

A Survey of the Struggle  
of Religious Liberty

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If the Son--make you free, ye shall be free indeed. (The Master)

His liberty alone that gives the flower

Of fleeting life its lustre and perfume;

And we are weeds without it. All constraint,

Except what wisdom lays on evil men is evil. (Cowper)

Man has a right to life, his inheritance, the fruit of his toil, to liberty and self-determination. The most precious of all liberties, and the strong foundation of all other liberty is Soul-Liberty, the priceless gift to man from God.

According to the philosophy of the son of Sirack wisdom hovers like the clouds until it takes root in an honourable people. It is thus with Liberty, all great ideas, and comprehensive systems, they take root with an honourable people.

Dr. Lieber in "Civil Liberty" and Self Government" persistently repeats that the Anglo Saxons are the natural pioneers of Liberty and in particular states that "English liberty has been under a remarkable guidance of the divine Ruler of man: that justice, order, stability, freedom has been reconciled in it in a wonderful way: that its capacity of progress, without revolution, sets it up as a model and guide to the nations."

Through the long years two ideas have been in endless antagonism, the idea of absolutism and the idea of individualism, the idea of autocracy and the idea of democracy. These ideas have found expression world-wide in both civil and ecclesiastical realms and often met in battle. The one is the law of the jungle: the other the law of human brotherhood.

As we pass in review the struggle for religious liberty, we discern that it has not only been for the people but it, as well, has been by the people. Among the earliest and greatest champions of Soul-Liberty have been men and women of humble origin and moderate attainments and this not without sufficient cause. History records the names of few, who, exalted by their position, birth, education, etc. above the grosser evils of tyranny, ~~that~~ have been active leaders in the war against cruel injustices. These have not felt the chafing of the shackles, nor known the shame of thralldom, and therefore are not often the first to espouse or most active to lead in the sublimest movements of reform.

Definitions have a value but what words could adequately analyse and describe the nature, magnitude and grandeur of the idea—Freedom! Liberty is founded in the sacredness of conscience. There is a fiat above all human law. This law is written on the heart of man by the finger of God.. "We must obey God more than man" fills the emancipated spirit with ever-growing reverence. Every man stands or falls to his own Lord. Religious Liberty is as old as Christianity itself and always had its defenders in times of persecution as in peace.

It has been defined as:—"The absolute right of every human soul to approach and worship God for himself, without any priestly or parental proxy." Another, the wording of Sydney Smith, will suffice for our purpose:—"That a man should hold, without pain or penalty, any religious opinion and choose for his instruction in the business of salvation any guide whom he pleases; care being taken that the teacher and <sup>his</sup> doctrine injure neither the policy nor the morals of the country."

There is a wide difference between Toleration and Liberty. The one is a concession, the other a right: the one is a matter of expediency, the other a principle: the one is a gift of man, the other a gift of God. Toleration is generally the entering wedge for religious liberty and legal equality. Toleration always implies a state religion. On the part of civil authority the process of reform, generally, has been persecution, tolerance, liberty. In a free country nobody wants to be tolerated for his religious <sup>convictions</sup> ~~opinions~~ or sacred opinions. It may be sought and accepted as <sup>a</sup> compromise, but to the noble spirit, it is spurned as an insult. "Official Churches" and "Tolerated Sects" on the Continent; the "Established Church" and "Societies of Dissenters" in England: are political and religious discriminating terms carrying insult and grave injustice to myriads of the noblest and most valuable subjects in their individual civil realms.

Freedom has served as a watchword and battle symbol down the line of human events, fomenting moral and religious upheavals as marvellous as those which geology records.

In her name, "Eloquence has pronounced its grandest orations: Statesmanship has enacted its wisest and most enduring statutes: poetry has sung its sweetest and most plaintive measures: in the name of Liberty, poetry has borne its heaviest burdens and breathed its divinest prayers. In her name millions of the unknown, such as the yeomen of England, America, the Peasants of Switzerland and the bourgeoisie of France, forsaking their business, their property, their friends, went forth with armour buckled on by sister, or falchion girded to the side by wife, from the home to the bivouac, from the sweet amenities of life

to the rude shock of arms and oftentimes to the damp of dungeon, the terror of the scaffold or the horror of the stake."

The practice of Religious Liberty is one of recent growth. In primitive antiquity religion was wholly tribal or ethnic. The family was the unit and under this system its head was not only paterfamilias but King and Pontiff, and religion had no relations whatever to persons outside. In the course of time, the family was developed into the curia, ~~and~~ from this came the tribe and out of the confederation of tribes grew the civitas. Still each one of these political divisions preserved its own special divinities. The Romans and the Greeks in their early conquests always measured the power of resistance of an invaded district by the supposed power of its city gods, and where they conquered they dethroned the gods and by that means destroyed the political existence of the city. Religion and civil law were convertible terms. The laws of all communities derived authority from two religious ideas:—"these laws either came from the gods themselves or they were in harmony with the customs of the ancestors of those who observed them."

In their worship the minute observance of the ritual was the important thing. The expression of religious opinion, so long as there was outward conformity was in many respects unchecked. A law existed at Athens, punishing severely any one who did not observe with the prescribed form the national festivities. It was for such an offence Socrates was condemned to death. The state of the ancient world in regard to questions of liberty of conscience was greatly different from the modern. Aristotle, Plato, Cicero were occupied with the discussion "Who shall govern?" The safety of the State is their principal problem. The state was the extreme power and to it was acceded absolute power

over everyone and everything, whether as possessed from the people by the few or usurped by one. The modern idea is that the state is for the protection of the individual. Many ancient national religions did not make universal pretensions and within their limits there was considerable latitude. The worship of one God did not necessarily impugn the authority of another. When Christianity appeared the case <sup>was</sup> altered and it speedily drew on itself a treatment ~~the~~ different from that which merely national religions had received from the rulers of the world. The policy of the Roman Empire was limited ~~the~~ religious toleration to conquered nations; this in common with other religions was conceded to Christianity until its true character became known—a new religion aiming at universal dominion. Thereupon Imperial power sought to suppress it as a depraved and immoral superstition and for three hundred years ~~the~~ Christianity had to struggle for a legal existence. From Jew and Gentile alike Christians endured a great fight of afflictions. Dr. Villers says:—"They were publicly whipped. They were dragged by the heels through the streets. Their limbs were disjointed. Their noses and ears were cut out. Sharp knives were run under their nails. Their eyes were dug out. Melted lead was poured over their bodies. They were drowned, beheaded, crucified. They were ground between stones, thrown from high buildings, torn by beasts, smothered in lime-kilns, broiled on gridirons, scraped to death with sharp shells." These horrors culminated ~~at~~ the dawn of the fourth century, when Diocletian issued three edicts in swift succession aiming at the utter extermination of the Christian religion with its leading men and sacred books, commanding that all churches be destroyed, all bibles burned, all christians deprived of public rights. For eight years fire and sword, rack and cross, wild beasts and beastly

men did their deadly work. Christ's people were killed all the day long. In one month 17, 000 suffered death: 14,000 were martyred in Egypt alone: while of those condemned to banishment and slavery 700,000 died. In the year 312 Constantine conquered Rome and put on the crown of the Western Empire. Eleven years later, by defeating Licinius at Chalcedon, he became sole master of the Roman Empire. Constantine saw, as <sup>Ed</sup> subsequent rulers, <sup>did also</sup> in the spread and marvellous growth of the Christians a unifying force which he could turn to his own advantage. The desperate struggle ended in the destruction of Paganism and the triumph of Christianity. After the government had exhausted its efforts in futile attempts to exterminate Christianity, Galerius together with Constantine and Licinius issued from Nicomedia an Edict of Toleration in 311, which acknowledged the failure of persecution and permitted the Christians to hold their assemblies, and with direction that they should pray to their God for the welfare of the Emperors and the State. This negative concession had the merit of at least stopping persecution and is known as the Toleration Edict of Galerius.

In 313, Constantine the Great issued, in connection with Licinius, from Milan an Edict of Toleration which marks the transition from ~~the~~ hostile neutrality of Galerius to friendly neutrality and official protection. Constantine, the half-christian and Licinius, the Pagan, both agreeing in the wise policy of conciliation by which they hoped to win the support of all religions in the Empire. As compared with Edicts of a similar kind of later date, it is remarkable for its advanced position. It anticipates in a number of clauses the modern theory of Soul-Liberty. It recognizes and grants to every man the right to choose his religion and mode of worship according to the dictates of

his own conscience. In the writings and addresses of ante-Nicene fathers as Justin Martyn, Tertullian and Lactantius, appear passages quite as pronounced and clear on absolute Liberty of conscience in Religion and repeated by the Nicene fathers during the Arian persecution.

*the Nicene fathers.*  
Under the influence of the friendly civil enactment Christianity made very rapid progress, commending itself to the conscience and reason of men and had far more vitality than any other religion and Heathenism would have died a natural death without an prohibition. This is strikingly demonstrated by the utter failure of the Emperor Julian's effort to revise and restore it.

The Edict of Constantine was only of short duration, <sup>and</sup> led to an entirely new order of things. Christianity changed places with heathenism. It became the religion of the State and entered into possession of ~~all~~ <sup>all</sup> the privileges of Imperial protection, at the expense of internal independence. Now we shall witness the world of difference between the Church in the world and the World in the Church. In the united organization of civil and Ecclesiastical Government, that followed was laid the <sup>just</sup> basis of Papacy. *Papacy had preceded a somewhat distant before the reign of Constantine.* The Roman Emperor assumed the authority of sovereign bishop of the external affairs of the Catholic Church. He now persecuted the followers of the old faith, as his predecessors had persecuted the followers of the new faith and far surpassed them in extent and vigor. And during this period more innocent blood was shed than flowed during the Ten Persecutions waged by the Paganism it supplanted.

*the Nicene fathers.*  
Christianity early developed within itself sects which did not manifest toward one another a very tolerant spirit, but it was only when the civil power had been gained to its side that these difference could assume the form of open repression and persecution. After the Nicene



Council 325, heaven and hell depended upon the acceptance or rejection of the ruling faith. Under the Pagan system of persecution ~~xxx~~ disbelief was left undisturbed, but the Nicæan Edict aimed at uniformity of belief and passed laws by which they were to be enforced. Penal laws were enacted against idolatry and heresy. Nicean orthodoxy achieved a final victory under Theodosius the Great. He began the penal legislation against heresy (381) and Justinian completed it. From the Justinian code it passed into the legislation of the German Empire and other States of Europe.

Heresy was treated as the greatest of sins, as soul-murder, which is worse than literal murder. To punish heresy was a duty and a charity, since the temporal death of the heretic may save him from eternal death. Christian heresy took the place of heathen idolatry in Mosaic legislation and was treated in the same way.

During this period and for long after the Reformation, the principle that heresy was a crime to be punished by the civil magistrate as well as an ecclesiastical offence to be visited by Church discipline is found embodied in the creeds of all the nations of Western Europe. Persecution of heresy rested on the same principle as crusades against the infidel. Thomas Aquinas, the standard theologian of the Middle Ages taught that heretics, after due admonition, should not only be excommunicated but also put to death.

The Roman Catholic theory is, that the Church herself does not persecute, she only excommunicates the heretic and then hands him over to the civil powers for temporal punishment, but as P. Schaff well says "She sanctions the penal laws against heresy and thus makes herself particeps criminis. The Church uses the State as executor of her will and enjoins

upon it the punishment of heresy as a solemn duty."

History is abundant in its testimony that whenever the state or any of its officials lagged in the enforcement of their laws of persecution the churchman was at hand to goad him on. The Papal Bull of Excommunication was followed by the ban of the Empire down to the time of the Diet of Worms which outlawed Luther and condemned his books and person to the flames.

The first shedding of heretical blood in 385 caused an outburst of righteous indignation on the part of men of refined Christian sentiment, as Ambrose of Milan and Martin of Tours, who refused communion with the persecuting bishops. Pope Leo I justified the act in 447 and Pope Innocent III exhorted to the crusade against the Albigenses in the South of France in 1213.

In the organization of civil and ecclesiastical government which prevailed from Constantine to the Reformation, persecution was in general only limited by dissent and universal submission to the dominant Church because of the condition of religious peace throughout Christendom, while religious liberty was not known.

The spirit of persecution became more extended and bitter with the coming years. Bishops were according to early papal discipline charged with the duty of searching out heresies in their respective dioceses and thus stem the progress of error. These clerics were often found lukewarm in their discharge of this duty. Later full powers were put in the hands of especially elected legates appointed by the See of Rome, who were backed by the Edicts of numerous Church Councils. It was for Innocent III to finally develop the organization for the detention and punishment of heresies which for several centuries

conducted the Inquisition. This Measure was revised by the Council of Toulouse (1299). In 1232 and 1233, Gregory IX appointed the Dominicans, a standing Commission of Inquisitors in Austria, Germany Aragon, Lombardy and south France. The notion of heresy was enlarged to comprehend such <sup>things</sup> as sorcery, usury, contempt of the Cross and Clergy. The notorious instance of Galileo is a striking case in point. Included in the forty-five articles of the revised Measure of Innocent III against heretics were the following:—"Males from fourteen years upwards and females from twelve years upwards were obliged to repeat an oath every two years to inform against heretics." Suspicion was sufficient cause for arrest. The house in which a heretic had been found was to be burned. Such was the fear ingendered by the persecutors that even the nearest relatives dare not, at risk of their lives, appear in court as witnesses. This inquisitorial Commission continued in Spain until the year 1834. It is impossible to form a complete conception of the multitude of its victims and no power of imagination can ever fully realize their sufferings.

*But this is a confession of the Spanish Inquisition.*  
 Llorente, at one time Secretary to the Inquisition assures us that by the Spanish <sup>ish</sup> branch alone more than 31,000 persons were burnt and more than 290,000 condemned to punishment less severe than death. The numbers of those who were slain in the Netherlands for their religion in the reign of Charles V has been estimated, by a very high authority, at 50,000; Grotius says 100,000. Motley in his Rise of the Dutch Republic writes -- "Upon the 15th of February, 1568, a sentence of the Holy Office condemned all the inhabitants of the Netherlands to death as heretics. From this universal doom only a few persons especially named were excepted. A proclamation of the King, dated ten days later, confirmed this decree of the Inquisition and ordered it to be carried into

immediate execution.....Three million of people..men, women and children were sentenced to the scaffold in three lines! "These are but memorable instances and of these only a few, which do not include the innumerable and less conspicuous ~~conspicuous~~ executions that have taken place wherever this "sum of all abominations, ultr<sup>a</sup>montanism, has reigned supreme in the Councils of the State."

In the Medieval Period Christian bodies arose throughout the various countries of Western Europe protesting against the predominant sacerdotalism of that time and its accompanying evils. Some were comparatively small, others were large and influential, ~~some~~ but such were the persistent and wholesale attacks upon them of confiscation and slaughter that ultimately they disappear from the annals of their respective countries.

*(see p. 10, M. A. D. ...)*  
These atrocities found their culmination in the massacre

begun on St. Bartholomew's Day in 1572, described by Queen Elizabeth's Council as "The most heinous act that has occurred in the World since the crucifixion of Jesus Christ", in which it has been variously estimated from 20,000 to 100,000 innocent men, women and children were cruelly murdered in Paris and throughout France. When the tidings reached Rome, Pope Gregory and the Cardinals resolved to go at once in solemn procession to the Church of San Maro, there to render thanks to God for the signal blessing conferred upon the Roman See and Christendom. The cannon from Castle ~~of~~ San Angelo was discharged and for three successive nights there was a general illumination. A well-known medal was struck in honor of the event, bearing on the one side the head of the Pope and the words "Gregorius XIII, Pont. Max. au<sup>1</sup>" and on the other an angel with cross and sword pursuing the heretics and the superscription "Ugonottorum Strages, 1572." A few months later,

Maurevel, the assassin, who had fired the arquebus shot at Admiral Coligny, was presented to the Pontiff by Cardinal Lorraine and the French Ambassador.

When the news of the massacre spread ~~there was~~ such a wave of revulsion of feeling swept Christendom that made its repetition impossible. From millions of oppressed souls the cry for generations had gone up to heaven "How long, Oh Lord." He who rules among the inhabitants of men had a Joshua prepared in the person of Luther, the monk of Wittenberg. From contemporary comments, we read that the Theses went through <sup>the</sup> entire land in fourteen days, for everybody complained about the Indulgences, and while all the bishops and doctors were silent and no one was found to "bell the cat", it was noised about that one Luther had at last attempted the task. Luther's retort to <sup>the</sup> Papal ban was a committal of it to the flames. When summoned <sup>by the</sup> Emperor Chas. <sup>V</sup> to the Diet of Worms, his biographer states that he journeyed toward the city "trusting in God and defying the Devil". In the presence of the princes of the Empire and Church authorities, he declared in his defence, "believe neither the pope nor councils alone as it is manifest that they have often erred and contradicted themselves. I am not able to recall nor do I wish to recall anything, for it <sup>is</sup> neither safe nor honest to do anything against conscience," and then follow those immortalized words .." Here I stand, I cannot do otherwise, God help me, amen!" P. Schaff in estimating the merits of these historic actions says "In this respect Luther's burning of the Pope's bull, Dec. 1520, and his rock-like stand before the representatives of Church and State at the Diet of Worms in April 1521 are among the most heroic and most important events in history."

It was the fullness of time brought about by revolutionizing happening<sup>A</sup> in science, invention, discovery, learning and <sup>the</sup> evangelical awakening which made great leaders and made possible successful Reforms. We do well to remember there were Reformers before 1521. There was a coterie of powerful men, associates and co-leaders of the Monk of Wittenberg. If not in qualities of leadership, there were champions of a common purpose allied with Luther, his necessary supplements that surpassed him in gifts and attainment. History has not been too lavish in its praise of these leaders ~~of~~ the Reformation. They have laid upon their posterity a tribute of gratitude, which, to ~~often~~ let be silent and forgotten, is not <sup>his</sup> short of criminal.

Yet, vast as the changes made by the Reformation, it did not introduce into any Protestant country in Europe the principles of religious liberty or even tolerance. There were protestants before Protestantism and a Reformation within the Reformation. There ~~is~~ <sup>are</sup> a host of individuals of whom the world is not worthy, of whom it knows little, to whom it has given scant praise, "Men with Empires in their bosoms and new eras in their brain", who made the larger and more permanent contribution to human progress. The Reformation broke up the absolute power of the papacy among the leading nations of Europe, but the Reformers did not foresee the full extent of the Reform. Liberty was a resultant rather than the intention of the Reformation. They began and "having put their hands to the plough turned back" and this should not awaken great surprise in face of existing conditions. Dr. Geo. Truett very aptly calls the Reformation a case of "Arrested Development", the dawn of a better day.

Religious liberty in its absolute meaning cannot be enjoyed where there is union of Church and State. The Reformation did not

make this cleavage and left all civil powers in Europe united with State and established Churches. Not one of the Reformers advocated the freedom of the Church from secular control.

Prof. Goldwin Smith said that Martin Luther seems to have had no just notions of the relations of civil government to religion. In Germany there is still a grand court charged with the judicial management of all the ecclesiastical affairs of the Empire.

The very moment the Reformation was demanding the right of private judgement for itself, it was violating it towards others. They ~~denied~~<sup>denied</sup> the infallibility of the Pope and General Councils and yet acted as if they were infallible themselves. They were equally intolerant toward the Roman Catholic Church which persecuted them as pestilential heretics. Both parties were engaged in a struggle for life or death. Persecution seemed justified by the law of self-preservation. In many cases it was a measure of retaliation. So down to the end of the 17th century, the prevailing sentiment among Protestants as well as Roman Catholics, condemned Toleration, as a compromise with error and as a dangerous heresy. Heresy was an offence punishable by death in England one hundred and fifty years after the Reformation. True it is <sup>that</sup> as time went on penalties for heresy were not so strictly nor so often enforced as they had been.

In Germany when the charge of persecution was applied to the ruling party in the Reformation, not by its enemies but by its own offspring--when the sects denounced by that party said: "We are doing just what you did: we separate ourselves from you just as you separated yourselves from the Church of Rome." The answer most frequently given was an increase of severity. A letter from Luther

to Menius and Myconius, <sup>in</sup> 1530 contains these words:—"I am pleased that you intend to publish a book against Anabaptists as soon as possible. Since they are not only blasphemous but also seditious men, let the sword exercise its rights over them: for this is the will of God that he shall have judgement who resisteth the power."

A statute<sup>e</sup> in Zurich represents Zwinglé with a bible in his right hand and a sword in his left, rightly symbolizing the policy of that great leader of Reform in Switzerland. The law of Zurich <sup>in</sup> 1530 decreed death to Baptists to which the Reformer lent sanction. The gentle Melancthon, in a letter to the Diet of Hamburg (1537) advocated a similar proscriptive policy. Calvin at Geneva openly advocated compulsory worship in the following well-known pronouncement "Godly princes may lawfully issue edicts for compelling obstinate and rebellious persons to worship the true God, and to maintain the unity of the faith." Concerning the Martyr, Michael Servetus, he had declared "If he comes to Geneva and my authority avails anything, I will never suffer him to go away alive."

In principle the persecution of Protestants and Catholics is one, the difference being in degree and extent. Protestant persecution is even less excusable than Roman Catholic persecution in that it is inconsistent and contrary to its inherent principle and constitutional basis. Protestants employed generally the milder punishments of fine, imprisonment and exile, although, in not a few cases the death penalty was applied. The penal laws of Elizabeth and the Stuarts against Roman Catholics and Puritans are almost as severe as the Theodosian and Justinian codes against ancient heretics. Schaff says "the scattered and feeble testimonies in favour of Toleration and freedom come only from persecuted Anabaptists, Socinians and Quakers."



Arnoldo da Brescia, a monk of the 12th century, a pupil of <sup>Scripture</sup> Abelard, according to Vedder, carries the distinguished honor, of first to proclaim with insistence and eloquence the doctrine of soul-liberty and the separation of Church and State. He advocated a pure republican democracy with whose government no bishop should have the right to interfere. The Church should not own any secular dominion and priests ~~should be~~ excluded from every temporal authority. A temporary and delusive success of Arnold's system in Rome itself was followed by defeat, his surrender and martyrdom and his body burned and the ashes thrown into the Tiber.

Political events and the vote of the people have wrought much to break Papal intolerance. ~~Even in Italy,~~ Toleration was granted to the Waldenses and other persecuted Christians in 1848. Since 1820 many Protestant churches have been organized in the city of Rome, where until that date all public worship differing from Roman Catholic was strictly prohibited. Their most capable statesmen openly advocated "A free Church in a free State." The temporal power of Rome was put down not simply by force of arms but by an overwhelming majority of votes in the Plebiscite of October 2, 1820 (133,681) against (1,507). The Italians are willing to take their religion from the pope but not their politics.

Protestantism had to struggle for a legal existence in the German Empire and in all other countries, as Christianity had to struggle for three centuries in the old Roman Empire. The Diet of Worms put Luther and his followers under the ban, and the Imperial Government of Charles V and his brother Ferdinand felt in duty bound to crush out the Reformation as far as they could. After the victory of the Elector Maurice of Saxony over the Emperor, the Protestants gained a legal status and the protection of the Empire, first in a preliminary Treaty at Pussaw (1552);

then at the Diet of Angsburg (1555). This peace broke the medieval system of ecclesiastical uniformity and established a system of dualism between Romanism and Lutheranism on the basis of legal equality, but with a very important advantage to Romanism, <sup>in that it</sup> which subjected every prelate in case of apostasy from Rome to deposition and the loss of his temporal and spiritual power. The religion of the subjects was made to depend upon the religion of the civil ruler. The Peace included only Romanists and Lutherans. The treaty of Angsburg was often disturbed and at last broken by the Thirty Years' War and superceded by the Treaty of Westphalia concluded at ~~Mi~~<sup>mu</sup>ster October 4, 1648 (with the obnoxious ecclesiastical reservation) and was extended also for the first time to the Reformed or Calvinists. These three churches were to be equal before the law. All other denominations are expressly excluded from Toleration in the Holy Roman Empire. The concession granted the Calvinists was chiefly due to the good offices of the Elector Frederick William of Prussia.

*No result of the influence working on Frederick*  
 Frederick the Great of Prussia (1712—1786) became an infidel in consequence of religious compulsion, in his early training but was a consistent advocate of Toleration, agreeing in theory, in this matter, with his treacherous friend Voltaire. His famous motto was "In my dominions, everybody is at liberty to get saved after his own fashion." He gave freedom ~~to~~ worship to the Mennonites, the Socinians, the Schwenkfeldians, and the Moravians, and even to the Jesuits in Silesia after their expulsion from all other states of Europe and the abolition of the Order by the Pope. "Here in Brandenburg", he says, "all these sects live in peace, and equally contribute to the welfare of the State and enjoy the liberty to choose their own way to heaven."

In 1781 Joseph II, Emperor of the Holy Roman Empire, surprised the world by an Edict of Toleration for the hereditary Provinces of the House of Hapsburg, where Protestantism had been almost extinguished by the Jesuitical counter-reformation. By the <sup>Edict</sup> ~~treaty~~, Lutherans and Calvinists received permission to hold public worship (with restrictions) A very limited toleration, but it enabled the Protestants in Bohemia to come out of their retreats without fear of persecution.

The first historical mention of Anabaptists in Germany is placed in 1521, although Dr. Ludwig Keller, State archivist at <sup>on</sup> ~~Mi~~ster a thorough investigator of this period, holds that their origin lies far back of this time. There are abundant documentary proofs available to show that long before the Reformation the Anabaptists were numerous, widespread and indefatigable: that "their chief men were not inferior in learning and eloquence to any of the Reformers: that their teachings were scriptural, consistent, and moderate, except where persecution produced the usual result of enthusiasm and vagary. Eight years following the Diet at Worms and twenty-six before the Dual Toleration Act of Pussat, which conceded legal equality <sup>to</sup> of Lutherans and Roman Catholics, the Edict of <sup>6</sup> ~~Sp~~er's (1529) was passed that decreed that "every Anabaptist and re-baptized person of either sex be put to death by the sword or fire, or otherwise" and it was no empty form of words. Persecution continued and did its work only too well and early in the seventeenth Century we find the Anabaptists disappear from the history of Germany. The Anabaptists were denounced by their contemporary antagonists with a rhetoric so sulphurous that an evil odor has hung to the name ever since. In the literature of the Reformation they stand <sup>as a</sup> ~~for~~ synonym for extremist, errors of doctrine and the wildest excesses of conduct.

The late <sup>C. H.</sup> ~~Spurgeon~~ <sup>a</sup> enjoyed rare opportunity of forming an intell-

igent opinion of the merits and demerits of the Peasants' War and has recorded his conclusions in words which should convince a candid enquirex. He said "The time will probably arrive when history will be re-written and maligned Baptists of Holland and Germany will be acquitted of all complicity with the ravings of the insane fanatics. And it will be proved that they were the advance guard of the army of religious liberty, ~~men~~ who lived ahead of their time, but whose influence might have saved the world centuries of floundering in the bog of semi-popery, if they had been allowed fair play. As it was, their views, like those of modern Baptists, so completely laid the axe at the root of all priestcraft and sacramentarianism that violent opposition was aroused: and the two-edged sword of defamation and extirpation was set to its cruel work and kept to it with a relentless perservance never excelled, perhaps never equalled. All other sects may be in some degree borne with, but Baptists were utterly intolerable to priests and popes, neither can despots and tyrants endure them." Dr. Lorimer in his "The Great Conflict" says "That the up-rising in North Germany is the initial effort in Europe toward complete emancipation from tryanny both civil and religious. They attempted what was afterward more successfully undertaken by the Puritans themselves in the English Revolution. It was the first wave of that great ocean of political free~~ess~~<sup>dom</sup> which broke over France."

The Anabaptists of South Germany owed no small part of their rapid growth to the teaching of Balthasar<sup>s</sup> Hubmaier, born in the latter part of the fourteenth Century at Friedburg. He was a worthy apostle of religious liberty for which he made the greatest sacrifice and suffered bitterest persecution. He was hounded from city to city, betrayed by friends, imprisoned, tortured with red-hot pincers being thrust into his flesh as he was driven through the streets of the city in a wagon on his way to the scaffold, where his head fell under the headman's axe and his

body was burned. Prof. Vedder says, "So died one of the purest spirits of the Reformation, a man against whose character, no contemporary brought a charge, whose piety was equal to his learning and who in eloquence was surpassed by no man of his time."

*No question of toleration or statement of*  
The Frankfort Parliament in 1849 made the first official proclamation of Toleration, of entire religious liberty in Germany as a fundamental right of the people. The new German Empire founded <sup>in</sup> 1871, adopted this law into their legislative code. This new Empire has no official connection with any church and leaves the subject of religion to the several States of which it is composed.

In 1527 <sup>was</sup> issued a confession of faith, the first document of its kind known to be in existence by the "Brotherly union of certain believing baptized children of God" assembled at Schleithem, a little village near Schallhausen. The author is conjectured to have been Michael Sattler, an ex-monk, who suffered martyrdom at Rothenberg in the same year. ~~This~~ <sup>that this</sup> confession was drawn, his tongue being torn out, his body lacerated with red-hot tongs and then burned. The confession is of interest in this discussion in that it claimed for themselves and demanded for others the boon of a free conscience, and the system of doctrine set down with the exception of the last two clauses, (exemption from civil service, sinfulness of oaths) correspond exactly with the beliefs avowed by the Baptists Churches today.

Switzerland was <sup>c</sup>rich in early champions of religious Liberty, having on her roll of leaders such names as Conrad Grebel, Felix Mantz, Jacob Faulk and Henry Rieman, but one by one the leaders were killed or driven away or died. The persecutors at length attained their end and gradually the Anabaptists disappeared from the annals of the country, but not without having left the impress of their characters on the nation and on

the Zwinglian. Reformation..

"With their names no bard embalms and sanctifies his song:

And history, so warm on meaner themes is cold on this.

She execrates indeed the tyranny that doomed them to the fire

But gives the glorious sufferers little praise."

In France, Toleration was the concession of a Roman Catholic King to his Protestant subjects, the Huguenots, who had helped him to the throne. The famous Edict of Nantes was issued and signed by Henry IV (1598) and ratified by the Parliament of Paris two years later. H.M. Baird classes it "among the grandest monuments of European civilization" as the first attempt to recognize two forms of worship under the common patronage of the civil government, though with a decided preference for the religion of the majority. It brought the stormy period of the Reformation to a close. The Edict is expressly declared to be "perpetual and irrevocable." The Edict proclaims no general principle but makes important concessions to the then 1,250,000 Protestant souls in France. The Act implied full personal liberty in any part of France, without molestation on account of religious opinions and eligibility to all secular offices of trust, honor or emolument. It recognized fully the liberty of private conscience but restricts the liberty of public worship. It is "a compromise between natural justice and social necessity". In the restrictions placed upon worship the Huguenots were sorely handicapped. The Roman Catholic religion remained in every respect the only religion of the state and the Protestants were required to pay the tithe to the clergy, to respect the fast and feasts, and to conform to the marriage laws of the Roman Church. The Edict caused such an agitation and opposition that the Huguenots feared another massacre of St. Bartholomew's Day. Pope Clement VIII when informed of its ratification, declared "The

"Edict is the most accursed that can be imagined, whereby liberty of conscience is granted to everybody: which is the worst thing in the world."

Henry fell by the knife of an assassin May 14, 1610, in the hand of Francois Ravallac, a will<sup>d</sup> half-crazy fanatic, who associated with the most bigoted monks and priests and "embodied the Romish indignation against the Edict of Nantes; as the assassin of President Lincoln embodied the spirit of the pro-slavery rebellion." P. Schaff says of Henry.. "He was the pacificator of France, a just and far-sighted statesman, and died a martyr of religious liberty."

The Edict of Nantes was repeatedly confirmed, but never carried out, <sup>At</sup> every national Synod complaints were made of non-payment of the promised state aid.

During the reign of Louis XIV (1643 - 1715) a series of systematic and cold-blooded, vexatious persecutions of the Huguenots ~~were~~ carried out, which forms one of the most disgraceful pages in the history of France. One privilege after another was withdrawn from the Huguenots, until the year 1685, when the King revoked the "irrevocable" Edict of his grandfather by a formal decree, seventy-five years after the death of Henry IV. It was one of the darkest days in the history of France and the history of Liberty. This revocation prohibits the worship of Protestants, <sup>and</sup> orders the immediate destruction of their temples. <sup>Eight</sup> hundred Protestant houses of worship were demolished on the very day the Edict of Revocation was registered, the closing of their schools, the banishment of their ministers within a fortnight on pain of death and the Roman Catholic baptism of every new-born babe, while laymen are forbidden to leave

the country ; the men under peril of being condemned for life to the galleys , the women to perpetual imprisonment. P. Schaff says "No church can boast of a larger army of confessors and martyrs of conscience than the Calvinists' churches of France and Holland." They left their property and native land in obedience to their conscience, and at the risk of their lives, persons brought up in every luxury, pregnant women, old men, invalids and children rivaled one another in constancy, hoping to escape their persecutors. The total number of French refugees has been variously estimated from 300,000 to a million . The curse of the Revocation was turned into a blessing. These Huguenots excited the active sympathy of all Protestant countries, and they formed new homes in Switzerland, England, Holland, Denmark, Sweden , Germany and in the colonies of North America, and they enriched the land of their adoption and joined in the struggles to secure privileges for others denied themselves in the land of their birth. Those who emigrated to Holland and England lent effectual aid as private soldiers and officers, trained under Turenne and Condé to William of Orange in the Revolution of 1688 etc.

France rejected the Reformation and reaped the Revolution. The tyranny of Romanism provoked infidelity. Voltaire (1694—1778) was its chief apostle. While deploring his infidelity, credit must be given him for his triumphant advocacy of religious toleration, by which he revolutionized public opinion in France. He was master-architect of ruin and he hated the Roman Catholic Church of his day as the mother of superstition and the enemy of all freedom and progress. The terrible phrase "Crush the wretch" is of frequent occurrence in his writings. Voltaire's noble action in connection with Jean Calas, in which he secured the



reversal of his unjust condemnation and thereby aroused public sentiment, dealt a death blow to the system of religious persecution. P. Schaff in his reference to Voltaire's service here says "The case of Calas interested all France: it elicited no less than 145 publications, and was also brought upon the stage. The verdict of Toulouse was the last act of Huguenot persecution: the verdict of Paris was the death of the Edict of Revocation." Voltaire defended Calas as an injured citizen, and individual, and therefore entitled to natural rights and justice. He espoused the case in his Tract on Toleration, which appeared first in 1763, in several editions and languages, and had a most extensive circulation and a powerful effect. This and other influences ultimately reduced the intolerant legislation of Louis XIV to a dead letter. It was Louis ~~XIV~~ who prepared the way for restoration of tolerance in France and Protestant recognition by an Edict signed in 1787. Later the Constituent Convention of 1789 overthrew the barriers which still kept the Protestants from all public offices and passed a decree, "No person ought to be troubled on account of his opinions, even though they be religious, provided that their manifestation do not disturb the public order as instituted by law." This enactment was made a part of the Republican Constitution in 1793.

The toleration of the infidel school ended in the greatest intolerance and the French Revolution almost annihilated the Gallican Church in France. For political purposes Napoleon restored the Roman Catholic Church and the legal existence of the Calvinistic and Lutheran Churches. Finally other religious societies and congregations which support themselves were tolerated.

In Spain, religious liberty dates its feeble beginnings from 1869. Concessions are neutralized by certain restrictions for the con-

stitution of 1876 limits the liberty of those who are not Roman Catholics to worship in private houses. The Inquisition, of the 16th and 17th centuries, extinguished her active literary life, and placed this nation, so richly endowed, almost outside of the circle of European civilization. Spain it is true remained free from heresies and religious wars: but her rest was the rest of the grave, so far as religious vitality was concerned.

By the Treaty of Berlin, 1878, the Sultan's government was forced to this position, that in no part of the Ottoman Empire shall difference be alleged against any person as a ground of exclusion or incapacity as regards the discharge of civil or public rights, etc. or the exercise of professions and industries. The outrageous persecutions which have followed <sup>up</sup> on the Armenians in contravention of this treaty and which the powers of Europe failed to prevent and punish, are among the burning shames of a century which won many victories for the right of right.

The Roman code of laws, with its persecuting provisions against heresy had not so much influence in England as on the Continent, and then the instinct <sup>for</sup> national unity overruled in England the disintegrating tendencies of religious controversy.

In the struggle for Toleration in England, first Popery was overthrown and Episcopacy with the royal supremacy established; then Episcopacy was overthrown by Scottish Presbyterianism and English Puritanism, culminating in the Westminster Assembly and the Protectorate of Cromwell. At last a compromise was effected between Episcopacy as the National Church and the dissenting Protestant denominations as tolerated sects.

John Wyclif called "the morning Star of the Reformation", the translator of the Bible, was the first important person in England that was persecuted for heresy. Green, in his "English People" says of this school-

man that he was "the founder of our later English prose, a master of popular invective, of irony, of persuasion, a dexterous politician an audacious partisan, the organizer of a religious order, the boldest and the most indefatigable of controversialists, the unsparing assailant of abuses, the first Reformer, who dared when deserted and alone to question and deny the creed of the Christendom around him, to break through the tradition of the past and with his last breath to assert the freedom of religious thought against the dogmas of Papacy." He was permitted to die in peace in his parsonage at Lutterworth (1384) but by order of the Council of Constance (1414) Bishop Fleming of Lincoln had his bones dug up and burnt and his ashes thrown into the little river Swift, which "runneth hard by his church at Lutterworth". Five hundred years after the completion of Wyclif's translation of the Bible, his memory was celebrated in suitable services on five Continents.

Parliament in 1401 at the instigation of Archbishop Arundel passed the Statute De Hoeretico Comb<sup>u</sup>endo which gave the bishops authority to arrest, imprison and try heretical preachers and their supporters and to hand them over to the sheriff to be burned. This enactment remained on the statute book till the reign of James I. Dr. T. J. Villers says "Soul-liberty in England did not originate with Episcopalians or Presbyterians but with our Baptist forefathers." Prof. Vedder says Hendrik Terwoort, a Flem<sup>i</sup>ng by birth, burned at the stake at Smithfield in 1575, penned while in prison the first declaration in favour of complete religious liberty, made on English soil. In 1644 eight British Churches in London issued a confession of Faith, composed of fifty articles which is outspoken in the advocacy of religious liberty as the right, and of good citizenship as the duty of every Christian man. This is a great landmark of the

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W. L. about Leonard Busker?

progress of enlightened Christianity. Prof. Vedder <sup>affirms</sup> confirms "on the strength of this one fact Baptists might fairly claim that, whatever have been said by "isolated individuals before, they were the pioneer body among modern Christian denominations to advocate the right of all men to worship God, each according to the dictates of his own conscience, without let or hindrance from any earthly power." When Lord Chancellor King sought to crown John Locke as the author of this blessing of Religious Liberty, he refused the claim, declaring that Baptists were the first and only propounders of absolute liberty, just and true liberty, equal and impartial liberty.

The review of the numerous intolerant Acts of Parliament preceding the Revolution of 1688 makes reading repugnant to every sense of justice and humanity and there is no living Englishman with his head and heart in the right place, who would advocate their restoration. During the reign of Henry VIII, Protestants and Roman Catholics <sup>and</sup> Dissenters were burnt or beheaded alike according to the changing mood of that despot.

The re-introduction of Popery under Bloody Mary (1553—1558) is the period of Protestant martyrdom which left an indelible impression of abhorrence of Popery on English mind. To the Catholics of England it afforded a brief respite of Tolerance which resulted in 150 years of Intolerance. Queen Elizabeth and the three Stuarts<sup>s</sup> sovereigns who followed, all practised the same intolerance, only with less cruelty. Their aim was to secure absolute uniformity of religion and public worship, to the exclusion of all Dissent, whether Roman Catholic or Protestant. The penal code of Elizabeth was chiefly aimed at the Roman Catholics, in self-defence against Pope Pius V, who had excommunicated and deposed her as a bastard and heretic.

↓ *Argument is terribly mislead*

The Puritans during their ascendancy were likewise intolerant in principle and ejected two thousand ministers from their livings for not conforming to their discipline. The Westminster Assembly attempted to frame a creed for England, Scotland and Ireland and declared that dangerous heretics "may lawfully be called to account and proceeded against by the censures of the Church and by the power of civil magistrate." Toleration was regarded as indifference or treason to truth, dangerous to government and pernicious to religion and good morals.. Cromwell and Milton and the five Independents in the Westminster Assembly had more advanced views on the liberty of conscience than the Episcopalians and Presbyterians: but even they excluded Papists, Prelatists and Unitarians from their programme of Toleration.

The contribution that Milton by his pen made to the name of Freedom has caused the enthusiasm of liberty to thrill through every generation of Englishman since his day, yet, the Theological writings, which are credited to him, so incensed a contemporary controversialist, Dr. Featly, a Presbyterian, that in 1644, he entreated "the most noble lords to cut off Milton as a pestilent Anabaptist."

The bloodless Revolution of 1688 was a revolt of the English nation against the political and spiritual despotism of Charles II and James II and the revolution, that overthrew James, placed on the throne, the Prince of Orange, the first ruler in modern history who was statesman enough and Christian enough to incorporate the principle of religious liberty into his country's laws. Hallam calls William "almost the only consistent friend of toleration in his Kingdom." Macauley judges him to have been endowed by nature with "the qualities of a great ruler", which education developed in no common degree. Prince Albert pronounces him "the greatest sovereign England has to boast of: by whose sagacity and energy was closed that bloody struggle for civil and religious liberty

which so long had convulsed this country and who secured to us the inestimable advantages of our constitution and of our Protestant faith." He had promised to bring about "a good agreement between the Church of England and all Protestant Dissenters." He kept this promise. His experience in Holland made him look on Toleration as one of the wisest measures of government .

The Edict of Nantes was the grant of a Roman Catholic King in time of peace to his Protestant subjects, formerly his associates in religion and war (1598). The Westphalia Treaty (1648) was an agreement between Roman Catholic and Protestant States after the bloody Thirty Years' War. The Toleration Act of 1689 proceeded from a Protestant government identified with the Episcopal Church and was the result of an unbloody Revolution. It was a concession made by Episcopalians to orthodox Protestant Dissenters, but it expressly excluded the Romanists, while the Westphalia Treaty put Romanists, Lutherans and <sup>Calvinists</sup> ~~Calvinists~~ on a <sup>Equal</sup> ~~Legal~~ footing, and The Edict of Nantes kept the Roman Church in possession of all the privileges of a State Church but granted to the Calvinists full civil rights and a limited freedom of public worship. The Toleration <sup>Act</sup> was gradually extended in the direction of full religious liberty like the Westphalia Treaty, while the Edict of Henry IV was revoked by his grandson, though its principle ultimately triumphed in modern France. The Act left the Church of England unchanged and in possession of all her endowments, rights and privileges, but she ceased from that time on to be <sup>co-extensive</sup> ~~co-extensive~~ with the nation. Its benefits extended to Presbyterians, <sup>Congregationalists</sup> Baptists and Quakers but to no others. It stopped the persecution against them but not against Unitarians and Roman Catholics, who were expressly excluded from the benefits of the Act and by its limiting and exclusive

Act of Toleration

clauses may be termed rather an Act of Intolerance, "A bill of religious liberty" says Macaulay, "would have been burned by the mob in half the market-places of England, and would have made the name of Toleration odious to the majority of the people. The Act is called the great Charter of Religious Liberty. To interrupt the Independent, the Baptists, <sup>and</sup> the Quakers in the service of God became a criminal offence. By shielding Dissent, the law, though of course not endowing it, might also be said, in a certain sense, to establish it. The established Church could no longer claim all Englishmen as "by sovereign right, worshippers within its pale." It put a stop to persecution, which had disgraced England for four generations, which had cost many precious lives, wrought untold sufferings and sent thousands of good and useful men to loathsome prisons, or across the Atlantic to the wild woods of America.

The Roman Catholics were set free by the Catholic Emancipation Act of 1829 under the reign of George IV. The measure was introduced by the great statesman Sir Robert Peel into the House of Commons and defended as a necessity in a speech of four hours <sup>while</sup> and the Duke of Wellington justified it in the House of Lords as a means of averting

*civil war*  
*nothing about repeal of Bast & Corporation Acts 1828.*  
 The same justice was done in 1858 to the Jew, who for a long time was treated as if he were personally responsible for the crucifixion: and chiefly through the success of Charles Bradlough who was admitted to the Commons in 1885 the question was settled in July 1888 that even professed atheists may sit in the councils of the English nation on simple affirmation. A Parliament composed of such heterogeneous elements from Romanists down to atheists becomes less and less qualified to legislate for religion, and must leave that to the Church to which it

*Nothing about Quakers.*  
*Nothing about Unitarian tests*

properly belongs by divine right.

Philip Schaff, in *Progress of Religious Freedom* says the tendency of English legislation and the spirit of the times is towards equality before the law in religious as well as civil rights, <sup>//</sup> her legislation for the last 300 years and especially since 1689 shows a slow but steady and irresistible progress in <sup>the direction of</sup> civil and religious liberty. Practically, there is now as much freedom in the British Empire as in the Republic of the United States, and the rights of minorities are, perhaps, even better protected; but theoretically ~~on~~ on the statute-book, the Dissenters are merely tolerated: their ministers are not recognized as clergymen, nor their houses of worship as Churches but only as chapels. Civil disabilities still remain which will be removed by the natural course of events as times goes on. The history of this struggle teaches an important lesson, that the best moral guarantee of Liberty is human culture and Christian charity.

No people who have not fairly learned to bear with one another can enjoy liberty. Mutual Toleration is the true evidence of a firm Christian faith and the only valid evidence before God and man. Strong convictions of right and truth and reality early rise to respectful toleration, a generous acknowledgement of the rights as well as the opinions of others. The absence of Toleration is the stigma of absolutism, the <sup>E</sup> establishment of "The Opposition" the glory of freedom. Freedom allows variety, <sup>the</sup> tyrant whether one or a multitude <sup>marks</sup> calls heretic at everyone who thinks or feels differently. Yet, Liberty, does not mean that there should be no authority in Israel and that every man should be a law unto himself, without regard to the welfare of the community in which he lives. The interests of law are no less sacred than the interests of liberty, for the law is the guarantee of liberty, not its <sup>x</sup> enemy. Liberty if it would guard its own honor must ever



be the enthusiastic friend of law. To quote Southly "order is the sanity of the mind, the health of the body, the peace of the city, the security of the State." All anarchy, all evil, all injustice is by the nature of it suicidal and cannot endure. Liberty is limited by the Golden Rule, "Brethern ye have been called unto liberty: only use not your Liberty for an occasion to the flesh, but by love serve one another."

The Colonies of North America started with European nations practises of Intolerance. European Intolerance occasioned the settlement of the New England States and increased the population of other Colonies. These Pilgrims crossed the stormy Atlantic to obtain for themselves and children a free field for their own ideas of Church reform. Says Dr. Lorimer, "They were good men, better men never lived, the sifted seed they were, taken from the Old World wherewith to plant the New."

Vellers says, "When that frail craft dropped anchor off New England she carried a cargo more enduring than stone and more precious than gold, she was freighted with principles, convictions, institutions and laws. Her passengers were few, but they were tall men, sun-crowned. But they were the product of the 16th Century not the 20th. They were intense believers and they believed in nothing more intensely than the union of the Church and State. The early history of the Colonies is darkened by examples of severe penal persecuting intolerance. It was Dudley, the 2nd Governor of Massachusetts who is credited with the couplet :-

Let men of God in courts and Church watch,  
O'er such as do a Tolerance hatch.

When the Puritans settled Massachusetts in 1628 they were determined to worship God according to their own conscience and to prevent everybody else from worshipping him according to theirs. We see the apparent inconsistency of a Puritan Church established in New England States with

its intolerance toward Romanists, Prelatists, Baptists and Quakers. In <sup>the</sup> Southern States Episcopacy with its advantages was transplanted from England and excluded all non-Episcopalians from civil and political rights. Each colony formed its code of laws according to the wishes of the majority of its population.

In Virginia withdrawal from the Episcopal Church was accounted a crime equal to revolt against the government, and non-conformists should be arrested and imprisoned till fully and thoroughly reformed. Two Baptist students were expelled from Yale College for attending the Baptist Church at Canterbury, Conn. during vacation.

The clergymen's salary was fixed at 16,000 lbs. of tobacco, levied on the parish and collected like other taxes. Absence for one Sunday from an Episcopal service was punished with a fine of 50 lbs. of tobacco, absence for a month 4000 lbs.; refused <sup>al</sup> to have one's <sup>body</sup> sprinkled 2000 lbs. Baptist ministers were fined, beaten, imprisoned, poisoned. Sometimes a snake or a hornets' nest was thrown into their meetings. Madison, a graduate of Princeton and in preparation for the Episcopal ministry, was so shocked by the mal-treatment of Baptists and so moved by their preaching through prison bars that he abandoned the ministry and became a political apostle of Religious Freedom in Virginia. These outrages were termed by Madison "That diabolical and hell conceived principle of persecution."

The progress of religious liberty both as a conception and realization is doubtless due to manifold agencies. Dr. Lorimer affirms and reiterates that to none other is it more indebted than to the Baptists of Europe and America. He says they may honestly claim to have occupied the front rank and possibly the very foremost position in the rank of those martyr-souls who toiled and suffered for the

triumph of this principle. This fact has been conceded by candid scholars. Bossuet, at the close of the 17th century declared that he knew only two bodies who denied the right of the civil magistrate to punish religious error and they were the Socinians and the Anabaptists .

Philip Schaff in commenting on the Puritan Theocracy established in Massachusetts, where Quakers and witches were condemned to death and executed in Boston and later states--"The Baptists and Quakers alone (and Protestant denominations of later date) were consistent advocates of universal tolerance and put it into their creeds. They never persecuted."

Gervinus, the German philosopher, in his introduction to the "History of the 19th century" when commenting on the peculiar doctrines set down by Rogers Williams states "Herein a little State the fundamental principle of political and ecclesiastical liberty prevailed before they were even taught in any of the schools of philosophy in Europe."

William of Orange was sustained in the gloomiest hours of his struggle for the Dutch Republic by the sympathy and aid of the Baptists. He testified to their loyalty, industry and virtue. Bancroft, the American Historian, accords to Baptists the same honour: "Freedom of Conscience, unlimited freedom of mind was from the first a trophy of the Baptist."

Herbert S. Skeats in his history of the "Free churches of England" declares--"It is the singular and distinguished honour of Baptists to have repudiated from their earliest history all coercive power over conscience and the actions of men with reference to religion they were the proto-evangelists of the voluntary principle." President

Lincoln attributed all that he was to a Baptist mother.

Rodger Williams was denounced as a man with a windmill in his head, a disturber of the peace, etc. and was banished from the Colony and driven into the wilderness. For fourteen weeks, without bread and without bed, he wandered through trackless forests till he lighted upon a place called Providence and there he built "a shelter to persons distressed for conscience." Here he founded a state, the corner stone of which was the principle of absolute religious liberty combined with democracy.

The movement for religious liberty by separating Church and State began, according to Schaff, nearly simultaneously in Virginia, New York and Pennsylvania, between the Declaration of Independence and the framing of the Federal Constitution. It was supported and successfully carried out, ultimately by the combined influences of Dissenters (Presbyterians, Quakers and Baptists and others) and liberal statesmen, especially Thomas Jefferson, Madison, and Benjamin Franklin and Patrick Henry, sincere and earnest advocates of religious as well as civil liberty.

The first to lead the way was Virginia by securing in May, 1776 the "Bill of Rights." enacted in its legislature and later in 1785 was passed as Jefferson's "Act to Establish Religious Freedom". Inherent in these codes was the Magna Charta of religious freedom and which later formed the first amendment to the Constitution of the United States in 1791. "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof."

In 1802 the last step was taken in the sale of the clerical lands. With the sale of these glebes, Bishop Meade says "The warfare begun by the Baptists seven and twenty years before was not finished." The Church was in ruins and the triumph of the enemies was complete.

The spirit of intolerance lingered longest in New England and it was not until 1883 that the last remnant of proscriptive laws was swept from the statute-book of Massachusetts. And then so good and wise and great a man as Lyman Beecher thought the bottom had dropped out of things because his State no longer compelled his unwilling Baptist neighbor to contribute to his support.

Congress by its enactment of 1791 placed the whole question of religious legislation out of the power of the National Government and left with the several States, as one of the reserved rights which <sup>was</sup> ~~were~~ not delegated to that government and never possessed by it. Some features of a union of Church and State remain in some states even today. The Federal Constitution expresses the national sentiment and has had its liberalizing effect upon every State Constitution made since. Most of the States contain the principle embodied in the Federal Enactment. It is theorectially that the Church <sup>and State</sup> should be separate and distinct, each independent in its own sphere, yet, not hostile, but equally interested in public morals and national prosperity. The state protecting the Church by law, the Church self-supporting and self-governing and strengthening the moral and foundation of the State. Christianity which for 300 years prospered and progressed in a hostile heathen state should certainly prosper still more in a friendly State which cannot resist the influence of centuries of Christian civilization.

Canadian history contains records of the clash of arms and political upheaval in the struggle of civil and religious liberty. Strong argument for liberty is gathered from the forests, lakes and wide rivers of a vast country. "And there I felt thee:--On that sea-cliff's verge whose pines scarce travelled by the breeze above,

Had made one murmur with the distant surge.  
 Yes, while I stood and gazed, my temple bare  
 And shot my being through earth, air sea.  
 Oh Liberty!, my spirit felt thee there. "

Colonists have ever felt the spirit of Freedom. The Boers in fact looked upon themselves as a chosen people called by Providence to occupy a Canaan. The lumbermen, farmer, fisherman and voyageur of Canada or the United States, as he became a path-finder through tall and silent forests, hunted as he chose along lake or river and followed a buffalo over a prairie boundless as the ocean, imbibed the spirit of Liberty.

The social and political condition of Upper Canada in the early part of last century <sup>was</sup> ~~were~~ violently perturbed and chiefly through ~~the~~ effect of an imported Prelacy. Creswell says the Reserve Lands ~~were~~ <sup>was</sup> one of the proximate causes of the Rebellion, this and we would add <sup>the</sup> allied oppression of the Family <sup>Compact</sup> Pact. No less than two million and a half acres of land were included in this advantage given to the English Church, and this not in a block but every seventh lot scattered throughout the townships. In addition, Sir John Colborne, in a last act, on being recalled by the Home Government and in open defiance of the voice of the people, handed over for the emolument of the same body fifty-seven rectories.

All power was in the hands of the strictest form of the Compact. This small oligarchy controlled not only all the Government Offices but the real-estate and nearly all the business of the Province and through patronage could even secure the election of their followers. The Press was muzzled. Political public meetings discouraged and the education of the lower classes.

*One*

In 1817, <sup>One</sup> ~~our~~ Robert Gourley, an erratic Scotchman immigrated to this Country. His indignation rose to the boiling point as he became conversant with the great injustices perpetrated in conjunction with land tenure, more especially that effecting the Clergy Reserve. Gourley wrote to every township in Upper Canada sending a list of thirty-one questions which went deep into the local abuses. The sting was in the last question which enquired :-- "What in your opinion retards the improvement of your township in particular or the Province in general?" He organized and petitioned the British Colonial Office. The Family Compact legislature took alarm and had an Act passed forbidding all conventions. Would any Canadian endure that today?

The subsequent history of Gourley is pathetic in <sup>the</sup> extreme and leaves a ~~dark~~ stain on early Canadian history. His frequent arrests, trials and acquittals, his being thrust into prison and in defiance of every principle of British justice seven months without trial, <sup>the</sup> mockery of <sup>a</sup> trial given in 1819 at Niagara under overwhelming Compact influences, when the unhappy Scotchman, broken down in mind and body through abuses, was declared guilty of sedition and driven from Canada, are familiar facts of history. That murderous deed sealed the doom of the Compact and led ultimately to the ~~enactment of the Voluntary Act, in which religious bodies were put on equality, a measure followed elsewhere in most British Colonies. The theory and practice of subsidizing any religious demonination was found to be impossible.~~  
*It was felt necessary for 18 years thereafter.*

The copy of the Charter from over the sea, in response to Governor Simcoe's agitation for the establishment of a higher seat of learning, stipulated that the Institution should be a University of the Church of England in Canada, the Bishop of the diocese should be ex-officio, visitor and the Archdeacon of York ex-officio President, all members of the

*There is no adequate account here of the Charter of the University of Toronto.*

University Council were required to be members of the Church of England and to have subscribed to the 39 articles, and a like obligation laid upon all students of divinity. From which the good Lord in his mercy delivered us, but not without the most pronounced protest and bitter discussion in Press and on Platform by Baptists and Methodists lasting over a decade. These liberty-loving people received richest reward for all cost and every sacrifice made in the fierce and prolonged fight for equal rights for all with special privileges to none, from the fact that the Charter passed by Legislation contained no clause with religious test in qualification to be required of students or graduates.

The blessings of Religious Liberty <sup>is</sup> ~~are~~ too divine to be arrested on ~~their~~ march toward universal empire. Million <sup>is</sup> upon millions of our race have never heard of it, or if they have heard, do not possess it and are merely hoping and praying for its presence. Millions who have acknowledged its sovereignty do not comprehend its nature or perceive its full bearings. For Liberty in the coming years golden words must be spoken and golden deeds performed. "Peace hath her victories."

No less renowned than war: New foes arise threatening to bind our souls with secular chains: Help us to save free conscience from the jaw of hireling wolves, whose gospel is the maw."

Nothing dies so hard or rises so easily at the first chance it gets, as Intolerance. When a prominent Bishop of Western Ontario, very recently ~~was~~ addressing a large audience composed chiefly of Roman Catholics, in the city of Toronto, on the current question of the division of the Public School Funds, stated "I do not blink the fact, that the Bishops and priests are the natural leaders of the Roman Catholic people.", the statement was cheered to the echo by his listeners. The old theory of Imperium et Sacerdotium still remains the policy of Roman



Catholicism. What has happened to embolden a representative delegation of that Church to appear at the present session of Federal Parliament and petition for discriminating legislation, asking that some half-dozen or more Holy Days observed by that Church only, be made Statutory Holidays, etc.? The false sentiment of discriminating rights lingers long in some minds, as evidenced by the opinion expressed by a speaker at the June Synod at London when the name of the Episcopal Church in this country was under discussion by the Assembly -- "In the Old Land it is the Church of England, why should it not be in this country the Church of Canada?"

The constitution of Malta, recently amended, guarantees to all persons in this important British Colony full liberty of conscience and free exercise of the religion of their choice. The Roman Catholic Bishop of that Island is making vigorous protests against the amendment on the grounds that it does not declare the Roman Catholic religion to be the official religion of Malta (although in small minority.) He also bewails the fact, that opening of Educational posts to Protestants is an affront to Catholics and "lowers the position of our dear religion". He has the effrontery to object to a clause to the effect that "all persons inhabiting the colony shall have full liberty of conscience and the free exercise of their respective modes of religious worship", upon the grounds that it is an odious principle.

Pius XI who has just donned the Papal tiara publicly announced that he intended to resort to advice for his diplomacy, yet, how does it happen that in a very important letter addressed to the Archbishop of Genoa his majesty took his stand on the Genoa Conference, inviting modification of treaties and remission of reparation clauses and done

as the representative of the <sup>God</sup> ~~and~~ of peace and love, who with special Providence, who by a decision not to be questioned---to continue with the succession to the Supreme Pontificate.

Dr. Lorimer, says if the Roman Catholic Clergy of America believe in the infallibility of the Pope then they must believe <sup>what</sup> ~~that~~ he had declared--"That religious Liberty and freedom of the press are delirious ravings: and if they believe this, in very consistency, they must employ every means to arrest these." Dr. Geo. W. MacDavid <sup>and who</sup> in a recent publication devotes a chapter to <sup>State</sup> ~~the~~ "State and Church: A present Problem" has this to say about the insidious and persistent aggressive methods of the Church of Rome in his own land. The government violated the priceless principle of equal rights to all and special privileges to none by admitting Roman Catholic organizations into the camps and excluding Episcopalians, Baptists, et al. This being a reversal of the policy of the U.S.A. Government: which permitted voluntary preaching to soldiers in the Revolutionary and Confederate Wars. In the government order to merge the "War service fund", Baptists had to contribute to Roman Catholic propaganda or be misjudged by their fellow citizen as penurious, bigoted and unpatriotic. Again in the "Ordinance Reservations" <sup>(after the war)</sup> owned, controlled by the government for the making of explosives, the government admitted the Roman Catholics and Jews to the reservations and said to all other denominations, "you cannot come in except through the Liberty Church." This Liberty church is so regulated and restricted that the constituent members do not control. At Penniman is located one of these Reservations and one-half of the 8000 people there were Baptists. The Roman Catholic who represent only a small percent were allowed to function at Penniman and the Baptists who represented fully half of the people were forbidden. The government

scribed that they should not have a church. When will governments learn that it is not competent to manage the religion of the people and escape many of its blunders? In offering to build a church on government land for Roman Catholics it is appropriating public funds for sectarian purposes and when it forbids the Baptist to erect a building at their own expense in such a Reservation, it is destroying the equality before the law of all religious denominations.

In Bolivia, at this hour the Baptist denomination is peremptorily halted and hampered in missionary endeavour for a period indefinite through refusal of the civil authorities of a priest-ridden State to grant the necessary building permit to erect houses of prayer.

As we turn the pages of history we clearly discern that God is working in the world and there will be progress and that his purposes do not languish and it is only in appearance, in disaster and struggle that "Truth for ever on the Scaffold: Wrong forever on the Throne." Not for nothing blazed the martyrs' fires, not for nothing toiled brave suffers up successive hills of shame and this is no time to give conciliations at the expense of principle but rather to take our stand, as did our brave and pious fathers, by the precious altars of our faith and say in the homesteads of our youth and in the temples of our God--"All kindness to our Romanist fellow-subjects, but a barred door to Popery and no peace with Rome."

So,

"We lift our banner to the air,  
And swear to guard our legacy"

Remembering that Liberty is never safe and that obligation is co-relative to privilege and inheritance.