed. It was particularly explicit on our point, on which it said:—

“That no Person or Persons, inhabiting in this Province or Territories, who shall confess and acknowledge *One* almighty God, the Creator, Upholder and Ruler of the World; and profess him or themselves obliged to live quietly under the Civil Government, shall be in any Case molested, in his or their Person or Estate, because of his or their conscientious Persuasion or Practice, nor be compelled to frequent or maintain any religious Worship, Place or Ministry, contrary to his or their Mind, or to do or suffer any other Act or Thing, contrary to their religious Persuasion.

“AND that all Persons who also profess to believe in *Jesus Christ*, the Saviour of the World, shall be capable (notwithstanding their other Persuasions or Practices in Point of Conscience and Religion) to serve this Government in any Capacity, both legislatively and executively, he or they solemnly promising, when lawfully required, Allegiance to the King as Sovereign, and Fidelity to the Proprietary and Governor, and taking the Attests as now established by the Law made at *New-Castle*, in the Year *One Thousand and Seven Hundred*, entitled *An Act directing the Attests of several Officers and Ministers*, as now amended and confirmed this present Assembly.”

The last charter, that of GEORGIA, which was granted in 1732 to the "Trustees for Establishing the Colony of Georgia in America," contained this paragraph:—

"And for the greater ease and encouragement of our loving subjects and such others as shall come to inhabit in our said colony, we do by these presents, for us, our heirs and successors, grant, establish and ordain, that forever hereafter there shall be a liberty of conscience allowed in the worship of God to all persons inhabiting, or which shall inhabit or be resident within our said province, and that all such persons, except papists, shall have a free exercise of religion, so they be contented with the quiet and peaceable enjoyment of the same, not giving offence or scandal to the government."

In June, 1776, the VIRGINIA CONSTITUTION, made by a convention of forty-five members of the house of burgesses, was finished, and to it was prefixed a Bill of Rights, adopted June 12, which said:—

"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; and therefore all men are equally entitled to the free exercise of religion, according to the dictates of conscience; and that it is the mutual duty of all to practice Christian forbearance, love, and charity towards each other."

The first of the constitutions of 1776 that was not put in force by the convention which framed it, but was submitted to the people for approval, was the NEW JERSEY Constitution, begun May 26, and finished July 3. It contained this:—

"That no person shall ever, within this Colony, be deprived of the inestimable privilege of worshipping Almighty God in a manner agreeable to the dictates of his own conscience; nor, under any pretence whatever, be compelled to attend any place of worship, contrary to his own faith and judgement; nor shall any person within this Colony

ever be obliged to pay tithes, taxes, or any other rates for the purpose of building or repairing any other church or churches, place or places of worship, or for the maintenance of any minister or ministry, contrary to what he believes to be right or has deliberately or voluntarily engaged himself to perform.

“That there shall be no establishment of any one religious sect in this Province in preference to another; and that no Protestant inhabitant of this Colony shall be denied the enjoyment of any civil right, merely on account of his religious principles; but that all persons, professing a belief in the faith of any Protestant sect, who shall demean themselves peaceably under the government, as hereby established, shall be capable of being elected into any office of profit or trust, or being a member of either branch of the Legislature, and shall fully and freely enjoy every privilege and immunity enjoyed by others their fellow-subjects.”

The Constitution of DELAWARE, which was put in force September 21, 1776, said:—

“There shall be no establishment of any one religious sect in this State in preference to another; and no clergyman or preacher of the gospel, of any denomination, shall be capable of holding any civil office in this State, or of being a member of either of the branches of the legislature, while they continue in the exercise of the pastoral function.”

A week after the Delaware constitution, the Constitution of PENNSYLVANIA was finished, Sept. 28, 1776. It said:—

“That all men have a natural and unalienable right to worship Almighty God according to the dictates of their own consciences and understanding: And that no man ought or of right can be compelled to attend any religious worship, or erect or support any place of worship, or maintain any ministry, contrary to, or against, his own free will and consent: Nor can any man, who acknowledges the being of a God, be justly deprived or abridged of any civil right as a citizen, on account of his religious sentiments or peculiar mode of religious worship: And that no authority

can or ought to be vested in, or assumed by any power whatever, that shall in any case interfere with, or in any manner control, the right of conscience in the free exercise of religious worship."

The Constitution of MARYLAND, finished Nov. 11, 1776, opened with a Bill of Rights more complete than any that had appeared before, so full that nothing essentially new has ever since been added in similar instruments. On our subject it said:—

"That, as it is the duty of every man to worship God in such manner, as he thinks most acceptable to him, all persons professing the Christian religion are equally entitled to protection in their religious liberty; wherefore no person ought by any law to be molested in his person or estate on account of his religious persuasion or profession, or for his religious practice; unless, under colour of religion, any man shall disturb the good order, peace, or safety of the State, or shall infringe the laws of morality, or injure others, in their natural, civil, or religious rights; nor ought any person to be compelled to frequent or maintain, or contribute, unless on contract, to maintain any particular place of worship, or any particular ministry; yet the Legislature may, in their discretion, lay a general and equal tax for the support of the Christian religion; leaving to each individual the power of appointing the payment over the money, collected from him, to the support of any particular place of worship or minister, or for the benefit of the poor of his own denomination, or the poor in general of any particular county: but the churches, chapels, glebes, and all other property now belonging to the church of England, ought to remain to the church of England forever. And all acts of Assembly, lately passed, for collecting monies for building or repairing particular churches or chapels of ease, shall continue in force and be executed, unless the Legislature shall, by act, supersede or repeal the same: but no county court shall assess any quantity of tobacco, or sum of

money, hereafter, on the application of any vestry-men or church-wardens; and every encumbent of the church of England, who hath remained in his parish, and performed his duty, shall be entitled to receive the provision and support established by the act entitled 'An act for the support of the clergy of the church of England, in this Province,' till the November court of this present year to be held for the county in which his parish shall lie, or partly lie, or for such time as he hath remained in his parish, and performed his duty.'

The NORTH CAROLINA Constitution, which appeared December 18, 1776, said on the same subject:—

"That all men have a natural and unalienable right to worship Almighty God according to the dictates of their own conscience. . . .

"That no person, who shall deny the being of God or the truth of the Protestant religion, or the divine authority either of the Old or New Testaments, or who shall hold religious principles incompatible with the freedom and safety of the State, shall be capable of holding any office or place of trust or profit in the civil department within this State. . . .

"That there shall be no establishment of any one religious church or denomination in this State, in preference to any other; neither shall any person, on any pretence whatsoever, be compelled to attend any place of worship contrary to his own faith or judgement, nor be obliged to pay for the purchase of any glebe, or the building of any house of worship, or for the maintenance of any minister or ministry, contrary to what he believes right, or has voluntarily or personally engaged to perform; but all persons shall be at liberty to exercise their own mode of worship: —*Provided*, That nothing herein contained shall be construed to exempt preachers of treasonable or seditious discourses from legal trial and punishment."

The GEORGIA Constitution, adopted February 5, 1777, had this:—

“All persons whatever shall have the free exercise of their religion, provided it be not repugnant to the peace and safety of the State, and shall not, unless by consent, support any teacher or teachers except those of their own profession.”

The Constitution of NEW YORK, having been in making since July 10, 1776, was adopted April 20, 1777. It contained this section:—

“And whereas we are required, by the benevolent principles of rational liberty, not only to expel civil tyranny, but also to guard against that spiritual oppression and intolerance wherewith the bigotry and ambition of weak and wicked priests and princes have scourged mankind, this convention doth further, in the name and by the authority of the good people of this State, ordain, determine, and declare, that the free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever hereafter be allowed, within this State, to all mankind: *Provided*, That the liberty of conscience, hereby granted, shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace or safety of this State.”

On July 8, 1777, the VERMONT Constitution was adopted, which says:—

“That all men have a natural and unalienable right to worship *Almighty God*, according to the dictates of their own consciences and understanding, regulated by the word of *God*; and that no man ought, or of right can be compelled to attend any religious worship, or erect or support any place of worship, or maintain any minister, contrary to the dictates of his own conscience; nor can any man who professes the Protestant religion be justly deprived or abridged of any civil right, as a citizen, on account of his religious sentiment, or peculiar mode of religious worship, and that no authority can, or ought to be vested in, or assumed by, any power whatsoever, that shall,

in any case, interfere with, or in any manner controul, the rights of conscience, in the free exercise of religious worship: nevertheless, every sect or denomination of people ought to observe the Sabbath, or the Lord's day, and keep up, and support, some sort of religious worship, which to them shall seem most agreeable to the revealed will of God."

In MASSACHUSETTS, a draft of a Constitution was ordered to be submitted to the people by the convention on February 8, 1778, and the people voted it down. This rejected constitution had the following passages to the point under consideration:—

"No person, unless of the Protestant religion, shall be governor, lieutenant-governor, a member of the senate or of the house of representatives, or hold any judiciary employment within this State. . . .

"The free exercise and enjoyment of religious profession and worship shall forever be allowed to every denomination of Protestants within this State."

The new Constitution for SOUTH CAROLINA, which was finished March 19, and went into effect in November, 1778, said:—

"That all persons and religious societies who acknowledge that there is one God, and a future state of rewards and punishments, and that God is publicly to be worshipped, shall be freely tolerated. The Christian Protestant religion shall be deemed, and is hereby constituted and declared to be, the established religion of this State. That all denominations of Christian Protestants in this State, demeaning themselves peaceably and faithfully, shall enjoy equally religious and civil privileges.

"No person shall be eligible to a seat in the said senate unless he be of the Protestant religion. No person shall be eligible to sit in the house of representatives unless he be of the Protestant religion."

In NEW HAMPSHIRE, a Constitution finished June 10, 1778, was laid before the people and rejected. It said:—

“The future legislature of this State, shall make no laws to infringe the rights of conscience or any other of the natural, unalienable rights of men, or contrary to the laws of God or against the Protestant religion. . . .

“All the male inhabitants of the State of lawful age, paying taxes and professing the Protestant religion, shall be deemed legal voters in choosing councillors and representatives.”

The Constitution which the people of MASSACHUSETTS finally accepted in 1780, had the following utterances on the matter of religion:—

“It is the right as well as the duty of all men in society, publicly and at stated seasons, to worship the Supreme Being, the great Creator and Preserver of the universe. And no subject shall be hurt, molested, or restrained, in his person, liberty, or estate, for worshipping God in the manner and season most agreeable to the dictates of his own conscience, or for his religious profession or sentiments, provided he doth not disturb the public peace or obstruct others in their religious worship. . . .

“Therefore, to promote their happiness and to secure the good order and preservation of their government, the people of this commonwealth have a right to invest their legislature with power to authorize and require, and the legislature shall, from time to time, authorize and require the several towns, parishes, precincts, and other bodies—politic or religious societies to make suitable provision, at their own expense, for the institution of the public worship of God and for the support and maintenance of public Protestant teachers of piety, religion, and morality in all cases where such provisions shall not be made voluntarily. . . .

“And the people of this commonwealth have also a right, and do, invest their legislature with authority to enjoin upon all the subjects an attendance upon the instructions of the public teachers aforesaid, at stated times and!

seasons, if there be any on whose instructions they can conscientiously and conveniently attend.”

In 1784, NEW HAMPSHIRE succeeded in obtaining a Constitution which was acceptable to the people. It said:—

“Every individual has a natural and unalienable right to worship *God* according to the dictates of his own conscience and reason; and no person shall be hurt, molested, or restrained in his person, liberty, or estate for worshipping *God*, in the manner and season most agreeable to the dictates of his own conscience, or for his religious profession, sentiments, or persuasion; provided he doth not disturb the public peace, or disturb others, in their religious worship.

“As morality and piety, rightly grounded on evangelical principles, will give the best and greatest security to government, and will lay in the hearts of men the strongest obligations to due subjection; and as the knowledge of these is most likely to be propagated through a society by the institution of the public worship of the *Deity*, and of public instruction in morality and religion; therefore, to promote those important purposes, the people of this state have a right to impower, and do hereby fully impower the legislature to authorize from time to time, the several towns, parishes, bodies—corporate, or religious societies within this state, to make adequate provisions at their own expence, for the support and maintenance of public Protestant teachers of piety, religion, and morality. . . .

“That no person shall be capable of being elected a senator who is not of the Protestant religion.”

The last Constitution was the new one for VERMONT, of 1786, which was little more or less than a copy of the Pennsylvania Constitution of 1776, and also repeated what was there said on religious liberty.

When in May 1787 a general convention of representatives of the States was assembled, general propositions to show how the Articles of Confederation might be enlarged

into a federal constitution, were presented by Randolph, of Virginia. After him, Pinckney, of South Carolina, submitted his plan, known as PINCKNEY'S PLAN, which was more complete, definite, and detailed than the former, and differed little from the Constitution as it was finally adopted. It said:—

“The legislature of the United States shall pass no law on the subject of religion.”

A perusal and comparison of these extracts from the Charters and Constitutions will have served to convince the reader that there was by no means an agreement among the several States concerning the relation of church and state. The equality of all citizens before the law irrespective of their religious creeds or forms of worship was far from being generally recognized or conceded. In fact, there is no regular process of evolution toward the general recognition of religious liberty discernible in the various fundamental laws or drafts thereof submitted prior to the federal Constitution. It is significant that this document did not contain in its body what was afterwards added in the first Amendment. And even that Amendment and Art. VI did not prohibit an establishment of religion and religious tests in the several states, but Art. VI referred only to offices and public trusts “under the *United States*,” and the First Amendment put a restriction only on the legislative power of *Congress*, leaving the several States and their legislatures free to deal with matters of religion and conscience as they might choose. In some quarters the limitation of the power of Congress was even looked upon as a guaranty against the interference of the federal government with the discriminations for or against certain churches in the States by State legislation. The present letter and spirit of constitutional law throughout the United States as to liberty of conscience and religion must be accounted for by causes which had hardly begun to work when the federal Constitution became the law of the nation. A. G.