

time enough for the rightful purposes of civil government for its officers to interfere when principles break out into overt acts against peace and good order."—*Jefferson*.

"In these two sentences is found the true distinction between what properly belongs to the Church and what to the State.—*United States Supreme Court in the Reynolds case*.

"The rights of conscience we never submitted, we could not submit. We are answerable for them to our God. The legitimate powers of government extend to such actions only as are injurious to others. * * *

Constraint may make him worse by making him a hypocrite, but will never make him a truer man. It may fix him obstinately in his errors, but will not cure them. Reason and free inquiry are the only effectual agents against error."—*Jefferson's Notes on Virginia, p. 169*.

"Those that are seditious, murderers, thieves, robbers, adulterers, slanderers, &c., of whatsoever church, ought to be punished and suppressed. But those whose doctrine is peaceable, and whose manners are pure and blameless, ought to be upon equal terms with their fellow subjects."—*John Locke's Works*.

Prosecution and Persecution.

"If such arguments are to pass current, it will be easy to prove that there was never such a thing as religious persecution since the creation. There never was a religious persecution in which some odious crime was not, justly or unjustly, said to be obviously deducible from the doctrines of the persecuted party. We might say that the Cæsars did not persecute the Christians, that they only punished men who were charged, rightly or wrongly, with burning Rome, and with committing the foulest abominations in secret assemblies; and that the refusal to throw frankincense on the altar of Jupiter was not the crime but only evidence of the crime. We might say that the massacre of St. Bartholomew was intended to extirpate, not a religious sect, but a political party. For, beyond all doubt, the proceedings of the Huguenots, from the conspiracy of Amboise to the battle of Moncontour, had given much more trouble to the French monarchy than the Catholics have ever given to the English monarchy since the Reformation; and that too with much less excuse.

"The true distinction is perfectly obvious. To punish a man because he has committed a crime, or because he is believed, though unjustly, to have committed a crime, is not persecution. To punish a man, because we infer from the nature of some doctrine which he holds, or from the conduct of other persons who hold the same doctrines with him, that he will commit a crime, is persecution, and is, in every case, foolish and wicked. * * *

But to argue that because a man is a Catholic, he must think it right to murder a heretical sovereign, and that because he thinks it right he will attempt to do it, and then, to found on this conclusion a law for punishing him as if he had done it, is plain persecution. * * * Man, in short, is so inconsistent a

creature that it is impossible to reason from his belief to his conduct, or from one part of his belief to another. * * *

"Let it pass, however, that every Catholic in the kingdom thought that Elizabeth might be lawfully murdered. Still the old maxim that what is the business of everybody is the business of nobody, is particularly likely to hold good in a case in which a cruel death is the almost inevitable consequence of making any attempt.

"Of the ten thousand clergymen of the Church of England, there is scarcely one who would not say that a man who should leave his country and friends to preach the Gospel among savages, and who should, after laboring indefatigably without any hope of reward, terminate his life by martyrdom, would deserve the warmest admiration. Yet we doubt whether ten of the ten thousand ever thought of going on such an expedition. Why should we suppose that conscientious motives, feeble as they are constantly found to be in a good cause, should be omnipotent for evil?"—*Macaulay's Essay on Hallam*.

"The constitution, it is said, is essentially Christian; and therefore to admit Jews to office is to destroy the constitution. Nor is the Jew injured by being excluded from political power. For no man has any right to power. A man has a right to his property; a man has a right to be protected from personal injury. These rights the law allows to the Jew; and with these rights it would be atrocious to interfere. But it is mere matter of favor to admit any man to political power; and no man can justly complain that he is shut out from it.

"We cannot but admire the ingenuity of this contrivance for shifting the burden of the proof from those to whom it properly belongs, and who would, we suspect, find it rather cumbersome. Surely no Christian can deny that every human being has a right to be allowed every gratification which produces no harm to others, and to be spared every mortification which produces no good to others. Is it not a source of mortification to a class of men that they are excluded from political power? If it be, they have, on Christian principles, a right to be freed from the mortification, unless it can be shown that their exclusion is necessary for the averting of some greater evil. The presumption is evidently in favor of toleration. It is for the prosecutor to make out his case.

"The strange argument which we are considering would prove too much even for those who advance it. If no man has a right to political power, then neither Jew nor Gentile has such a right. The whole foundation of government is taken away. But if government be taken away, the property and the persons of men are insecure; and it is acknowledged that men have a right to their property and to personal security. If it be right that the property of men should be protected, and if this can only be done by means of government, then it must be right that government should exist. Now there cannot be government unless some person or persons possess political power. Therefore it is right that some person

or persons should possess political power. That is to say, some person or persons must have a right to political power.

"It is because men are not in the habit of considering what the end of government is, that Catholic disabilities and Jewish disabilities have been suffered to exist so long. We hear of essentially Protestant governments and essentially Christian governments, words which mean just as much as essentially Protestant cookery, or essentially Christian horsemanship. Government exists for the purpose of keeping the peace, for the purpose of compelling us to settle our disputes by arbitration instead of settling them by blows, for the purpose of compelling us to supply our wants by industry instead of supplying them by rapine. This is the only operation for which the machinery of government is peculiarly adapted, the only operation which wise governments ever propose to themselves as their chief object. If there is any class of people who are not interested, or who do not think themselves interested, in the security of property and the maintenance of order, that class ought to have no share of the powers which exist for the purpose of securing property and maintaining order. * * *

"Nothing is so offensive to a man who knows anything of history or of human nature as to hear those who exercise the powers of government accuse any sect of foreign attachments. If there be any proposition universally true in politics it is this, that foreign attachments are the fruit of domestic misrule. It has always been the trick of bigots to make their subjects miserable at home, and then to complain that they look for relief abroad; to divide society, and to wonder that it is not united; to govern as if a section of the state were the whole, and to censure the other sections of the state for their want of patriotic spirit. If the Jews have not felt towards England like children, it is because she has treated them like a stepmother. There is no feeling which more certainly develops itself in the minds of men living under tolerably good government, than the feeling of patriotism. Since the beginning of the world, there never was any nation, or any large portion of any nation, not cruelly oppressed, which was wholly destitute of that feeling. To make it therefore ground of accusation against a class of men, that they are not patriotic, is the most vulgar legerdemain of sophistry. It is the logic which the wolf employs against the lamb. It is to accuse the mouth of the stream of poisoning the source.

Rulers must not be suffered thus to absolve themselves of their solemn responsibility. It does not lie in their mouths to say that a sect is not patriotic. It is their business to make it patriotic. History and reason clearly indicate the means. The English Jews are, as far as we can see, precisely what our government has made them. They are precisely what any sect, what any class of men, treated as they have been treated, would have been. If all the red-haired people in Europe had, during centuries, been outraged and op-