

of the septennial bill, and, in short, in every measure subversive of liberty. M. Peyronnet makes his son, his sister, and all his relations give him the title of *votre grandeur*.

Frayssinous has given ample protection to the Jesuits. He has suffered them to get possession of the schools, of the churches, and lastly of private houses; he has deprived many professors and schoolmasters of their situations; openly persecuted the system of mutual instruction, and used every possible means to perpetuate ignorance and disseminate fanaticism. His functions are of the most important kind; they include education and religion: is it to be wondered at that no man who wishes well to France or to human improvement can see them in the hands of the bishop of Hermopolis without disgust and dismay?

We ought now to apologize for the immoderate length of our article. It has far exceeded our own expectations; but our excuse is this—we wished to present our readers with an accurate sketch from this melancholy and despicable picture of political depravity and shameful misgovernment. We found that the selections of two or three portraits would not suffice; they might be chosen with partiality. Nay, we may say with some pride, that we found that if we quoted detached incidents, and commented on what we did not quote with the scorn and indignation the work is calculated to excite, Englishmen would think the book a fable, or our comments national invective.

Nothing but the facts exhibited in a continued chain can show what has been going on in the government of France since the revolution; and how dreadfully the hopes of the friends of liberty have been betrayed in that country. Yet we look upon their condition now as fortunate compared to that which they enjoyed under Napoleon,—in the period of their frantic glory. They are at peace; they have nothing to dazzle, nothing to delude; they may at least see their disease, and endeavour to discover its causes and its remedy.

ART. VIII.—1. *Vindication of "The Book of the Roman Catholic Church," against the Reverend George Townsend's "Accusations of History against the Church of Rome."* By Charles Butler, Esq. 8vo. Murray. 1826.

2. *Vindiciæ Ecclesiæ Anglicanæ. Letters to C. Butler, Esq. comprising Essays on the Romish Religion, and Vindicating the Book of the Church.* By R. Southey, Esq. LL. D. 18mo. Murray. 1826.

WE intend, on the present occasion, as far as our limits will permit, to examine to the bottom the question of an Ecclesiastical Establishment, and more especially of the Church

of England, in its effect on religion, on morality, on the character and actions of the clergy, on learning, on education, and on government.

We think it proper to begin by distinctly stating our opinion, that an ecclesiastical establishment is essentially antichristian; that religion can never be safe or sound, unless where it is left free to every man's choice, wholly uninfluenced by the operation either of punishment or reward on the part of the magistrate. We think it proper to go even further, and declare, that it is not religion only to which an ecclesiastical establishment is hostile: in our opinion, there is not one of the great interests of humanity, on which it does not exercise a baneful influence.

We know well to what we expose ourselves, by the promulgation of these great truths, for such they appear to us, and such we trust we shall establish them to be, by evidence which cannot be resisted. The clergy have, by a long course of usurpation, established a sort of right to call themselves and their interests, by the most sacred names. In ecclesiastical language, the wealth and power of the clergy are religion. Be as treacherous, be as dishonest, be as unfeeling and cruel, be as profligate, as you please, you may still be religious. But breathe on the interests of the clergy, make them surmise discredit at your hands, and you are the enemy of religion directly; nay, the enemy of your God; and all the mischief which religious prejudice and antipathy, the poisoned, deadly weapon of the clergy, can bring down upon its victims, is the sure and necessary consequence of your sacrilegious audacity.

For protection against this spirit of persecution, strong and formidable to the present hour, we look to public opinion, daily approaching to the condition of a match for this once gigantic foe; and the strong line which we trust we shall be able to draw between the interests of a corporation of priests, and those interests of religion about which alone good men can feel any concern.

We desire also to be understood as disapproving an injustice of which clergymen have often great reason to complain, that of confounding the character of individuals with the corporation to which they belong. We have very many bad corporations, in which excellent men are included, and such is the case of the priestly corporation. But the question is not how many clergymen, from the influence of education, and the spirit of the community to which they belong, are, in their private relation, and taken individually, estimable men. You may take a number of men, one by one, all virtuous and

honourable, who yet, if you club them together, and enable them to act in a body, will appear to have renounced every principle of virtue, and in pursuit of their own objects will trample, without shame or remorse, upon every thing valuable to their fellow men.

We proceed upon the principle that men desire power, that they desire it in as great quantity as possible, and that they do not desire it for nothing. Men do not strive for power, that it may lie in their hands without using. And what is the use of it? The answer is plain. It is to make other men do what we please: to place their persons, their actions, and properties, to as great an extent as possible, at our disposal. This is known to be one of the strongest propensities in human nature, and altogether insatiable.

The ministers of religion are not less subject to this passion than other men. They are cited, proverbially, as an example of it in excess.

When acting singly, each confined to his own congregation, to the small circle of individuals to whom personally his ministry can extend, the quantity of power a minister of religion can derive from his influence over the minds which he directs, is too small to prompt him to hazard much for its acquisition. No inordinate thirst for power is excited, and any perversity either of doctrine or of conduct, attempted for that end, is observed too closely to escape detection. It is only on the large scale that success can attend those mischievous machinations. Whatever motives can operate upon a minister of religion, to be of use to his flock, as an example and monitor of good conduct, retain in the natural sphere their natural force, unchecked by the appetites which the prospect of acquiring an extensive command over other men regularly engenders.

When the whole, or the largest class of the ministers of religion, are aided by the magistrate in forming themselves into a body, so constituted as to act with united power, they become animated by the spirit which predominates in the leading men. This is a fact too certain to be disputed, and of which the causes are too obvious to require illustration. The spirit which predominates in the leading men is generated by the circumstances in which they are placed, the power immediately conferred upon them, and the prospect of increasing it without limits, by the means which they have at their disposal. That they will be actuated by the desire to make use of those means to the utmost, is a proposition which the history of human nature enables us to assume as undeniable. The man who would question it, is unworthy of an answer.

The great results, which spring from the combination of motives and powers, thus generated, is the subject to which the present article will be devoted; and it is of an importance to justify a call for the best attention of our readers, and for a calm and unprejudiced consideration of the evidence which we have to adduce.

The peculiarity of the case of an incorporated clergy arises from the peculiarity of the means they have to employ. In the ordinary case of power, the influence over men's minds is the effect of the power. The power exists first, and the influence follows. In the case of clerical power, this order is inverted; the influence comes first, and the power afterwards. The power is the result of the influence. The influence, therefore, is to be acquired in the first instance, and the greater the degree in which it is acquired, the greater the power which is the darling object of pursuit.

The first result which we shall mention, of this pursuit by the clergy, of influence over the minds of their countrymen, is the desire of the monopoly of that influence. They are naturally actuated by their thirst for influence to prevent all competition with themselves in obtaining it. Just in so far as they expect great consequences from possessing it perfect and undivided, so great must be their fears of having it shared, or lost, by the success of rivals. Rivals not only threaten them with the partial, or total deprivation of that which they desire to occupy entire; but they bring the immediate not the problematical evil, of a great disturbance of ease. Without rivals a clergy can with little trouble possess themselves of the minds of their countrymen. They can riot in power and ease at the same time. To maintain their influence in competition with others, trouble must be taken at any rate. Diligence must be used, and that incessant. Vigilance must never go to sleep. Industry must never relax. But a life of labour and care is a very different thing from a life of security, indolence, and repose.

Nor is this all: sacrifices of another sort are required, by the competition with rivals. Abstinence, self-denial, and mortification are found to be powerful means of establishing a spiritual influence on the minds of men. Rivals, in order to be successful, have recourse to those means; and the corporate clergy, in order not to be supplanted, are obliged to maintain themselves by the same painful expedients. Instead of pleasure enjoyed in all its shapes, and credit derived from the display of it, they must practise all the appearances, and, for the sake of the appearance, much of the reality, of its renunciation.

It thus appears, that almost every thing which is alluring to the mind of man, in actual power and pleasure, every thing which is dreadful to it in weakness, privation, and pain, urge and impel a corporate clergy to labour for the extinction of rivals.

How steadily they have obeyed this impulse, their history declares. Of their expedients for the accomplishment of their object, the first and most conspicuous is, their application to the magistrate for the powers of persecution.

It is not required for the present purpose that we should exhibit the persuasions they applied to the magistrate,\* to bring him to believe that it was for his interest to lend to them his power for the extermination of their rivals. That would be an instructive, but a voluminous exposure. What we can here attempt is, only to exhibit evidence, first, of their eager endeavours for this unrighteous end, and secondly, of the consequences which flowed from them.

It is not probable that we shall be very importunately called upon for evidence of the persecuting endeavours of the Catholic church, through its various ages, from the time when the first Christian emperor declared himself in favour of a particular class of priests, down to the consummation of their power, first, in the extirpation of all competitors for the spiritual dominion in Christendom, and secondly, in the hold which, through that spiritual dominion, they obtained over every other power, wielding at pleasure the arms and the wealth of almost every Christian community. What we shall adduce will be such hints merely as are calculated to awaken the recollection of our readers.

No time was lost. The first sovereign who protected the Christians was scarcely seated on his throne, when a fiery contest arose between the clergy of the Arian and the Athanasian creeds, for the possession of his ear. The Council of Nice, a memorable event, was summoned to determine the point, in other words, to satisfy the sovereign fully, which party, by its numbers and powers, it was most for his interest to join. The question was doubtful, and the balance for some time wavered. When the decision at last was made, and the

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\* A specimen of them appears in the tythe case of Charlemagne:—"His esteem for the piety and knowledge of the clergy tempted him to intrust that aspiring order with temporal dominion and civil jurisdiction; and his son Lewis, when he was stripped and degraded by the bishops, might accuse, in some measure, the imprudence of his father. His laws enforced the imposition of tythes, because the demons had proclaimed in the air that the default of payment had been the cause of the last scarcity."—*Gibbon*, chap. xlix.

Athanasian clergy became a distinguished body, with the power of government engaged for their support, what were the consequences? Even the cold narrative of Mosheim conveys a pungent sense of the zeal with which they proceeded to deliver themselves from all competition, in obtaining influence over the human mind; their rage to establish a monopoly of spiritual dominion; to accomplish the extermination of rivals. Persecution flamed; blood was spilt; the non-conforming clergy, that is, non-conforming to the will of the leading divines, who now shared in the powers of government, were forbidden to teach: as often as they hazarded disobedience, they were thrown into prison, and subjected to other cruelties, not stopping short even of death.

And above all things, great pains were taken to destroy their books.

This was a capital point. Books were the most dangerous, and of course the most hated enemies, of a monopolizing clergy. No truths, not for their advantage; no exposure of lies which were; therefore no books but their own.

Their strong and persevering purpose proved fatally effectual to its end. Of all the sects of Christians which appeared in the early centuries, the books, which are known to have been exceedingly numerous, were so completely extirpated, that a vestige of them scarcely remains; and it is with difficulty that a few scattered evidences can be collected of what those early and persecuted sects of Christians either believed or practised.

Not only was all evidence of what they really were almost wholly obliterated, but their memory has been handed down to execration, by general accusations of the most disgusting vices, and the most atrocious crimes. Nor was it till the era of the Reformation, that some enlightened Protestants, beginning to ask what evidence was afforded of these imputed atrocities, disgraceful not only to professing Christians, but to human nature itself, discovered, to their infinite surprise, that there was no such thing: that of the little we really know of the ancient heretics, almost every thing goes to the disproof of the horrid accusations transmitted by the orthodox clergy, and tends to show, that both morality and learning were at a higher pitch among the heretics than among their exterminating enemies.

Of the tendency, of the frame and bent, of the clerical mind, the word heretic involves evidence which reaches not the head only, but the heart. The early church used the Grecian language, and the word heresy is Greek. Exactly, correctly, literally, it

signifies CHOICE. The crime of heresy, was the crime of making a CHOICE !

There was the consummation of the clerical dominion ! When it became execrable to make, and he became execrated who did make, a choice, that is, when the clergy might choose whatever other people were to choose, their power was thenceforward limited only by their will.

How their will operated, those of our readers who are the least acquainted with history, cannot stand in need of our information.

Not only did they give and take away crowns ; they boldly assumed that no crown could be righteously held, except at their discretion.

They subjected all Christendom to an enormous and destructive taxation for their own benefit ; having succeeded in the audacious attempt to persuade the magistrate, that because the Jewish tribe of Levi, which had no share in the holy land, had a tenth of its produce, the Christian clergy should have a tenth of the produce of the land of Christendom ; that is, as every man must eat his corn a tenth dearer, one tenth part, for their use, of every man's labour in Christendom.

Nor was this extravagant exaction the only source to them of inordinate wealth. They levied taxes to a great amount in other forms, and persuaded magistrates and others to bestow upon them gifts, till a great proportion of the land in every country in Christendom, in some a half, in few less than a third, was in ecclesiastical hands.

The most profound and successful of all the advocates of Christianity against the modern objectors, the venerable and virtuous Campbell, introducing his account of what he calls "the third grand expedient of the church, for securing the implicit obedience of her votaries, persecution," dates its commencement from the day and hour when "Constantine embraced the faith, and gave the Church a sort of political establishment in the empire ;" and he adds the following important reflections :—

"From the apologies of the fathers before that period, (so the defences of our religion written by them are named) it is evident, that they universally considered persecution for any opinions, whether true or false, as the height of injustice and oppression. Nothing can be juster than the sentiment of Tertullian, which was, indeed, as far as appears, the sentiment of all the fathers of the first three centuries. '*Non religionis est cogere religionem, quæ sponte suscipi debeat, non vi.*' And to the same purpose Lactantius, '*Quis impoñat mihi necessari-*

tatem vel colendi quod nolum, vel quod velim non colendi? Quid jam nobis ulterius relinquitur, si etiam hoc, quod voluntate fieri oportet, libido extorqueat aliena? Again, 'Non est opus vi et injuria; quia religio cogi non potest, verbis potius quam verberibus res agenda est, ut sit voluntas.' Once more, 'Longe diversa sunt carnificina et pietas, nec potest aut veritas cum vi, aut justitia cum crudelitate, conjungi.' Their notions in those days, in regard to civil government, seem also to have been much more correct than they became soon after. For all Christians, in the ages of the martyrs, appear to have agreed in this, that the magistrate's only object ought to be the peace and temporal prosperity of the commonwealth.

"But (such alas! is the depravity of human nature) when the church was put on a different footing, men began, not all at once, but gradually, to change their system in regard to those articles, and seemed strongly inclined to think, that there was no injustice in retaliating upon their enemies, by employing those unhallowed weapons in defence of the true religion, which had been so cruelly employed in support of a false: not considering, that by this dangerous position, that one may justly persecute in support of the truth, the right of persecuting for any opinions will be effectually secured to him who holds them, provided he have the power. For what is every man's immediate standard of orthodoxy but his own opinions? And if he have a right to persecute in support of them, because of the ineffable importance of sound opinions to our eternal happiness, it must be even his duty to do it when he can. For if that interest, the interest of the soul and eternity, come at all within the magistrate's province, it is unquestionably the most important part of it. Now, as it is impossible he can have any other immediate directory, in regard to what is orthodox, but his own opinions, and as the opinions of different men are totally different, it will be incumbent, by the strongest of all obligations, on one magistrate to persecute in support of a faith, which it is equally incumbent on another by persecution to destroy. Should ye object, that the standard is not any thing so fleeting as opinion: it is the word of God, and right reason. This, if ye attend to it, will bring you back to the very same point which ye seek to avoid. The dictates both of scripture and of reason, we see but too plainly, are differently interpreted by different persons, of whose sincerity we have no ground to doubt. Now to every individual, that only amongst all the varieties of sentiments can be his rule, which to the best of his judgment, that is, in his opinion, is the import of either. Nor is there a possibility of avoiding this recurrence at



last. But such is the intoxication of power, that men, blinded by it, will not allow themselves to look forward to those dreadful consequences. And such is the presumption of vain man (of which bad quality the weakest judgments have commonly the greatest share) that it is with difficulty any one person can be brought to think, that any other person has, or can have, as strong conviction of a different set of opinions, as he has of his.\*—Vol. ii. pp. 287–289.

This excellent writer then goes on to trace the progress of the evil.

“I proceed to show the advances which, from time to time, were made, till that system of persecution which, in a great part of the world, still obtains, was brought to maturity and established. For ages after the opinion first took place among Christians, that it was the magistrate’s duty to restrain heretics by the infliction of civil penalties, they retained so much moderation, as not to think that the punishment could justly extend to death, or mutilation, or even to the effusion of blood. But now that the empire was become Christian, there gradually arose in it diverse laws against this new crime *heresy*, which are still extant in the codes of Theodosian and Justinian, imposing on the delinquents fines, banishments, or confiscations, according to the circumstances, and supposed degree, of the delinquency. All that regarded the execution of those laws, the trial as well as the sentence, devolved on the magistrate. Only the nature of the crime, what was heresy or schism, was determined by the ecclesiastical judge. One step in an evil course naturally leads to another. The first step was made when civil penalties were denounced against particular opinions and modes of thinking. This may be considered as the first stage of the doctrine and practice of intolérance in the Christian church. Nor could anything be more explicitly, or more universally, condemned than this has been, by the fathers of the first three centuries, and several of the fourth. *Humani juris et naturalis potestatis est*, said Tertullian, in the beginning of the third century, *unicuique quod putaverit colere*; and Hilary of Poitiers, in the fourth, in opposition to those who favoured the interposition of the magistrate, *Deus cognitionem sui docuit, potius quam exegit, et operationum cælestium admiratione, præceptis suis concilians auctoritatem, coactam confitendi se aspernatus est voluntatem*. Again, *Deus universalis est, obsequio non eget necessario, non requirit coactam confessionem: non fallendus*

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\* Lectures on Ecclesiastical History, by George Campbell, D.D. Principal of Marischal College, Aberdeen.

*est sed promerendus, simplicitate quærendus est, confessione discendus est, charitate amandus est, timore venerandus est, voluntatis probitate retinendus est. At vero quid istud, quod sacerdotes timere Deum vinculis coguntur, pænis jubentur? Sacerdotes carceribus continentur?* Men's system of conduct may come, we see, to be totally reversed. But this is always the work of time. Every advance has its difficulty, and is made with hesitation. But one difficulty surmounted emboldens a man, and renders it easier for him to surmount another. That again makes way for the next, and so on till the change be total."—Vol. ii. pp. 293–295.

While the stupidity of the middle ages was still in its perfection, the fetters of the clergy upon the human mind were easily preserved from relaxation.

"For some centuries," says Dr. Campbell, "particularly the eighth, ninth, and tenth, remarkable for nothing so much, as the vilest superstition and grossest ignorance, and for insurrections, revolutions, and confusion, heretics and sectaries made but little noise, and were as little minded. With the revival of knowledge, even in its dawn, these also revived."—p. 299.

"All attacks upon received doctrines must ultimately affect the power by which they are established. But when the assault is made directly on that power, the fabric of church authority is in the most imminent danger. The aim of the former is only to make a breach in the wall of the edifice, but that of the latter is an attempt to sap the foundation. As we have seen all along that the darling object of Rome is power, to which every other consideration is made to yield, we may believe that attempts of this kind would excite a more than ordinary resentment. This, in fact, was the consequence: an unusual degree of rancour in the ecclesiastics, more especially in the pontiff and his minions, mingled itself with their bigotry or mistaken zeal (for it would be unjust to impute the effect to either cause separately), and produced the many bloody, and, till then, unexampled scenes of cruelty, which ensued. The popes, by letter, frequently excited the bishops as well as princes, the bishops instigated the magistrates, by all possible means, to subdue or exterminate the enemies of the church. When the number of these enemies was so great, that it was impossible to attain this end by means of judicatories, civil or ecclesiastical, princes were enjoined, on pain of excommunication, interdict, deprivation, &c., to make war upon them, and extirpate them by fire and sword. And in order to allure, by rewards, as well as terrify by punishments, the same indulgences and privileges were bestowed on them who engaged in those holy battles, and with equal reason, as had

been bestowed on the crusaders, who fought for the recovery of the holy sepulchre against the Saracens in the east."—Vol. ii. pp. 301, 302.

As the improvement of mind advanced, the need of efforts more and more strong, to crush the freedom of thought, produced at last the greatest monster which the world ever beheld ; Holy Inquisition ; the natural progeny, the legitimate offspring, reared to maturity, of priestly power engendering with magisterial ignorance ; a conjugal connection, usually denominated the alliance of church and state, which always produces children with a true family likeness, but has never produced another of such gigantic powers as the Holy Tribunal, of which Dr. Campbell says,

"It may not be improper to conclude our account of the origin of the Inquisition, with a few things in illustration of the spirit in which it proceeds, that every one may have it in his power to judge, whether the relation it bears to the spirit of Christ be denominated more properly resemblance, or contrariety. It is so far from following the rules of almost all other tribunals, where any regard is shown to equity, or the rights of human nature, that, in every respect, where the ecclesiastic power has not been checked by the secular, those rules have been reversed. The account is intirely just, as far as it goes, which is given by Voltaire of the Spanish Inquisition, and he might have added, of the Portuguese, for both are on the same model. 'Their form of proceeding is an infallible way to destroy whomsoever the inquisitors please.' And let it be observed, that they have strong motives for destroying a rich culprit, as their sentence of condemnation is followed by the confiscation of all his estate, real and personal, of which two-thirds go to the church, and one-third to the state ; so that it may be said, with the strictest propriety, that the judges themselves are parties, having a personal interest in the issue against the prisoner. 'The prisoners are not confronted with the accuser or informer.' Nay, they are not so much as told who it is that informs. His name is kept secret to encourage the trade of informing. And, surely, a better expedient could not have been devised for promoting this dark business, than by thus securing at once concealment and gratification, with impunity, to private malice, envy, and revenge. Further, 'there is no informer, or witness, who is not listened to. A public convict, a notorious malefactor, an infamous person, a common prostitute, a child, are, in the holy office, though no where else, creditable accusers and witnesses. Even the son may depose against his father, the wife against her husband.' The detec-

tion of the grossest prevarication in the delator and witnesses is hardly ever punished, unless with a very gentle rebuke : let it be observed, by the way, that to the profligate and abandoned they can be very gentle, for they dread above all things, to do aught that might discourage informers, spies, and witnesses. And that there may be no risk of a want of information, they have, in all parts of the kingdom, spies of all different qualities, who are denominated the familiars of the holy office, a place of which even men of high rank are sometimes ambitious, from different motives, some for the greater personal security, others because it empowers them to take a severe revenge on their enemies, and others, no doubt, because they think they do God good service. The wretched prisoner is no more made acquainted with his crime than with his accuser. His being told the one might possibly lead him to guess the other. To avoid this, he is compelled, by tedious confinement, in a noisome dungeon, where he never sees a face but the jailor's, and is not permitted the use either of books, or of pen and ink, or, when confinement does not succeed, he is compelled, by a train of the most excruciating tortures, ' to inform against himself ; to divine and to confess the crime laid to his charge, of which often he is ignorant.' An effectual method to bring nine-tenths of mankind to confess any thing, true or false, which may gratify their tormentors, and put an end to their misery. ' This procedure,' adds our historian, ' unheard of till the institution of this court, makes the whole kingdom tremble. Suspicion reigns in every breast. Friendship and openness are at an end. The brother dreads his brother, the father his son. Hence taciturnity is become the characteristic of a nation endued with all the vivacity natural to the inhabitants of a warm and fruitful climate. To this tribunal we must likewise impute that profound ignorance of sound philosophy, in which Spain lies buried, whilst Germany, England, France, and even Italy, have discovered so many truths, and enlarged the sphere of our knowledge. Never is human nature so debased, as where ignorance is armed with power.'

" In regard to the extent of power given to inquisitors by papal bulls, and generally admitted by the secular authority in those countries where the inquisition is established, I shall give the few following instances out of many that might be produced. First, it is ordered, that the convicts be burnt alive, and in public ; and that all they have be confiscated : all princes and rulers who refuse their concurrence in executing these and the other sentences authorized by the church, shall be brought under censure, that is, anathematized and excommunicated,

their states or kingdoms laid under an interdict, &c. The house, also, in which the heretic is apprehended, must be razed to the ground, even though it be not his, but the property of a person totally unsuspected. This ferocious kind of barbarity, so utterly irreconcilable to all the principles of equity, is, nevertheless, extremely politic, as it is a powerful means of raising horror in the ignorant populace, and of increasing the awe of this tribunal, in men of all denominations, who must consider it as extremely dangerous to have the smallest connection with any person suspected of heresy, or so much as to admit him into their houses. The Inquisitors are also empowered to demand of any person whom they suspect (and, for their suspicions, they are not obliged to give a reason), that he solemnly adjure heretical opinions, and even give pecuniary security that he shall continue a good Catholic. The court of Inquisition are also privileged to have their own guards, and are authorized to give licences to others to carry arms, and to enlist crusaders. One of Paul the 4th's bulls does not allow a reprieve from the sentence to one who, on the first conviction, recants his opinion, if the heresy be in any of the five articles mentioned in that bull. But what is, if possible, still more intolerable, is, that, by a bull of Pius the 5th, no sentence in favour of the accused shall be held a final acquittal, though pronounced after canonical purgation; but the holy office shall have it in their power, though no new evidence or presumption has appeared, to re-commence the trial, on the very same grounds they had examined formerly. This ordinance ensures to the wretch, who has been once accused, a course of terror and torment for life, from which no discovery of innocence, though clear as day, no judgment of the court can release him. Another bull of the same pontiff ordains, that whoever shall behave injuriously, or so much as threaten a notary, or other servant of the Inquisition, or a witness examined in the court, shall beside excommunication, be held guilty of high treason, be punished capitally, his goods confiscated, his children rendered infamous, and incapable of succeeding to any body by testament. Every one is subjected to the same punishment, who makes an escape out of the prison of the office, or who attempts, though unsuccessfully, to make it; and whoever favours or intercedes for any such. In these classes, persons of the highest rank, even princes, are comprehended.

“Every one must be sensible, that there is something in the constitution of this tribunal so monstrously unjust, so exorbitantly cruel, that it is matter of astonishment, that in any country the people, as well as the secular powers, would not rather have

encountered any danger, than have submitted to receive it. Nor can there be a stronger evidence of the brutish ignorance, as well as gross depravity of any nation, than that such a judicatory has an establishment among them."—Vol. ii. pp. 312-318.

These are specimens (for specimens are all which we can afford to present) of the evidence with which history teems, of the persecuting spirit of the first great incorporation of priests. The priestly incorporation called the Church of England stands next in power; and, as a natural consequence, next, also, in the ranks of persecution.

It is highly instructive to observe the circumstances, in which the English corporation of priests made their efforts to secure to themselves the monopoly of priestly influence on the minds of their countrymen, by their grand instrument, persecution.

They had just executed a successful revolt against the monopoly of their predecessors, and to effect this object had been obliged to destroy the foundation on which it principally rested, the claim of infallibility. The strong arguments by which the Catholics supported this claim, affirming that the credibility of revelation itself rested upon it, they had set at nought, denying that it was ever promised to his church by the Author of our religion, or that any man or set of men had ever given, or could give, satisfactory evidence of possessing it. They inferred, accordingly, that they had a right to impute error to the Catholic church, when they saw reason to do so, and to separate from her communion, when they deemed it unsafe to abide in it.

It is astonishing how completely, and immediately, they lost sight, or lost regard, of the inevitable conclusion, that, if they had a right, on the inference of error, to separate from the Church of Rome, others had as good a right, on the same inference, to separate from them.

The formula of words, made use of by the two parties, to give colour to their proceedings, was different, the proceedings themselves were essentially the same. We persecute, said the Church of Rome, because we are infallible, and know it is damnable to dissent from us.

We, said the Church of England, persecute, because that excellent order, which is called Uniformity, will be violated by dissenting from us.

The Catholics were infinitely more generous and consistent in their proceedings and arguments. We, said they, addressing themselves to the objects of their penal benevolence, know for certain that you will plunge yourself and others in eternal and inconceivable torments, unless we interpose.

What was the corresponding address of the English? We know not, they were obliged to say, we know not, at least not for certain, but you may be in the right, and we may be in the wrong: nevertheless, we think it good to bring you over to our opinion, by acting on your body, when we cannot succeed with your mind.

Allow the premises of the Catholic priest, his conclusion was indubitable, and persecution, on his part, the highest of all conceivable duties. Adhere to the premises of the English priest, and there is nothing in human conduct more atrocious than his proceedings.

What man is there, who owns human feelings, who, if he knew for certain that he could save a single fellow creature from everlasting torments, would not do so, by extinguishing the mere sublunary life, an instant, not of one man only, or a few, but of millions, nay of the whole human race? And how cheap would be the purchase!

From the doctrine on the other hand of the English priests; that no man is infallible, and hence that when two men equally sincere in their intentions, and perfect in their understandings, come to opposite conclusions, it is just as likely that one is right as the other, and certain that if one of them comes over to the opinion of the other, wrought upon by hopes and fears, pains and pleasures, or by any thing but the clear perception of evidence, he acts dishonestly and wickedly; it follows, that the English priests, in applying their pains and pleasures, hopes and fears, incur a double condemnation; first, in suborning this dishonesty; secondly, in risking the salvation of a fellow creature, who may himself have the saving belief, when they seduce him into damning error.

As the inconsistency and atrocity are glaring of persecuting any man for opinions without the gift of infallibility, the church of England has virtually assumed that she is infallible; disclaiming the assumption, as far as mere words go, but in ideas really and effectually maintaining it.

This was wittily expressed by a certain author, sir Richard Steele, if we mistake not, who said that the difference between the church of England and the church of Rome was this: The church of Rome *could* not be in the wrong; the church of England never *was*. The church of England is like the man of whom Erasmus jocosely said, that though not the pope, he had a pope in his belly.

It would require many more than our number of pages, to give the history, even in abridgment, of the persecutions done by the priestly incorporation in England. The whole of the

five volumes of Neal is but an imperfect record of them. We must content ourselves with selecting a few things as specimens.

Hardly was the authority of the church of Rome renounced, and a new order of things recognised in England, when diversity of opinion began to be felt, and consequent uneasiness manifested itself among the leaders of the clergy. The growth of opinions odious to those leaders was accelerated by the return of the sufferers, who driven into exile by the persecutions of Mary, had resorted to Geneva and the Protestant parts of France, and drunk in the doctrines of a Presbyterian or Republican form of church government among the zealous and comparatively learned and accomplished Reformists of those parts of the continent.

It was not long before the desultory efforts of the clergy for crushing this spirit were embodied in a grand organ, of which we are happy that it is not necessary for us to give the description in our own words. But we entreat our readers to bestow upon it a sufficient portion of their attention ; and to estimate coolly the weight of evidence which it involves.

Upon the death of Grindal, in 1583, the queen named to the primacy, Whitgift, a "zealous churchman," says Hume, "who had already signalized his pen in controversy, and who, having in vain attempted to convince the puritans by argument, was now resolved to open their eyes by power, and by the execution of penal statutes. He informed the queen that all the spiritual authority lodged in the prelates was insignificant without the sanction of the crown ; and as there was no ecclesiastical commission at that time in force, he engaged her to issue a new one, more arbitrary than any of the former, and conveying more unlimited authority. The jurisdiction of the court extended over the whole kingdom, and over all orders of men ; and every circumstance of its authority, and all its methods of proceeding, were contrary to the clearest principles of law and natural equity. The commissioners were empowered to visit and reform all errors, heresies, schisms, in a word, to regulate all opinions, as well as to punish all breach of uniformity in the exercise of public worship. They were directed to make inquiry, not only by the legal methods of juries and witnesses, but by all other means and ways which they could devise ; that is, by the rack, by torture, by inquisition, by imprisonment. Where they found reason to suspect any person, they might administer to him an oath, called *ex-officio*, by which he was bound to answer all questions, and might thereby be obliged to accuse himself or his most intimate friend. The fines which they levied were discre-



tionary, and often occasioned the total ruin of the offender, contrary to the established laws of the kingdom. The imprisonment to which they condemned any delinquent was limited by no rule but their own pleasure. They assumed a power of imposing on the clergy what new articles of subscription, and consequently of faith, they thought proper. Though all other spiritual courts were subject, since the Reformation, to exhibitions from the supreme courts of law, the ecclesiastical commissioners were exempted from that legal jurisdiction, and were liable to no control. And the more to enlarge their authority, they were empowered to punish all incests, adulteries, fornications; all outrages, misbehaviours, and disorders in marriage. And the punishments which they might inflict, were according to their wisdom, conscience, and discretion. In a word, this court was a real *inquisition*; attended with all the iniquities, as well as cruelties, inseparable from that tribunal.\*"

This must suffice, and well it may, as evidence of the passion for persecution which at that time distinguished the clergy. For their proceedings in detail we must refer to the proper authorities: to Neal, and the historians of the several sects; for in the general histories of England a most imperfect view of this interesting part of our story is to be obtained. It is well known that, in spite of all the persecution which could be applied, the spirit of the nation continued to rise, and rise the faster in consequence of that persecution, till the appearance of Laud. Of that man we have recently had occasion to speak. He is a prolific source of evidence, not only of the spirit of the clergy in his own age; but, selected as he has been, for the standard of a churchman to the present hour, of the spirit of the clergy in every succeeding age.

That he was a relentless persecutor, is saying little. With such an impetuous rage of persecution was he driven, that, undeterred by all that opposition which public opinion now obviously presented to him, he went on, recklessly, to raise the storm, in which the church and the monarchy were both levelled with the ground.

At the restoration of the monarchy (of the intermediate period it is not necessary for us to speak), the church was also restored; and with it, the spirit of persecution in its pristine vigour. To ensure the extinction of rivals the Act of Uniformity, that is, an act for the persecution of all dissenters from the established church, was passed in 1662.

"This act," says Hume, "reinstated the church in the same

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\* Hume's History of England, chap. xli,

condition in which it stood at the commencement of the civil wars.”\* What that condition was, in regard to powers and desires of persecution, the account just recited, of the Commission court, sufficiently testifies. “And,” continues Hume, “as the old persecuting laws of Elizabeth still subsisted in their full rigour, and new clauses of a like nature were now enacted, all the king’s promises of toleration, and of indulgence to tender consciences were thereby eluded and broken.” The following great historical fact is remarkable. “However,” adds the historian, “it is agreed that the king did not voluntarily concur with this violent measure, and that the zeal of Clarendon and of the church party among the commons, seconded by the intrigues of the Catholics, was the chief cause which extorted his consent.” Hume says, that the Catholics seconded the persecuting views of the church, because their hopes rested upon the wideness of the breach between the contending parties.

Even the Act of Uniformity did not satisfy the avidity of the clergy for means of extinguishing rivals. Two years afterwards, “it was enacted, that wherever five persons above those of the same household should assemble in a religious congregation, every one of them was liable, for the first offence, to be imprisoned three months, or pay five pounds; for the second, to be imprisoned six months, or pay ten pounds; and for the third, to be transported seven years, or pay a hundred pounds.”†

The most remarkable transactions of the reigns of the last two of the Stuarts were the persecutions, hardly surpassed for savage barbarity by any with which the page of history is stained, carried on for the establishment of episcopacy in Scotland. We have so recently had occasion to dwell upon these transactions, in our review both of Brodie’s History, and of Southey’s Book of the Church, that the evidence thence afforded of the persecuting spirit of the church of England, must be fresh in the recollection of our readers.

It is only further necessary, therefore, that we should shew by sufficient samples the spirit manifested by the priestly corporation in England since the epoch of the Revolution.

At the time of the Revolution a new order of things commenced. Not only was the government placed on a new foundation, but the sentiments of the nation assumed a new character. From that day the people regarded themselves as the arbiters of their own destiny. From that day they considered

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\* Hume’s History of England, chap. lxiv.

† *Ibid.*

the institutions of the country, civil and ecclesiastical, as made for them, and not them for the institutions. From that day the right of thinking, and of delivering their thoughts, both respecting government, and respecting religion, they assumed as their own; and spurned the advocates of slavery, who would rob them of that invaluable possession.

This spirit was nourished by the new government; which, being assailed, by the adherents of the old, with all the arguments which the obligation of being obedient to established power, solely because established, could by zeal and ingenuity be worked into, was under the necessity of defending itself by arguments drawn from the propriety of revolting against established power, whensoever an evil or the producer of evil, and from the concomitant and inseparable propriety of the people's deciding for themselves on the goodness or badness of every institution. This was the only solid ground on which the new government could be defended against the advocates of the old. And fortunate was the necessity which put such doctrines in circulation with all the influence of government to secure their diffusion and acceptance. Hence the sober and manly writings of Locke on the subject of government, laying the will and approbation of the people as its only legitimate foundation. And with the writings of Locke, those of many other eminent authors in a similar strain.

In such a state of the public mind, and such a state of the government, the disposition of the clergy to strive for the monopoly of the religious influence was obliged to manifest itself with great caution. In such circumstances the faintest indications are as valid proofs of the disposition, as the strongest displays when the power was all in their hands.

Our time will not admit of our ransacking the subsequent history to select the best illustrations. We must set down such particulars as a general recollection can supply.

The first great incident, as respects this subject, is the Act of Toleration. It is well known how imperfect, as an instrument for securing religious liberty, the Act of Toleration was; and how much it was necessary to pare the bill down for the purpose of gaining so many of the more moderate churchmen as to afford it a chance of passing. Yet Burnett informs us that on account of the share he had in forwarding this mutilated, this imperfect, this cramped, and mis-named liberty of conscience, he lost the confidence, and incurred the hatred of the church.

The last volumes of Burnett's history, from the accession of

William and Mary downwards, afford most remarkable evidence of the persecuting propensities of the English church. We recommend these volumes to the attentive perusal of our readers, as abounding with the most important information which is to be found in any part of our history. The different fortunes of the histories of their own times by Clarendon and Burnett, are a curious proof of the power which the clergy have hitherto possessed of misleading the public mind, and spreading false opinions favourable to themselves. The narrative of Burnett lets out many facts which tell against the clergy. That of Clarendon discloses none which it can conceal, and none without as thick a varnish, to hide their real complexion, as it is in his power to lay on. Burnett's is the superior production in every respect; in fidelity, in knowledge, in judgment, nay even in style. Yet admiration of Clarendon, with contempt of Burnett, was a fashion which the clergy contrived to set, and which up to this hour they have successfully maintained.

There are few men to whom this country is more indebted than to bishop Burnett. To him, perhaps, more than to any other man, it is owing, that the church party did not overwhelm the government of William and Mary (they were very near accomplishing it); when either a return to the preceding slavery of the nation, or a civil war, would have been the inevitable consequence. Fortunately the crown had the nomination of bishops; fortunately a sufficient number of vacancies took place, to give the crown a majority in the upper house of Convocation; and fortunately bishop Burnett was the most active, the most able, and the most eloquent man both in that house, and in the house of Peers; where, greatly by his means, the influence of the court still maintained an ascendancy, while that of the clergy carried every thing before it, in the lower house both of Convocation and Parliament.

We shall now exhibit some specimens of the evidence which the volumes of Burnett afford.

So early as the year 1689, the very year in which the Act of Toleration passed, he says, "The clergy began now to shew an implacable hatred to the nonconformists, and seemed to wish for an occasion to renew old severities against them. But wise and good men did very much applaud the quieting the nation by the toleration. It seemed to be suitable, both to the spirit of the Christian religion, and to the interest of the nation. It was thought very unreasonable, that, while we were complaining of the cruelty of the church of Rome, we should fall into

such practices among ourselves ; chiefly, while we were engaging in a war, in the progress of which we would need the united strength of the whole nation.

"This bill gave the king great content. He in his own opinion always thought, that conscience was God's province, and that it ought not to be imposed upon : and his experience in Holland made him look on toleration as one of the wisest measures of government. He was much troubled to see so much ill humour spreading among the clergy, and by their means over a great part of the nation. He was so true to his principle herein, that he restrained the heat of some, who were proposing severe acts against papists."—Vol. iv. p. 21.

Take another, a similar specimen in 1698 :—"All this while it was manifest, that there were two different parties among the clergy ; one was firm and faithful to the present government, and served it with zeal ; these did not envy the dissenters the ease that the toleration gave them ; they wished for a favourable opportunity of making such alterations, in some few rites and ceremonies, as might bring into the church those who were not at too great a distance from it ; and I do freely own that I was of this number. Others took the oaths, indeed, and concurred in every act of compliance with the government, but they were not only cold in serving it, but were always blaming the administration, and aggravating misfortunes ; they expressed a great esteem for Jacobites, and in all elections gave their votes to those who leaned that way ; at the same time, they shewed great resentments against the dissenters, and were enemies to the toleration, and seemed resolved never to consent to any alteration in their favour. *The bulk of the clergy ran this way, so that the moderate party was far out numbered.* Profane minds had too great advantages from this, in reflecting severely on a body of men, that took oaths, and performed public devotions, when the rest of their lives was too public and too visible a contradiction to such oaths and prayers."—Vol. iv. p. 411.

Also in 1700 :—"The toleration of all the sects among us, had made us live more quietly together of late, than could be expected, when severe laws were rigorously executed against Dissenters. No tumults or disorders had been heard of in any part of the kingdom these eleven years, since that act passed ; and yet *the much greater part of the clergy* studied to blow up this fire again, which seemed to be now, as it were, covered over with ashes."—Vol. iv. p. 474.

"The clergy continued to be much divided : all moderate

divines were looked upon by some hot men with an ill eye, as persons who were cold and indifferent in the matters of the church: that which flowed from a gentleness, both of temper and principle, was represented as an inclination to favour dissenters, which passed among many, for a more heinous thing than leaning to popery itself. Those men, who began now to be called the high-church party, had all along expressed a coldness, if not an opposition to the present settlement. Soon after the Revolution, some great preferments had been given among them, to try if it was possible to bring them to be hearty for the government; but it appearing, that they were soured with a leaven, that had gone too deep to be wrought out, a stop was put to the courting them any more. When they saw preferments went in another channel, they set up a complaint over England of the want of convocations, that they were not allowed to sit nor act with a free liberty, to consider of the grievances of the clergy, and of the danger the church was in. This was a new pretension, never thought of since the Reformation: some books were writ to justify it, with great acrimony of style, and a strain of insolence, that was peculiar to one Atterbury, who had indeed very good parts, great learning, and was an excellent preacher, and had many extraordinary things in him; but was both ambitious and virulent out of measure; and had a singular talent in asserting paradoxes with a great air of assurance, shewing no shame when he was detected in them, though this was done in many instances; but he let all these pass, without either confessing his errors, or pretending to justify himself: he went on still venting new falsehoods in so barefaced a manner, that he seemed to have outdone the Jesuits themselves. He thought the government had so little strength or credit, that any claim against it would be well received. He attacked the supremacy of the Crown, with relation to ecclesiastical matters, which had been hitherto maintained by all our divines with great zeal. But now the hot men of the clergy did so readily entertain his notions, that in them it appeared, that those who are the most earnest in the defence of certain points, when these seem to be for them, can very nimbly change their minds upon a change of circumstances."—Vol. iv. p. 478.

In 1701, he says,—“The *greater part of the clergy* were in no good temper; they hated the toleration, and were heavily charged with the taxes, which made them very uneasy; and this disposed them to be soon inflamed by those, who were seeking out all possible methods to disorder our affairs. They hoped to

have engaged them against the supremacy, and reckoned, that in the feeble state to which the government was now brought, they might hope either to wrest it quite from the Crown, and then it would fall into the management of the House of Commons; or if the king should proceed against them according to the statute, and sue them in a premunire, this might unite the clergy into such an opposition to the government, as would probably throw us into great convulsions. But many aspiring men among them, had no other design but to force themselves into preferment, by the opposition they made.”—Vol. v. p. 545.

In this year began the memorable contests about the bill against occasional conformity. Accordingly in this bill, which was brought into parliament by the church party, and in favour of which the clergy exerted themselves to raise the greatest ferment in the nation, it was to be enacted that, “all those who took the sacrament and test (which by the Act passed in the year 1673, was made necessary to those who held offices of trust, or were magistrates in corporations, but was only to be taken once by them) and did, after that, go to the meetings of dissenters, or any meeting for religious worship, that was not according to the Liturgy or practice of the Church of England, where five persons were present, more than the family, were disabled from holding their employments, and were to be fined in an hundred pounds, and in five pounds a day for every day, in which they continued to act in their employments, after their having been at any such meeting. They were also made incapable to hold any other employment, till after one whole year’s conformity to the church, which was to be proved at the Quarter session. Upon a relapse, the penalty and the time of incapacity were doubled; no limitation of time was put in the bill, nor of the way in which the offence was to be proved. But whereas, the Act of the Test only included the magistrates in corporations, all the inferior officers or freemen in corporations, who were found to have some interest in the elections, were now comprehended within this bill.”—Vol. v. p. 652.

The question was re-agitated in 1703. Bishop Burnett says, “I was desired to print what I said upon that occasion, which drew many virulent pamphlets upon me, but I answered none of them. I saw the Jacobites designed to raise such a flame among us, as might make it scarcely possible to carry on the war; those who went not so deep, yet designed to make a breach on the toleration by gaining this point: and I was resolved never to be silent, when that should be brought into debate: for I have long looked on liberty of conscience as one

of the rights of human nature, antecedent to society, which no man could give up, because it was not in his own power; and our Saviour's rule, of doing as we would be done by, seemed to be a very express decision to all men, who would lay the matter home to their own conscience, and judge as they would willingly be judged by others.

"The clergy over England, who were generally inflamed with this matter, could hardly forgive the queen and the prince the coldness that they expressed on this occasion: the lord Godolphin did so positively declare, that he thought the bill unreasonable, and that he had done all he could to hinder its being brought in, that though he voted to give the bill a second reading, that did not reconcile the party to him. They set up the earl of Rochester as the only man to be depended on, who deserved to be the chief minister."—Vol. v. p. 719.

The following is a remarkable passage:—"With this the session of parliament was brought to a quiet conclusion, after much heat and a great deal of contention between the two Houses. The queen, as she thanked them for the supplies, so she again recommended union and moderation to them. These words, which had hitherto carried so good a sound, that all sides pretended to them, were now become so odious to violent men, that even in sermons, chiefly at Oxford, they were arraigned as importing somewhat that was unkind to the church, and that favoured the dissenters. The House of Commons had, during this session, lost much of their reputation, not only with fair and impartial judges, but even with those who were most inclined to favour them. It is true, the body of the freeholders began to be uneasy under the taxes, and to cry out for a peace: and most of the capital gentry of England, who had the most to lose, seemed to be ill turned, and not to apprehend the dangers we were in, if we should fall under the power of France, and into the hands of the pretended prince of Wales; or else they were so fatally blinded, as not to see that these must be the consequences of those measures, into which they were engaged

"The universities, Oxford especially, have been very unhappily successful in corrupting the principles of those who were sent to be bred among them; so that few of them escaped the taint of it, and the generality of the clergy were not only ill-principled but ill-tempered. They exclaimed against all moderation as endangering the church, though it is visible that the church is in no sort of danger, from either the numbers or the interest that the dissenters have among us, who by reason



of the toleration are now so quieted, that nothing can keep up any heat in those matters, but the folly and bad humour that the clergy are possessed with, and which they infuse into all those with whom they have credit. But at the same time, though the great and visible danger that hangs over us is from popery, which a miscarriage in the present war must let in upon us, with an inundation not to be either resisted or recovered, they seem to be blind on that side, and to apprehend and fear nothing from that quarter."—Vol. v. p. 752-54.

The following is a slight instance, but yielding evidence which is not so.

In 1709 an act passed, "which" says the bishop "was much desired, and had been often attempted, but had been laid aside in so many former parliaments, that there was scarce any hopes left to encourage a new attempt. It was for naturalizing all foreign Protestants, upon their taking the oaths to the government, and their receiving the sacrament in any Protestant church. Those who were against the act, soon perceived that they could have no strength, if they should set themselves directly to oppose it; so they studied to limit strangers in the receiving the sacrament to the way of the church of England. . . . It was thought best to cast the door as wide open as possible for encouraging of strangers. . . . But all those who appeared for this large and comprehensive way, were reproached for their coldness and indifference in the concerns of the church; and in that I had a large share; as I spoke copiously for it when it was brought up to the Lords."

Something not less instructive than this passage is the comment of Swift upon the last sentence. It consists of the word "Dog." We shall add the words which immediately follow in the same paragraph. "The bishop of Chester spoke as zealously against it, for he seemed resolved to distinguish himself as a zealot for that which was called high church."

Burnett speaking of the clerical proceedings in the same year, (1709), and the hopes begun to be founded upon the sentiments of the queen, says, "Indeed it was but too visible, that the much greater part of the clergy were in a very ill temper, and under very bad influences; enemies to the toleration, and soured against the dissenters."

It is well known in what manner the feeble and disjointed ministry, maintained by queen Anne at the close of her reign, were dependent upon the church, and tools in its hands. It is also well known what measures were in progress, and would have been successful, but for the premature death of the queen and

the insane squabbles among her ministers, for the restoration of the Pretender, and the barter of the liberties of England, for privileges, *alias* persecuting powers, to the church.

One of the last acts of her reign was passing the bill to prevent the growth of schism, *i. e.* to persecute infringers of the monopoly. And the very day of her death was the day on which the act was to come into operation. In consequence of her death, it never came into operation, and for this and for many other reasons, the death of that weak, misguided woman, whom the duchess of Marlborough characterized as "a praying, godly idiot," was one of the events at which Englishmen have the greatest reason to rejoice.

If the progress of the public mind towards that strength, which was necessary to enable it successfully to assert for itself the right of thinking freely and freely uttering its thoughts on matters of religion, was promoted by the revolutionary government of William and Mary, it was still further advanced by the accession of the House of Hanover, whose stability on the throne of England could solely rest on the prevalence of those opinions by which the pretensions of the Stuarts and of the church were exploded.

Sir Robert Walpole, who had been defamed and persecuted by the church party, wielded the powers of government so long, and so long repressed the efforts of the church, that a mode of thinking utterly inconsistent with the claims of a monopoly of the religious influence, became habitual in the nation; and churchmen themselves could perceive that they had more to lose than to gain by contending against it. The same spirit has been constantly, of late rapidly, gaining strength; and the disposition of the church has been obliged to manifest itself chiefly in one way; in grasping vehemently the portion of monopolizing, or persecuting power which she had left, and resisting with the most vehement outcries, with scratching and kicking, every attempt to wrest an atom of it out of her hands. It is, however, not worth while to illustrate at much length proceedings, of little importance, except as evidence of the spirit from which they proceed; and it is the less needful as a few instances will revive the recollection of others in the minds of all who are but moderately acquainted with our recent history.

One case, which includes the most of what we think it necessary to allude to, is the case of the Test and Corporation acts. The history of these laws is pregnant with evidence. It proves the fact not only of an eager retention of monopolizing, in this case, persecuting power, but of the lowness and meanness of the

spirit, with which it is clung to, and held with a convulsive grasp, by the church of England.

The object of the Test and Corporation acts, speaking generally, is to prevent every body, except a member of the church of England, from holding office in the government or any corporation, by rendering communion with the church of England a necessary qualification. That is to say; when it became impossible, from the improving spirit of the age, to preserve in being the law which went to drive out of their country all persons not of the church, those laws were eagerly retained which go to exclude them from all places of influence, and to secure, by the allurements of power, all they can secure of a monopoly to the church. Against even these laws the spirit of the age has risen so triumphant, that the government neither dares nor wills to put them in execution; and an annual act of indemnity passes, as a matter of course, to exempt all men from the effects of breaking them. They exist, therefore, to no purpose, but that of making an odious and mischievous distinction, and affording the means of many petty vexations, which gratify the spirit of persecution, though it attains none of its objects. Yet, and the fact is unspeakably instructive, no attempt has ever been made, and it has often and perseveringly been made, to purge our legislation of this feculent matter, but it has been met on the part of the church with all the opposition which their remaining influence on the minds of the community, exerted in every possible way, and in shapes the most odious, enabled them to raise.

We need not dwell on the evidence afforded by the no-popery cry, and the majorities in parliament, especially the upper House, against Catholic Emancipation. We need not quote the sermons, and more especially the charges, from the pens of the highest dignitaries in the church, enforcing the sinfulness of schism, that is, the sinfulness of following one's own convictions in matters of religion whenever they are not accordant with those which churchmen profess.

But the mention of the word schism brings to our recollection a passage of the celebrated work of Blackstone, which deserves attention. The evidence of the disposition of the church of England afforded by Blackstone, is of the greatest importance. Blackstone's Commentaries on the Laws of England, were originally delivered as a course of lectures at the head quarters of church orthodoxy, the University of Oxford. Blackstone looked to his popularity in the university, and his interest with the church, for the promotion which was the grand object of his life. The sentiments of the clergy were therefore carefully transplanted into his pages.

The reader will take notice, that in the following passages we quote from the first edition of Blackstone. Finding that the spirit of the age would not bear what the spirit of the clergy had suggested, Blackstone materially altered his phraseology in the succeeding impressions of his work.

Speaking of the statute, 1st Elizabeth, c. 1, he says [vol. iv. 49], "Thus was heresy reduced to a greater certainty than before; though it might not have been the worse to have defined it in terms still more precise and particular." *Might not have been the worse*, is the phrase by which, when a choice is given between two things, we denote that the one, if better at all, is but little better than the other. "It might not have been the worse," says Blackstone, "to have defined heresy in terms still more precise and particular, as a man still continued liable to be burnt, for what, perhaps, he did not understand to be heresy, till the ecclesiastical judge so interpreted the words of the canonical scripture." *It might not have been the worse*, to have prevented men from being so burned. This was cool, in the year 1769. *Quare*: How far would those, who would just stop short of burning men for what they could not know to be heresy, go, for the punishment of those who should incur heresy, after being fully instructed what it was?

The writ *de heretico comburendo* was abolished by the statute 29, Car. ii. c. 9. Upon this the Oxford commentator takes occasion to make a memorable declaration. "In this reign, our minds were delivered from the tyranny of superstitious bigotry, by demolishing this last badge of persecution in the English law." [ib.] All the powers which remained, and not only remained, but were often inhumanly exercised, of tormenting those who did not worship and profess to believe after the model of the church of England, are, in the opinion of this mouth-piece of the clergy, not to be called persecution. We see therefore what he means. Any powers of tormenting which the church of England possesses not, or despairs of getting, may be called persecuting powers. Whatever powers she possesses, and whatever use she makes of them, are always to be spoken of as good. He goes on;

"Every thing is now as it should be, unless"—what?—"unless, *perhaps*, that heresy ought to be more strictly defined, and no prosecution permitted, till the tenets in question are by proper authority previously declared to be heretical. Under these restrictions" (viz. of defining the offence), "it seems necessary for the support of the national religion, that the officers of the church should have power to censure heretics,

but not to exterminate or destroy them." Observe, that the word *censure* here is fraudulent. It means, punishment through that *prosecution* spoken of in the preceding clause; *punishment* confined and limited only by the words which follow, *not to exterminate or destroy*. What is here claimed, therefore, as *necessary for the support of the national religion* is, the power of punishing for diversity of opinion or worship, to any extent short of extermination and destruction. That this is insinuated, not plainly declared, does not diminish the weight of the evidence. The art of the rhetorician mainly consists in doing that by insinuation, which cannot be done so well by direct speaking.

"Another species of offences against religion, are those which affect the established church; and these are either positive or negative. Positive, as by reviling its ordinances; or negative, by non-conformity to its worship."—1b.

Observe, that non-conformity, bare non-conformity to the church of England's modes of worship, is treated of under the style and character of an *offence*, an act penally culpable. This is enough, admit this, and every thing follows.

Next, observe, that the word *revile* is here deceptive and fraudulent. It is a word which insinuates, what the author wished to be believed, but thought there might be inconvenience in affirming it. *Reviling* is a thing to be condemned; it is a word which means not merely censure, but bad, wicked censure. It is censure either wholly undeserved, or far beyond the demerits, and for an improper purpose. But is it only censure thus undeserved, and with this ill intention, which the author means here to denote? Quite the contrary. It is the endeavour in any mode to show that the creed, the forms, the powers of the church of England are either wrong in point of reason, or mischievous in point of practice. All this he knavishly denominates reviling; and thus prepares for punishment by putting on it the livery of crime!

He goes on as follows:—

"And, first, of the offence of reviling the ordinances of the church. This is a crime" (mark the word, 'a crime'), "of a much grosser nature than the other of mere non-conformity, since it carries with it the utmost indecency, arrogance, and ingratitude. Indecency, by setting up private judgment in opposition to public; arrogance, by treating with contempt and rudeness, what has at least a better chance to be right than the singular notions of any particular man; and ingratitude, by denying that indulgence and liberty of conscience to the

members of the national church, which the retainers to every petty conventicle enjoy.”—Ib. 50.

Here is reviling in abundance, and of the genuine kind, not one of its abominable ingredients omitted, and all in the highest state of concentration. This is one of the most shameful passages in any book of authority in the English language, and speaks a severe condemnation of the people by whom it could be endured.

What is it, what is the malignant thing, upon which all this abuse is lavished; which is a crime, a crime of peculiar grossness, which *carries with it* (an affected phrase, meaning that it includes) the utmost indecency, arrogance, and ingratitude? The sacred right of private judgment! This it is, which is thus to be blackened, in order that it may be punished, as often as its exercise, at least in freedom of speech, *carries with it* diversity from the church of England, diversity, at any rate, upon all the points which said church is pleased to call important.

The exercise of private judgment is a crime of peculiar grossness; first, because it is “indecent.” And it is indecent, because “it sets up private judgment in opposition to public.” Why, this is simply to have private judgment. The very existence of private judgment is thus to be a crime. For a man to exercise private judgment for no purpose but to agree, right or wrong, with some other party, is to exercise no judgment at all. The total want of judgment not only suffices, but answers best for that end. Is not this a pretension, on the part of a priestly corporation, of some extent? Is any thing needed, in addition to this, to render their dominion absolute over the minds and bodies of men?

Observe that the phrase, here too made use of, is deceptive and fraudulent. To set any thing up against the public, means, commonly, the act of endeavouring the subversion of some public institution by criminal force. The simple and peaceable declaration of a mere diversity of opinion from the church of England on certain points, is here declared, by foul insinuation, to be a crime of this description.

The next part of the abuse heaped on the exercise of private judgment is, that it is arrogant. To make out the arrogance, a curious process is instituted. First, expressing the result of one’s own acts of judgment, this, and this simply, is called contempt and rudeness. But we deny the contempt and rudeness; and next we affirm, that contempt and rudeness, even when committed, are offences against good manners, to be

punished by manners, not by the penalties of law. The second part of the process, to fasten the charge of arrogance upon the right of private judgment is, that the contempt and rudeness are exercised upon "what has at least a better chance to be right, than the singular notions of any particular man." What? has it really been found that men could assert such a proposition as this, and dare to look society in the face? The singular (meaning individual, for here again we have a term which is deceptive and fraudulent) notions of *some* particular men, wherever men are allowed the free exercise of their understandings, are sure to be right, as far as the limits of the human faculties permit. But the tenets put forth by a corporation of priests, if not subject to opposition, are sure to be wrong, and wrong to the highest pitch of mischief, as being wholly directed to their own ends against the interests of mankind.

We now pass to the last portion of this attack on the right of private judgment. To exercise this right is to incur the crime of ingratitude. To make out this charge, a memorable assertion is hazarded. The act of uttering opinions opposed by the church of England, or endeavouring to show the error of opinions which she maintains, is, with the height of impudence, declared to be "denying that indulgence and liberty of conscience, to the members of the national church, which the retainers to every petty conventicle enjoy." What? do the retainers to every petty conventicle enjoy the privilege of having their opinions and practices not spoken against? Do not "the members of the national church" exercise the privilege of speaking against "the retainers to conventicles," both "petty" and large, in pretty considerable latitude? Again, who denies "that indulgence and liberty of conscience to the members of the national church, which the retainers to every petty conventicle enjoy?" This author begins with mendacious insinuation, and, gaining courage as he proceeds, ends with direct and glaring falsehood.

We thought it of importance to exhibit a specimen of the exposure of this law scribe of the church in one passage: there are many others of like import, to which the reader may easily apply the same mode of examination for himself.

The next subject, in respect to which we are solicitous to present a correct estimate of the purposes of a corporate clergy, is the Liberty of the Press.

The aversion of the Romish church to the progress of mind needs no illustration. By every Protestant the hostility of that corporation to the liberty of the press, will be allowed to be

constant and natural. We shall therefore confine ourselves to the evidence of the disposition manifested by the church of England.

Before proceeding to the items of this account, it may be well for the reader to call briefly to his recollection, what we mean, when we use the term liberty of the press. Minor points being left out of consideration, it is evident that liberty of the press is a vain sound, unless, in respect to the two subjects of primary importance, to wit, government and religion, every man has the power of publishing and maintaining any opinions which he pleases, and of making any remarks which he pleases on the opinions published by others, either as unsound in point of reason, or leading to mischievous consequences in practice.

If the law is not thus equal, but one set of men are distinguished by the privilege of publishing what they please, while other men are not allowed to publish any thing but what the men of privilege may approve, it is evident what opinions will be allowed to be heard by the people, and will always be uttered in their hearing with praise; of course opinions calculated to lodge power in the hands of those who thus possess the monopoly of opinions, and to lay the rest of the community, bound in mental chains, the most cruel and destructive of all chains, at the feet of unlimited, unchallenged, insatiable, masters and tyrants. Such are the interests involved in the liberty of the press, and such is the instrument of human weal, against which it is the nature of a corporate priesthood to wage interminable war!

We shall not dwell upon the atrocities of the Convocation and the Star-chamber, when Laud placed in so dazzling a light the conviction of himself and brethren, that the extinction of a free press, even in the blood of its employers, was absolutely necessary for the accomplishment of their designs. This man is the idol of the church of England; has been the boasted pattern of a churchman from his own to the present day. Better evidence of the early and continued disposition of that church towards the liberty of the press can hardly be required, and the extreme importance of the subject is the only reason which could induce us to employ another word in its illustration.

When the enemies of any great instrument of human good are unable wholly to prevent its existence, they may show an equal degree of bitter enmity, and show it no less decisively, by a constant endeavour to damage the instrument, and cramp its operation, than in other circumstances by endeavouring and accomplishing its ruin.



In regard to the press, the church of England are chargeable with both enormities. As long as their utmost endeavours could accomplish the horrid purpose of preventing entirely the liberty of printing, they did prevent it; they kept the instrument in their own hands, and allowed it to be employed for none but their own purposes, or purposes allied to their own. They had influence to retain it under licence, and the licence in their own custody, till four years after the Revolution.

The spirit of free inquiry, aided by the use which was made of the licensed press, became too strong at last to submit to this restraint. But when the licence was taken off, the press was left in a condition far indeed from free. It was interdicted from all those exertions by which the extraordinary benefits it is calculated to yield are most certainly realized. Severe punishment was provided against free discussion in matters of religion and government—the two sources of the greatest evil to mankind, when allowed to be made subservient to the purposes of the few against the many, and impossible not to be so made, whensoever the press is not active and free.

We now state broadly, that all the hurtful and hateful powers, which were thus preserved, of restraining the freedom of the press, and depriving mankind of the greatest of its benefits, the clergy have, until the present hour, shown the greatest disposition to employ; that they have employed them, as far as the spirit of the age would permit their being employed; and that every attempt to diminish them, and to give to the press any additional portion of its beneficial freedom, has found in the clergy its most strenuous and furious opponents.

We know not that on this subject we have occasion to do any thing more than refer our readers to what each of them may recollect of the prosecutions, and punishments, for libel, since the censorship was abolished, and the proceedings in parliament and out of it, on the occasion of every motion, from that to the present time, which has had the press for its object.

If any of them cast about for evidence of the disposition of the clergy towards freedom of discussion during the period in question, he cannot light on any thing more pregnant, than that memorable passage of Blackstone, on which we have already commented, respecting what he calls *reviling of the church*. Though words spoken are there also included, words printed are of course the object chiefly aimed at, because the printed words have the greatest diffusion and the greatest power. The effort, there made, to second the purposes of the church, is an effort to limit, or rather to destroy the freedom of

the press, as regards religion. And the remarkable circumstances of that effort we need not again present to the minds of our readers, on which we trust they have made as deep an impression as they have on ours. To employ the press with freedom on matters of religion, is there stamped "a crime"—a "gross crime"—a crime, "which carries with it the utmost indecency, arrogance, and ingratitude;" and which should be open to any punishment, by the officers of the church, not extending to extirpation and destruction.

Having this evidence, need we be very solicitous about adding to it, by multiplying instances in detail?

William Whiston was one of the most learned men whom this country has ever produced, and a man the excellence of whose life and character will bear an advantageous comparison with that of any man of any country or of any age. The friend of the great Newton, and his successor in the mathematical chair at Cambridge, a sincere and zealous Christian, an indefatigable promoter of learning and knowledge, he contracted, unhappily for himself; a strong opinion of the unchristian spirit and tendency of the Athanasian creed; and being a man in whose mind the interests of truth far predominated over all personal considerations, he fearlessly promulgated and maintained his heresy. We cannot enter into the particulars of the persevering and merciless persecution which he underwent. Suffice it to say, that he was ruined, and compelled for the remainder of his days to subsist mainly upon charity. Nor was high church satisfied with striking him down, till it had the pleasure of also trampling upon him when down. The scurrility of the rev. Dr. Swift, upon such a man, in such circumstances ("Wicked Will Whiston," &c.) relished, as the monuments of the times inform us it was, is an indication of a spirit which we leave to our readers to characterize.

Another remarkable case is that of Mr. Woolston, of whom the following is the account given by Whiston. "He was a fellow of Sidney College, in Cambridge. He was in his younger days a clergyman of very good reputation, a scholar, and well esteemed as a preacher, charitable to the poor, and beloved by all good men that knew him. Now it happened that after some time he most unfortunately fell into Origen's allegorical works, and poring hard upon them without communicating his studies to any body, he became so fanciful in that matter, that he thought the allegorical way of interpretation of the scriptures of the Old Testament had been unjustly neglected by the moderns, and that it might be useful for an additional proof of Christi-

anity. Insomuch that he preached this doctrine first in the college chapel, to the great surprise of his audience, though (his intentions being known to be good, and his person beloved) no discouragement was shewed him there. \* \* \* \* His notions appeared to be so wild, that a report went about that he was under a disorder of mind; which when he heard instead of that applause he thought he had deserved by retrieving a long-forgotten argument for the truth of Christianity, he grew really disordered, and, as I have been informed, he was accordingly confined for about a quarter of a year, after which, though his notions were esteemed in part the effect of some such disorder, yet did he regain his liberty. When he found himself pretty well, as he thought, he fell a writing to great men, and to his old friends, and insisted on the truth of his notions, and pretended that the reports of his disorders arose only from the inability the learned were under to confute them. Nay, at length he wrote several pamphlets to prove that following the literal sense of the Old Testament was no better than antichristianism, though, in the mean time, he sometimes insinuated that Jesus Christ's own miracles were no other than allegorical miracles, and not real facts; and exposed those miracles, taken in the literal sense, after such a manner, and with such a mixture of wit and scoffing, as if he in earnest intended to abuse and oppose the Christian religion, which design, however, he utterly denied, and seemed to wonder that any should impute such a thing to him: and about the same time he wrote a pamphlet against some of the unbelievers which was by no means a contemptible one."

He was first deprived of his fellowship, though it seems to have been all he had for his support; "and though," says Whiston, "I did all I could to save it for him, by writing to the college on his behalf; but the clamour ran so high against him there that no intercession could prevail for him." See what the high running of said clamour produced next—no doubt, its legitimate consummation! "After this," continues the same honest reporter, "the government fell upon him"—a good expression—"and had him indicted in Westminster-hall for blasphemy and profaneness, at which time I went to sir Philip York, the then attorney-general, but now lord-chancellor, and gave him an account of poor Mr. Woolston, and how he came into his allegorical notions, and told him that their common lawyers would not know what such an allegorical cause could mean, offering to come myself into the court and explain it to them in case they proceeded, but still rather desiring they

would not proceed any further against him. He promised he would not proceed, unless the then secretary of state, the lord Townshend, sent him an order so to do." The following fact lets in the necessary light upon the real movers in the business. Whiston continues, "I then went to Dr. Clarke, to persuade him to go with me to the lord Townshend, but he refused, alleging that the report would then go abroad that the king supported blasphemy." Who would have sent abroad such a report? The appearance of another pamphlet by Woolston, exaggerating on the necessity of his allegorical view by exhibiting as strongly as in his power the absurdity, as it appeared to him, of regarding the miracles as matters of fact, so inflamed the spirit of persecution, that the proceedings against him could no longer be stayed. And the case of Woolston has formed the leading precedent for punishing, as a crime, freedom of writing on religion, from that to the present time.

We can hardly anticipate that the clergy will seek, on this occasion, to save themselves by the poor pretext, that what was done by the government was not done by them. One of the boasted uses of such a church as ours, "who lifts her mitred front in courts and palaces," is, that she has power to obtain acts of this kind from the government; acts which she denominates services to religion, and which are services of that kind which was rendered to Jesus by his servant Peter, when he drew his sword, and cut off the ear of the servant of the high priest. If it be good to prosecute, the clergy would be inexcusable if they were not themselves the prime agents of prosecution. If it is bad, why do they not prevent it? Would the government go the length of a single act to stifle the voice of freedom in religion, were it known to be contrary to the inclinations of the church? We shall therefore proceed upon it as an undoubted fact, that all prosecutions on the score of religion are prosecutions by the church, and that the reverend the judges are on such occasions the mere mouth-pieces of the reverend the clergy.

Let us now take a slight cognition of the progeny, which the priest begets upon the judge; that monster, half cant, half grim-gribber, which the man on the bench brings forth, when he lends himself to crush the freedom of writing in matters of religion.

The *King v. Woolston* is treated by the lawyers as a leading case.\* It was moved in arrest of judgment, that the offence

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\* Holt, *Law of Libel*, 67.

was not punishable in the temporal courts. But the judges declared they would not suffer this point to be argued—mark the reason—“for the Christian religion is established in this kingdom; and therefore they would not allow any books to be written which should tend to alter that establishment.” If the worship of Moloch were established, this rule would hold equally good. Truth and utility are tossed out of doors, that good lodging may be preserved for the Church. Establishment, Establishment, is the word. What it is that is established, true or false, good or evil, is wholly out of the question.

The court added, “that Christianity was part of the law; that whatever derided Christianity derided therefore the law, and was an offence against the law.” This reason is just the same as the former; it is merely a fresh form of words to say that Christianity is established, and that the mere fact of establishment is a proper ground for punishing every human being that calls in question the truth or goodness of the established matter.

We have here a case of that fraudulent use of language, of which we detected so many instances in a short passage of Blackstone, and with which the law language of England abounds, beyond all example, and all belief. “The law”, in its large and general acceptation means, the whole body of the securities provided for our persons, our properties, and all that is dear to us. The man that by derision, or any thing else, tries to destroy or weaken the force of these securities, is the greatest of criminals. “The law,” however, has another meaning. It may be any “part or parcel” of the whole body of enactments; and it may be a part and parcel which not only does not aid the general means of security, but tends with all its force to impair them. To seek to cut off this cause of infirmity or hurtfulness in the law, either by argument or ridicule, is so far from an offence against the law, in its more general acceptation, that the whole tendency of it is to strengthen and improve the law. The knavery of the lawyer, acting with its usual tool, a juggling, equivocating term, makes this admirable service, which is an attack upon “the law,” in one sense of the term, namely a peccant part, parcel, or pendicle of the law, be construed and taken for what it is not—an attempt to deprive society of the benefits of law.

Thus fraudulent and worthless is that pretext for punishing freedom of speech, which is wrapt up in the canting jargon, that Christianity is part and parcel of the law of England. Observe too the sweeping operation of the *dictum*. If nothing

which is part and parcel of the law is to be free to the press, nothing is free. In respect to other things, freedom of the press is a word without a meaning; if the press is not free, in respect to government and religion, it is not free at all. Mark well that in the destruction of religious freedom, that of all other freedom is involved.

It was urged in the defence, that the opinion expressed by Woolston neither was, nor was intended to be, an attack upon Christianity. But the court said, that "the attacking of Christianity in the way in which it was attacked in this book, was destroying the very foundation of it; and though there were professions in the book, that the design of it was to establish Christianity upon a true bottom, by considering these narratives in scripture as emblematical and prophetic, these professions were not to be credited, and the rule is, *allegatio contra factum non est admittenda*."

This deserves to be carefully marked. The question was, in which of two senses, the accounts of the miracles in the New Testament were to be received. According to Woolston the ordinary acceptation was wrong and injurious to Christianity. The court affirmed, that his was wrong, and subversive of Christianity. By what title? This was a matter of opinion, which the court took upon itself to decide by the mere word of a despot. Where had the court learned to be infallible in theology? Nor was this all. The court took upon itself to determine and declare, that the author was a liar; his professions not to be believed. Upon what evidence? We intreat you, reader, to mark the evidence. It is a curious specimen of the process by which judges can fix guilt upon any man whom it is their interest to destroy. *Allegatio contra factum non est admittenda*: "Professions are not to be admitted against the fact." What fact? Here was only one fact, namely, that of writing a certain opinion about the miracles. Woolston made no professions against that fact; he fully admitted it. He professed that he did no injury to Christianity. The court affirmed that he did; but this was matter of opinion, not fact. Here, therefore, was no *allegatio contra factum*, and the ground for the affirmation of the falsehood of Woolston being worthless, the affirmation of it by the judges was criminal in the highest degree.

Lord Raymond, Chief Justice, in delivering the opinion of the court said, "I would have it taken notice of, that we do not meddle with any differences in opinion; and that we interfere only where the very root of Christianity is struck at." This is

accurate language; is it not? well calculated to let men precisely know, what they are, and are not, to be punished for. "We do not meddle with differences in opinion." Wholly untrue. In the case of religious libels, they meddle with nothing else. The "root" of Christianity: what part of Christianity is that? And how is a man to know when he is "striking" at the "root," rather than the trunk, or some of the branches?

The proceeding here requires some development. The court, after laying down, and acting upon narrow maxims, which not merely restrict liberty but destroy it, comes out with a declaration, vague, indeed, and uncertain in its meaning, but on the face of it importing a large liberty. This, you will say, is contradictory, and highly absurd. That is true; nothing can be more so. Yet it is not here only, but in many other parts of the law, that the judges have provided themselves with maxims similarly contradictory. We have on a former occasion observed, in politics, the great use, to fraudulent purposes, of the see-saw. In judicature, there is still a greater use, for the purposes of judges, in contradictory maxims. In whatever part of the field of law the judges can lay down contradictory maxims, they are despotic, and may do what they please. Let us put a broad case for illustration. Suppose they had two maxims. 1. "It is good to punish a thief." 2. "All men who commit theft, for their own benefit, and not purely for the sake of hurt to their neighbour, may go unpunished." With these maxims, if they had them, it is evident, the judges might in every case punish, or not punish, just as they pleased. So in the case of the liberty of the press; it is good to have a set of maxims by which every thing may be punished, and also a set of maxims by which every thing may be exempted from punishment: because, then, judges may do what they please, or their employers please. Thus, it is exceedingly important to have a maxim, "Let the liberty of the press be sacred." By this every thing may be exempted from punishment. It is equally important to have another maxim, "Let the licentiousness of the press be prevented." By this every thing may be punished. It is important to have one maxim "We meddle not with differences of opinion." By this, every thing may be exempt. It is also important to have another maxim, "Christianity is part and parcel of the law of the land." By this, every atom of difference from the opinion of the church of England may be punished: thus the Athanasian creed is part and parcel of the law of the land; the thirty-nine articles are part and parcel of the law of the

land, articles where all the nice and disputable points are carefully collected, and the opinions, which shall be true by ordinance of law, presented for the legal faith and conscience of all the subjects of the realm.

From the time of this prosecution, till the French revolution, which produced a state of mind highly favourable to the bent of the clergy, there was but little scope for employing the powers of law to crush freedom of printing on the subject of religion. The spirit of the age would not bear prosecution of the dissenters, for such heresies as they indulged in; and with respect to infidelity, or opinions unfavourable to Christianity in general, the situation of the clergy was somewhat perplexing. It was chiefly men of rank, or writers of very high reputation, who questioned in their works the pretensions of Christianity; lord Shaftesbury, for instance, lord Bolingbroke, lord Chesterfield, lord Kaimes, Mr. Hume, Mr. Gibbon, Adam Smith; and with a formidable enemy the clergy are commonly well inclined to avoid a dispute. It is also true that, during the fifty years which preceded the French revolution, infidelity in the higher circles was a species of fashion. Among the *beau monde* in France it was universal; and they at that time gave the tone to the leading classes in the rest of Europe. It is not a secret, how Christianity was regarded by the highest men, both in the state and the law, in England, during the time of which we are speaking.\* To excite prosecution for writing freely on the subject of religion, was attended with some hazard in these circumstances. And the fact is observable, that men, feeling themselves pretty much at liberty to declare their thoughts, made very little use of that liberty, the question appearing to be decided in the minds of those for whom almost exclusively at that time books were written; for it is since the French revolution, mostly, that the body of the people have become readers, and that men of talent have thought it an object worthy of their ambition to prepare works for their instruction.

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\* Warburton's testimony to this fact will probably be held sufficient evidence. "Indeed," says he, in his dedication to the Free-thinkers, "were it my design, in the manner of modern dedicators, to look out for powerful protectors, I do not know where I could sooner find them, than amongst the gentlemen of your denomination; for nothing, I believe, strikes the serious observer with more surprise, in this age of novelties, than that strange propensity to infidelity, so visible in men of almost every condition; amongst whom the advocates of Deism are received with all the applauses due to the inventors of the arts of life, or the deliverers of oppressed and injured nations."



Though the powers of law had thus dropped out of the hands of the clergy, their unabated rancour towards the liberty of the press does not the less certainly appear. Passages without end might be quoted from their sermons and other writings, in which they complain, in the bitterest terms, that such and such writings are permitted to appear, and that the writers of them are not punished; often denouncing the vengeance of God against the nation, for thus permitting his word to be denied. But we shall omit these illustrations, and proceed to what we reckon one of the most atrocious manifestations of the spirit of the clergy; we mean, their disposition to blacken the character of those who hold opinions different from theirs; to defame their morals, to make them be regarded, as first vicious, next unbelievers, and unbelievers solely in consequence of their vices. Such has been the course pursued not merely by the declaimers, those who could calumniate, though they could not reason: it has been adopted, we will say disgracefully adopted, which shews how deeply the roots of the poisonous tree have struck, by the very greatest and best men of whom the church has to boast; men of great powers and of great virtues, Berkeley for instance, Clarke, Tillotson, Barrow, and others.

Berkeley is not ashamed to set up as representative of the class of unbelievers, a minute philosopher, as he nicknames him, who formally and deliberately preaches wickedness, and denies absolutely the obligations of morality. "LYSICLES. Men of narrow capacities and short sight, being able to see no further than one link in a chain of consequences, are shocked at small evils which attend upon vice. But those who can enlarge their view, and look through a long series of events, may behold happiness resulting from vice, and good springing out of evil in a thousand instances. To prove my point I shall not trouble you with authorities or far-fetched arguments, but bring you to plain matter of fact. Do but take a view of each particular vice, and trace it over its effects and consequences, and then you will clearly perceive the advantage it brings to the public." He then goes over the several vices of drunkenness, gaming, highway robbery, whoredom; and at last declares to his companion, "Thus, in our dialect, a vicious man is a man of pleasure; a sharper is one that plays the whole game; a lady is said to have an affair, a gentleman to be a gallant, a rogue in business to be one that knows the world. By this means we have no such things as sots, debauchees, whores, rogues, or the like, in the *beau monde*, who may enjoy their vices without incurring disagreeable appellations. EUPHRANOR. Vice then

is, it seems; a fine thing with an ugly name. **LYSICLES.** Be assured it is.\*

This is vulgar defamation, mere mendacious calumny. But it is also something infinitely worse. It was well known that there were men with minds prepared to believe the odious tale, men with whom it would stand in the place of all argument; men who would be sure to consider the opinions of wicked persons, as wicked opinions; not requiring to be repelled by the arguments of the divine, but stifled by the hands of the gaoler, or hangman.

The fact is, that many of the writers unfavourable to Christianity have been men of eminent virtue, and distinguished by their ardent endeavours to strengthen the ties of morality among mankind. We mention this as a matter of history merely, without founding upon it any inference with regard to the tendency of the religious opinions, either of them or their opponents. Hobbes in this country and Bayle on the continent, not to speak of others, will stand a comparison with the best and greatest men that have ever lived; and if infidel writers, as a class, be compared with other classes, of what class, not even excepting the clerical, can it be affirmed with truth, that its character for morality stands higher than theirs? Nothing, therefore, can exceed the baseness of the clergy in taking the advantage which the prepossessions of the vulgar afford them, by assuming that it is a vicious life which engenders reasonings and conclusions unfavourable to religion. To bear down an adversary, not by refuting his bad arguments, but defaming his good life, is a course worthy not of the best, but the worst of causes; and all sincere Christians ought to unite as one man, to clear themselves of so deep a stain.

Berkeley does not stop short till he has told the world that the employment of infidels is, to recommend even the most atrocious crimes. "An unlucky accident now and then befalls an ingenious man. The minute philosopher Magirus, being desirous to benefit the public, by circulating an estate possessed by a near relation who had not the heart to spend it, soon convinced himself upon these principles, that it would be a very worthy action to dispatch out of the way such a useless fellow, to whom he was next heir. But for this laudable attempt, he had the misfortune to be hanged by an under-bred judge and jury."

He would have forgotten a most important weapon against

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\* Minute Philosopher, Dial. ii.

the infidels if he had not imputed to them political as well as moral wickedness. Their representative is thus made to boast : " We have cleared the land of all prejudices towards government or constitution, and made them fly like other phantasms before the light of reason and good sense. Men who think deeply cannot see any reason why power should not change hands as well as property ; or why the fashion of a government should not be changed as easy as that of a garment. The perpetual circulating and revolving of wealth and power, no matter through what or whose hands, is that which keeps up life and spirit in a state. Those who are even slightly read in our philosophy, know that of all prejudices, the silliest is an attachment to forms. CRITO. To say no more upon so clear a point, the overturning a government may be justified upon the same principles as the burning a town, would produce parallel effects, and equally contribute to the public good." And after a few sentences *Lysicles* affirms, " Laws and regulations relating to right and wrong, crimes and duties, serve to bind weak minds, and keep the vulgar in awe ; but no sooner doth a true genius arise, but he breaks his way to greatness through all the trammels of duty, conscience, religion, law ; to all which he sheweth himself infinitely superior."

And this is given as a true representation of the speculative opinions, and practical principles, in morals and politics, of all who question the divine origin of Christianity !

We had intended to have exhibited specimens of the same spirit of honest representation and fair dealing, on the part of other divines of the greatest eminence, but Berkeley's passages have tempted us so far, that we must now content ourselves with a reference to what we intended to insert from archbishop Tillotson, and Drs. Barrow and Clarke. In Tillotson the reader may find what will suffice for evidence in the sermons lxxxviii. and lxxxix., intituled, " Honesty the best Preservative against dangerous Mistakes in Religion ;" in sermon ccxlv. intituled, " The Excellency and Universality of the Christian Religion ;" and sermon ccxlvii., intituled, " The Ground of Bad Men's Enmity to the Truth." For the same purpose we refer him, in Barrow, to the sermon " On Infidelity," towards the end, and to the second sermon " On Faith." The only specimen which we think it necessary to adduce of the same spirit in the writings of Dr. Clarke, is near the beginning of his work on " The Evidences of Natural and Revealed Religion," where, immediately following the statement of the fifteen propositions, which he undertakes to establish, he gives an account of the several sorts of Deists.

When men, not only of such powers of reasoning, but of so much true virtue and moderation, make assumptions thus groundless and malignant, they afford evidence against the body, by the spirit of which they are carried so directly against the current of their own nature, infinitely stronger than what is furnished by the railings of such a man as Warburton, who proceeds upon it as a legitimate *postulatum*, that if there be any man who holds one opinion different from any opinion of Warburton, such man is a wretch, and has no one good quality, either moral or intellectual, about him.

The following, which is a small touch of his hand, will exemplify his mode of dealing with the infidels. It is Cardan, the mention of whom produces the following decent effusion :—“The charming picture he (Cardan) draws of himself, and which he excuses no otherwise than by laying the fault on his stars, will hardly prejudice any one in favour of his opinions.” Warburton, we see, knew the effect produced upon the credit of doctrines by the opinion which might be spread of the character of him who maintained them; and with this knowledge, he gives out the following as the character of the infidel. “How far it (Cardan’s picture of himself) resembles any other of the brotherhood, they best know who have examined the genius of modern infidelity. However, thus he speaks of his own amiable turn of mind :—‘*In diem viventem, nugacem, religionis contemptorem, injuriæ illatæ memorem, invidum, tristem, insidiatorem, proditorem, magum, incantatorem, suorum osorem, turpi libidini deditum, solitarium inamœnum, austerum, sponte etiam divinantem, zelotypum, obscœnum, lascivum, maledicum, varium, ancipitem, impurum, calumniatorem,*’ &c. We have had many *free-thinkers*, but few such free-speakers. But though these sort of writers are not used to give us so *direct* a picture of themselves, yet it hath been observed, that they have unawares copied from their own tempers, in the ungracious drawings they have made of human nature and religion.”\*

Free-thinkers are a “class, who never cultivate a truth, but in order to graft a lie upon it.”†

And this is the style in which Warburton indulges himself, as often as his discourse brings an infidel before him, from the beginning to the end of his very vulgar volumes, vulgar in every thing, vulgar in language, vulgar in tone and temper, vulgar even in learning, for which he has got a most undue reputation, but most of all vulgar in reasoning, of which he understands

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\* Divine Legation, b. i. § 3.

† Ib. b. iii. § 6.

not even the elements ; for we doubt if an aggregate of bad reasonings, a match for his, exists in the writings of any other man, that ever put pen to paper.

We have now exceeded the limits to which an article ought to run, and yet have only reached two of the evils to which the fatal measure of incorporating a body of clergy gives birth ; persecution on account of religion, and hostility to the liberty of the press. The development of its further effects in depraving both religion and morality, in corrupting education and government, in retarding the progress of the human mind, and in degrading the character, intellectual and moral, of the clergy, we shall undertake on some future occasion.

END OF VOL. V.