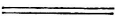


CT 76

~~THE ACTION AND REACTION BETWEEN CHURCHES AND
THE CIVIL GOVERNMENT.~~

Moral Influence of Law



A LECTURE

BY

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A LECTURE,

ETC.

It is a notorious fact of ancient and modern times, that very many politicians who have no belief in religion have upheld religious creeds as conducive to the national morality : and they have generally much to say that is plausible in their defence. Side by side with this, it has been maintained, upon a large survey of the world, that national morality depends very little on the avowed creed of nations ; and it may be worth while to dwell for a moment on the evidence of this fact. I will begin by contrasting the Turks with the Persians. According to the testimony of a series of impartial Englishmen who have known them well, the peasants of Turkey proper are eminently upright, truthful, simple-hearted, honest, friendly ; faithful and devoted in domestic relations,—the tie of parent and child being peculiarly tender and beautiful. The Persians, on the contrary, are described as prevailingly frivolous, false, cheating, and generally without conscience. Both nations are Mohammedan. It is true, that they are of different sects. The Persians regard the three first Caliphs as usurpers, and reject the “traditions of the elders” concerning the miracles of Mohammed and various observances. But none of us will for a moment impute the superiority of Turkish morality to this ceremonial difference. It undoubtedly rises out of the social organization, local influences, and mode of life, which have come down from remote times. We have a confirmation of this in the fact, that all which is best in the Turkish character is apt to be lost as soon as the indi-

vidual is transplanted, and especially if he be raised into high office. Yet his Mohammedan creed remains as orthodox as before. Here then we see, that though a right creed is of course better than a wrong creed, yet social institutions have more effect on our moral state than the national religion. And now look back to Europe. Are not Ireland, France, Spain, South Germany, and Italy, under the same church? Yet how diverse are they morally! If we had time to consider separate virtues and vices, the contrasts would perhaps seem deeper the longer we dwelt on them. What greater contrast in manliness can there be than that between Spain and Naples? It is conceded to be immense even between the border countries, Spain and Portugal. What Frenchman, however patriotic and Catholic, will dare to extol the French women for chastity? Yet, coming of the same race, and with very much of the same temperament, the Catholic Irishman justly boasts that the honour of Irish women stands as high as that of any in the whole world. Again, for long ages past, who would have seemed uncharitable in rating very low the truthfulness of the Italians or French? Yet no one would have dared so to speak of the Catholic Germans or of the Spaniards. Again, was not England once Catholic? Yet the England of Edward III. and that of Queen Elizabeth are not in any great moral contrast. I need not go farther. I have sufficiently indicated on what ground we are forced to believe that national morality does not depend chiefly on the theoretic religion, but on those social institutions, habits, and laws which pervade daily life.

The truth which I have been stating has been often darkly felt by those who avow as their motto, "Religion has nothing to do with politics." I believe these were accurately the words for which our late eminent statesman Mr. Canning encountered much obloquy some thirty-five years ago. In his mouth it meant, that an English Catholic had more of the Englishman in him than of the Catholic, so that the difference between his religion and that of the Protestant ought to be overlooked in Parliament; a doctrine which shortly gained a great prac-

tical triumph. My main object in now addressing you, is to point out the false theory which is founded on this movement towards a more comprehensive state. Those who desired to admit Dissenters and Catholics into civil equality with Churchmen, who claimed that the State should turn a blind eye towards the creed of an individual, were sure to condemn any public hostility to voluntary religious institutions, and very generally may have wished that all such institutions should be left without national endowments. The State being thus, in their view, neutral towards the sects, they have naturally claimed that the sects should be neutral towards the State. They have conceived of Church and State (or, if you prefer so to phrase it, the Churches and the State) as occupying two parallel lines of movement which cannot come into collision : as though the Church were something of the other world alone ; as though its business were with creeds and ceremonies, feasts and fastings, chanting and prayers, ordination and sacraments, consolation in sickness and hopes beyond the grave ; but had no right to interfere with laws and customs which make men moral or immoral. To very many politicians of this class, to use religious influence against any measures of State is *primâ facie* evidence of an ambitious and meddling Church. On the other hand, they often avow, that in the State it is an erring obtrusiveness to legislate for the morality of the nation ; and that all zeal for morality should be yielded up to individuals, or to voluntary societies.

If this were not a widely-prevailing theory, influencing public men, often asserted in public journals, and espoused by those who have a name as political philosophers, I should not now address you on the other side. But since I regard this as the cardinal heresy of the Liberal party in both continents,—the heresy which, in proportion as it triumphs, demoralizes nations, and makes them vacillate between anarchy and despotism ; the heresy which, by the reaction from it, gives a new life to bigotry, and generates dangerous forms of socialism,—I think the close examination of it is of urgent practical importance.

I began by pointing out the evidence lying on the surface of history, that the morality of nations is more dependent on laws and institutions than on religious creed. I think I should hardly overstate in saying, that laws, enactments, institutions of property, and the social relations which rise out of them (all of which are the sphere of the State), must of *necessity* affect the national character for good or evil : hence the action of the State is *essentially* either moral or immoral. But inasmuch as the Churches, or Church, either need not exist at all, or very often exist in a feeble, cloudy, ceremonial life, their action on the national morality is apt to be but a secondary force. Hence, instead of saying with the Ultravoluntaryist, that morality is the sphere of the Church alone, it is more true to assert, that the State has necessarily a moral action, the Church only accidentally and occasionally. And if we admit that Religion rises above a solemn mummery or a wild fanaticism, only in proportion as morality underlies it ; if we are conscious that Spiritualism is the glorification of the highest Morality, and that the immoral man cannot be permanently and consistently spiritual, nor ever reap the noblest fruits and blessed joys of spirituality ; if we feel that an immoral atmosphere is corrupting to the most of us, and intensely painful to the best ;—then never can those institutions and measures of State which make our neighbours and ourselves moral or immoral be matter of indifference to the spiritual man ; nor can the religious unions, which we call Churches, ever wisely cherish neutral sentiment towards them. The best and noblest churches, however strong and fresh the religious impetus within them, must necessarily be weakened, disorganized, and degraded, by prevailing public depravities. I will add, that when the spiritual influence within them becomes most intense, most pure, most beneficial, it will produce permanent results of good only in proportion as it affects public action or institutions.

It may aid to clear our view of this subject, if I present a slight sketch historically of the part which religious influence has played among nations. Civilization begins when brute

force ceases to rule, and the warrior is subjected to the civilian. In China perhaps this was effected by the ascendancy of mere moralists over the State, without any strictly religious development; but the result was, even more emphatically, that the State had the cognizance of morality, and became the moral teacher as well as enforcer. Every where else, in all the great civilised powers, we find religion to identify itself with civilianism, and to become so incorporated with the magistracy and laws as to appear to dictate the whole constitution. In fact, it must have been a struggle between the men of the sword and the men of mind,—or between a ruling family on the one hand, and a combination of civilians and warriors on the other,—which resulted in a compromise, by which the sword ruled under sanction of religious law. But we have seldom any history of the earliest stage. One thing only I here assert and press,—that, as a fact, whether we approve it or not, whether we like it or not, in the whole earlier stage of humanity,—I mean down to the Christian era,—we know no instance in which a religion produced moral results, or any results but such as we must deplore, except in so far as it acted upon and through civil institutions; imparting to them solemnity and permanence, curbing alike despotism and anarchy, making law moral, and investing judicial sentences with power over the conscience. Out of this sprang, and always will spring, the greatness of nations, even when the theory of the religion is disfigured by antiquated fable and impure blots.

But the dispersion of the Jews, and the Christianity which followed, opened a new phase of human existence. A phenomenon came forth, known previously in the far East, but unparalleled in the West,—a religion appealing to individual conviction, and propagated by individual energy, through many countries, in spite of resistance and persecution from the civil power. As to certain broad facts concerning this great movement there can be no mistake. The Roman aristocracy, which conquered the Western world, had disorganized itself by plunder and by civil war, which ended in a military

despotism, so complete within, and so uncontrolled without, as to become wildly immoral. During the monstrous rule of the three emperors, Caius Caligula, Claudius, and Nero, Christianity put forth its first and most signal efforts. The first churches looked out upon a civil power, which seemed to be made of iron and clay, without heart or conscience ; a power as unsusceptible of Christian conversion as behemoth or leviathan. Sacrifice and incense, if offered only to Jupiter Best and Greatest, might perhaps have been interpreted as to the True Jehovah ; but when incense to the images of the Cæsars, deceased and living, was the symbol of loyalty, and as it were the oath of office,—when persecution and death was inflicted on those who refused the test,—the Christian churches, from the time of Nero onward, not only despaired of such a civil power, but pictured it as a hideous and fierce beast, and impatiently expected its destruction by fire from heaven. To coalesce with it was “to worship the beast and his image,” and involved an impious dereliction of the faith. The hostility thus kindled generated worse distrust, and before long, wider persecutions. Christ did not return in the clouds of heaven, at the time they expected him, to overthrow these incurable iniquities by flaming fire ; but the despotism decayed by its own misrule, and the Goths from the Danube and the Black Sea began their terrible inroads. At last appeared a prince on the throne of the Cæsars who sought the alliance of the Christian churches, then already consolidated into a powerful organization. From that day the views, the policy, the aspiration of the Church was changed ; and a second era began.

In this first era, which alone is regarded by many Protestants as the time of the Church’s purity, will any one assert that the impurity of the State was no calamity to the Church ? We cannot read the apostolic epistles without seeing what scandalous immoralities were liable to break out in those who were received as saints. The energy of Christian conviction to rescue men out of vice and crime was sometimes wonderful,—then, as in later ages ; but to make deep spiritual impres-

sions abiding is of all mental tasks the hardest. Habit is the ever-plodding tortoise which wins the race while the hare is asleep. Oh, how great the misery to a struggling human soul to have been reared in profligacy and recklessness of right! Moreover, he who seemed to be rescued from it by repentance and faith was not only open to the insidious re-approaches of old habit; he also of necessity worked and lived with old companions, was surrounded by reminiscences of his old offences, and by all the old solicitations. Where the public institutions favour vice and crime, and almost enforce it, how many of us will remain untainted? To touch pitch, and not be defiled; to walk through fire, and not be burned; to live in the midst of every thing immoral, and maintain a conscience void of offence; to be subject to an unscrupulous and exacting superior, and behave to him with modesty and dutiful boldness, performing all his rightful commands, and refusing his unrightful,—is a task rather for an angel than for a man. Now let me ask: If we are truly religious men—I care not under what name,—if those whom I address are a religious church, what greater calamity from without could befall you *as* a religious body, *in* its religious hopes and aims, than if some evil demon could suddenly turn the civil institutions of our England into those of Nero's Rome? Oh, what a thing it is for our own moral and religious life to have no slavery among us! What a thing to have fixed law and fair juries, a police which cannot plunder and torture, magistrates who cannot arrest without cause, judges who cannot be terrified by power, soldiers who are restrained by civil law, and a law which is enforced equally upon all ranks! What a thing it is that impurity dares not to obtrude itself in full glare, usurping art, invading literature, penetrating into public religion, and dislocating family relations! Is it a fond fancy of Englishmen that it is characteristic of their nation to love fair play, to esteem truthfulness, to abhor hypocrisies and slanders, to uphold the rights of the weak, to disapprove all cruel extremes of punishment, all mere vindictiveness, all making of oneself judge in one's own cause? If in any of these things our boasts are justified,

we owe these good qualities to the laws of the land. Let us not deceive ourselves. The best foundations of our moral character come to us as a gift from our predecessors, who have elaborated our civil institutions. Very imperfect we are ; but the majority of us would be far worse if the laws of England were worse ; and if we desire a purer and nobler morality to be wider spread and more permanent, we must desire and seek the removal of all those public regulations and customs which are experienced to be corrupting ; we must aid every movement towards a purer condition of the whole social state.

But what did the Christian Church in her second age ? Of course, her bishops, before often haughty and overbearing, became now, equally often, ambitious and worldly, bent on aggrandizing in wealth and power the religious community from which their greatness sprang. I have no thought at present to attack nor to palliate this conduct. But, measure their evil as you please, of their good we now reap the fruits ; *precisely because* they fundamentally abandoned the original limitation of Christian effort, and embraced the institutions of this world in the sphere of the Church's action. To the apostles' eyes the saints were nothing but an elect remnant, snatched *out of* an evil world which was soon about to be destroyed by fire. They laboured for to-day, not for a morrow which might never come. They tried to relieve the poor, but not to remove the causes of poverty ; to rescue the vicious, but not to extirpate the social roots of vice ; to comfort and teach the slave, but not to overthrow slavery ; to defy evil law and wicked governors, but not to displace and replace them. Their whole action was upon individuals, not upon society : it was palliative, not radical ; and hence its benefit was in many great countries of the world temporary only, and barely touched a fraction of the people. The Christian Church of the fourth century had built up its theoretic creed out of a mosaic of biblical texts, commented on in the spirit alternately of a Rabbinit and of a Neo-Platonist. But if on the side of the creed it manifested a weak understanding, yet in its eccle-

siastical action it used the freest judgment, never tying itself down to the precedent or precepts of apostles who lived in a world differently circumstanced ; but it undertook to remould the State, to infuse a new spirit into law, and claim the whole realm of the magistrate as the domain of the Church, that is, of Christ and of God. So long as the Church was morally higher than the State, the ambition of churchmen, however grasping and occasionally unscrupulous, was on the whole, of course, an immense benefit : and in that period of six or seven centuries, while barbarous invasion or riotous internal conflict tormented nearly all Europe, the Church in superadding her sanction to law and social institutions infused somewhat of broadly humane and moral aims. Those ecclesiastics assuredly made a great many mistakes, as fallible men will, and sowed much tare with their wheat. Judge their evil as severely as you choose, it will nevertheless remain true that we owe to them the moral reorganization of the State,—a basis on which fresh and fresh growths of good take place and shall take place.

We Protestants are too accustomed to think solely of the later stage of this history. We think of the Romish clergy as jealous of the cultivated laity, as animated by a narrow idolatry of church power, as claiming for churchmen an impunity of crime, crushing freedom among the clergy themselves, distorting or debauching society by monkery, nunnery, clerical celibacy, and auricular confession ; in short, sacrificing moral ends to ecclesiastical glorification : finally, as convulsing Europe with war, and rending States with civil contention, in order to uphold a worn-out creed and the preposterous claims of a foreign priest. I name all this, lest, being unknown to many who hear me, I may seem to overlook, to doubt, or to defend it. I do not. But while I reprobate the *evil* ambition of Rome, and very much beside, I nevertheless defend, approve, and thank that *good* ambition, with which at an earlier time she made it a religious effort to improve the public institutions of barbarous Europe.

In the most far-going and active Protestantism the very same tendency appeared, as in Calvin, in Knox, in the Puritans. All of these regarded it as a first object of importance

with the religious man to make the institutions of the State virtuous ; and much permanent benefit, it is universally agreed, has remained from this to Scotland and to New England. The rock on which they all split is only too notorious. They identified *Virtue* with their own private creed, instead of interpreting it from the most highly developed conscience of men and nations. They tried to enforce what cannot be enforced, and limit what cannot be limited, measuring all minds by their own, as though they had the infallibility against which they rebelled. Reaction and indignation was sure to follow, from those reared in their own bosom. It began among us with the sects of the Independents and Quakers, and with the writings of Locke ; it has been reinforced from the school of Bentham : and now, from hatred of Established Churches, and dread of Over-legislation and Communism, the error spreads wide, that the State *can do little*, and is not bound to do *any thing*, for moral improvement ; and that the business of religious men, and religious communities as such, is not at all to act upon or through the public institutions.

But does any one seriously believe that the State can do little, or rather does not at present do much, for moral interests ? What if it were to sanction polygamy ? Must we go to the Mormons, or to the universally decaying Mohammedan powers, to ask the probable consequences ? If it threw open the trade of gambling, betting-houses and lotteries, have the churches so much spare energy, kept in reserve, that they could counteract the demoralizing influences which are now pent up ? Indecent and corrupting exhibitions or gatherings, which evade the existing law, are at present believed to perpetrate much moral mischief in our great towns. And if you duly consider how willing a fraction of mankind is to enrich itself by acting the tempter and promoting vice, can any of you doubt how grave an addition to our existing vice would be caused, if every vile man were allowed by law to thrust upon our children such sights and sounds as more mature years know to poison the fountains of youthful peace, innocence, and love ? In the year 1830, grave statesmen and economists talked learnedly on the

efficacy of free-trade in beer to promote sobriety. Free beer-houses were established by the consent of both sides of Parliament ; but in four years' time a select committee of the Commons, likewise composed of both sides of the House, judicially pronounced that a flood of vice had been set loose by the measure. Several select committees of both Houses have since declared themselves on the subject, always confirming this fact; yet it pleases the larger part of the press of England to shut its eyes, and pretend that the State can do nothing for morality. If time allowed, it would not be difficult to show, in numberless ways, how the action of public law is either a depraving or an improving influence. That we often are not aware of this, is a result, and in part a means, of its very efficacy. As a child has all its habits determined for it by the rules of the family, and moves in leading-strings unawares, so is it largely with the nation that has once become accustomed to the regulations of State. Habit is the great regulator of conduct, and hereby of morality. The atmosphere which we are ever breathing, without observing it, is the main source of health or of sickness.

But let me ask, how have the voluntary churches and solitary individuals in these later days rendered their good permanent to society? As far as I am aware, the earliest philanthropist of Protestant times was William Penn the Quaker. Of State-Churches he disapproved; but his celebrity for doing good on any large scale must surely rest on his public laws and institutions in Pennsylvania. In the next century John Howard, the visitor of prisons, was the most celebrated philanthropist. Of how little comparative avail would his career have been, if he had merely relieved the sufferings of individual prisoners! His real efficacy was through the political authorities, by stimulating them to improve the public regulations; and through this, he is a benefactor of Europe down to the present moment. So, again, the great religious movement of Wesley and Whitfield was not a mere reform in private life, but marked its moral success in public law, its effect on which is left permanently in regard to fairs, wakes,

revels, and other public gatherings, once sources of demoralization, of which many are now suppressed, others are chastised. Once more, the greatness of Clarkson and Wilberforce as philanthropists does not rest on their charities in private life, but on the extinction of West-Indian slavery and the overthrow of public lotteries. The labours of the philanthropist seem always to find their legitimate goal in the amelioration of public institutions ; for so only is the evil against which he is warring brought to its minimum. Bad institutions, acting on the less developed and imperfect minds, generate mischief far more rapidly than any argument of reason or of pure religion can check it. The further moral progress of mankind is to be looked for by regulations which hinder the corruption of the weak and ignorant by the cunning, the covetous, and the lustful. To make a trade of corruption is the highest of all offences against the social union. In proclaiming this, I utter no new political doctrine, but one ever avowed in England, and confirmed by many laws which are in daily active life. Yet the doctrine needs, I think, to be made more prominent to the conscience of the nation, and to be more pressed on the religious, as a clue to their own duties. In the last thirty or forty years we have become acquainted with that phrase, "the dangerous classes;" we have learnt that there is within our nation another nation, separated from it mentally, morally, religiously,—a nation of criminals born from criminals, living chiefly on plunder,—barbarous in the midst of civilization. Many self-denying efforts have been systematically made by Ragged Schools and Town Missionaries to reach this population. If I were competent to measure, yet this is no place to measure, the amount of good thus effected, and how far it keeps pace with the progress of the evil. But to me it seems perfectly clear, that the State has no right to expect the diseases of its body to be removed year after year by the zeal of private philanthropy ; and that the rightful result of these efforts is, that those at whose sacrifice they are made should prevail with the public authorities to *prevent* the evils in an earlier stage. After it has been shown (and I think it

has already been shown) what is the utmost which voluntary zeal can effect, it becomes clearer what the State must undertake. Two causes, it is notorious, chiefly, if not solely, generate "the dangerous classes"—*seduction of women, and the retail trade in intoxicating drink*. Hence it is clear in what direction the State has, *in the first instance*, to move, in order to counteract the evil.

Very few indeed of us can take up (what I may call) the profession of philanthropy; the rest of us are perhaps apt to think that they fully do their part, if, having found some agency to which they can trust, they support it by one or more annual guineas. That is all well and right in itself; but if the agency is only palliative, if it aspire only to cure partially, not to prevent evil, something earlier remains to be done, and it must be done by the civil community itself

This truth was discerned by the founder of one other philanthropic movement, which proved wholly abortive, through the enormous errors mingled with it; nevertheless its moral strength was derived from its firm grasp of a truth which the opposite schools were holding every day more loosely; the doctrine that *man cannot be perfected in isolation*; that his social union has a higher object than that of the market; that his virtue, feeble in the individual, becomes strong by mutual support; that in proportion as we are immature, our will is puerile, and we are the creatures of our circumstances; and that it is the proper business of the local civil community to promote the training of all to industry and to virtue. I allude to the late Robert Owen of Lanark, the founder of English Socialism, a true philanthropist (I believe) in heart, though his public schemes were impossible, and his moral theories all ill balanced, some of them monstrous. A part of his aims has been adopted by those who call themselves Christian Socialists, in whom it is easy to discern (side by side with very questionable opinions of another sort) a wholesome intensity of conviction that our nation is forgetting the duty of the State to use its vast power for moral good. Against us all, in every capa-

city, public or private, it is a fixed truth, that "Whosoever knoweth to do good and doeth it not, to him it is sin."

If plunder and fightings, fires and murder, abounded in our streets, we should cry aloud and protest to our magistrates and rulers, imploring more vigorous measures. Let us hope that some higher motive than selfish fear would inspire the protest. But alas, when the evil threatens not ourselves, but those who are morally weaker than we, our outcry is far too tranquil. If the daughters or sisters of others are seduced, if the families of others are ruined by the public solicitations to drunkenness, we are apt to think it is no case for our complaint. Yet surely to shelter the weak in mind from excessive temptation is as much a duty of society as to rescue the weak in body from attack ; and as to drunkenness it is a duty which the State, for four centuries and upwards, has deliberately and avowedly assumed. Let no religious churches fancy that God has reserved for them corporately an isolated and peculiar goodness. They are in great measure products of their age and nation, and partake of its evil. They cannot be made perfect without the surrounding community. If there is what Frenchmen call a *solidarity* between nation and nation, each partaking of the other's good, each in some measure afflicted by the other's evil, so that each is in some sense responsible for all,—much more is this true of the natives of the same country, members of the same State, dwellers in the same locality, partners in daily transactions or company. If the law acts well for *our* moral good, because *we* are strong, but works ill to our neighbours because they are weak ;—conduce as it may to the energy of the self-controlled, yet if it ensure a harvest of crime and debauchery under the windows of our happy homes, indeed it is a selfish and short-sighted principle in us to be contented and silent. England has long been heart-sick under a sense that religion has unduly been severed from the affairs of daily life. We long for a religion that shall be at once deep-hearted and practical. Whatever the professional politicians think or do not think, the nation at large is as weary of the personal questions which divide statesmen as of the theological quarrels on

which sects are founded. The nation is very competent to discriminate repartee from wisdom, malicious speech from earnestness of heart ; and out of the earnestness of its own heart has a natural right to claim that the moral welfare of the many shall never be sacrificed to the exchequer, nor to party. Nay, I will add, this is conceded and avowed on both sides by those who declare themselves to be party-men. Hence, without a struggle to dislocate existing entanglements, the moral earnestness of the religious unions of this nation, when it joins in one prayer, has forthwith a great, a mighty force with Parliament and with the Throne. The claim rising from us all, that the authorities, central and local, armed by the law, shall put down public solicitations to corruption, and shall thereby help us and those weaker than some of us to avoid ruinous vice, will never be mistaken for ecclesiastical ambition or democratic disaffection. There is therefore a real and great power resting in the churches, just in proportion to their moral simplicity and earnestness,—a power which they cannot innocently disuse. All that is needful is, that they shall speak from the *heart* of all good men, not from their own private *heads*, and plead with the organs of the State for that virtue on which we all agree, not for that theology on which we so deeply differ. This is reasonable ; for the State belongs to us in common, and no man or sect may claim to work it for private ends. This also is on the side of spiritual advancement ; for the higher the morality of the nation, the better material it affords for a truly spiritual church. Oh, what a day, worth living for and worth dying for, that would be, in which all the good and pure-hearted should coöperate to abate every palpable immorality of the land ! The common action would teach them a common esteem. Their unwise animosities would drop off. Cultivating simplicity of eye, they would find their whole souls full of light ; and without proselytisms, controversies, or heart-burnings, a new and real reformation would be begun.