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to those who may be born to  
Liberty, in all Countries, to  
all Liberty.

O Freedom, Freedom!  
O my dear happy Country!



A  
S E R M O N,  
O N T H E  
N A T U R E  
A N D  
E X T E N T  
O F  
C I V I L a n d R E L I G I O U S  
L I B E R T Y.

---

By P E T E R P E C K A R D, M. A.  
*Late Fellow of Corpus Christi, Oxford.*

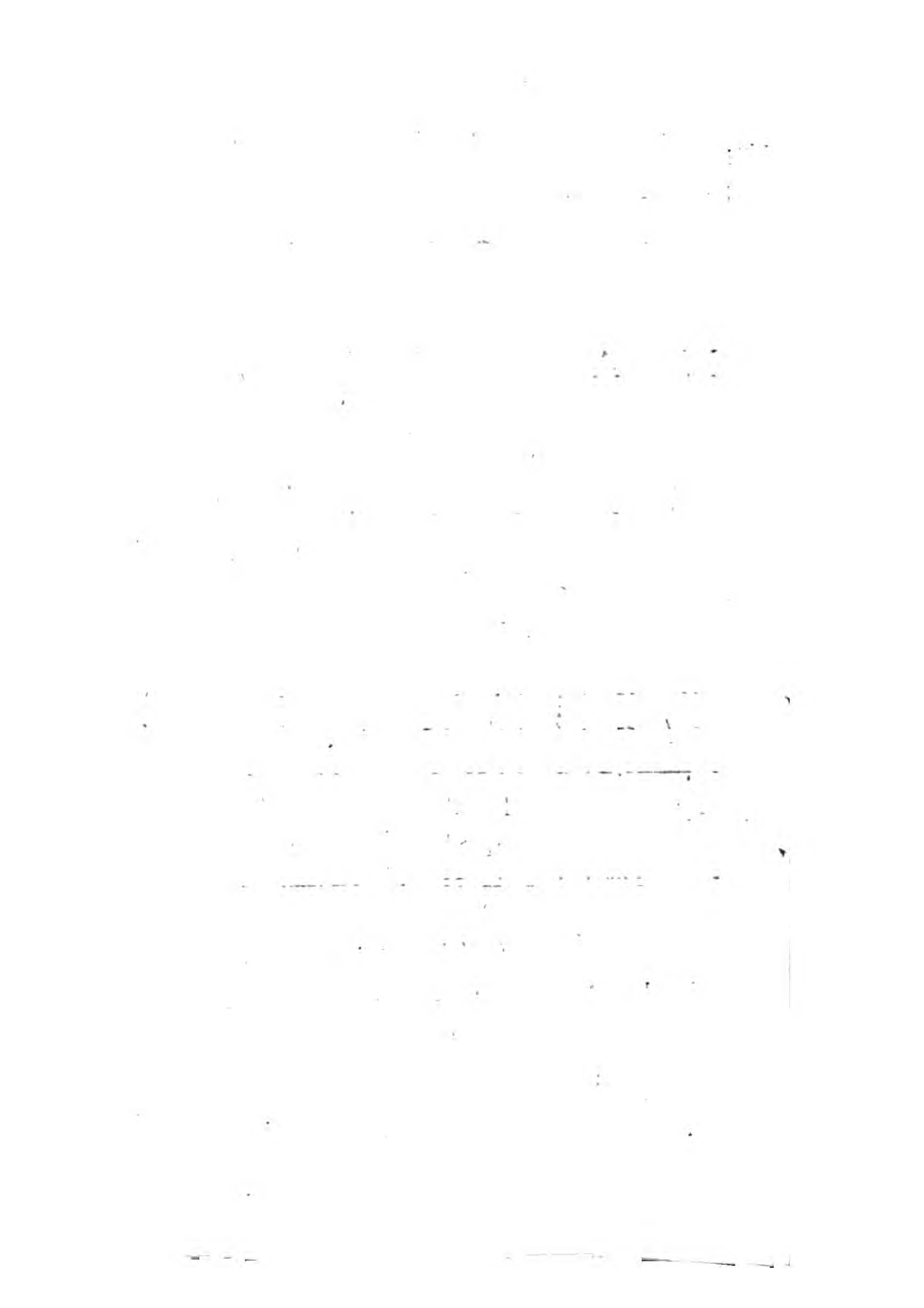
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10.






THE  
NATURE and EXTENT  
OF  
Civil and religious LIBERTY.

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I PET. ii. 16.

*As free and not using your Liberty for a Cloak  
of Maliciousness, but as the Servants of God.*

 HE general Intent of this Epistle of St. *Peter* is to confirm and comfort the new Converts to Christianity, under the Persecutions which they suffered on Account of their Conversion. To this Purpose, he lays down several Directions, respecting both their religious and political Conduct. His principal Care is to recommend to them an uniform Observation of the moral Virtues, a firm Adherence to the Faith in Christ, and a due Submission to their civil Governors.

nors. And in regard to these Principles, he would have their Conduct be that of Men who are Free, *yet not using their Liberty for a Cloak of Maliciousness, but as the Servants of God.* This is his Rule of Conduct respecting Liberty. From whence we may conclude that Liberty is capable of Abuse, which it is our Duty to avoid, and that it may lawfully be the Tenor and Guide of our Conduct, so long as we use it as the Servants of God.

As this is a Subject of the highest Importance to us, and as it seems of late not to have met with that careful Consideration which it deserves, I shall therefore in this Discourse endeavour to lay before you, First, the Nature and Extent of Liberty. Secondly, I shall point out some of the Abuses of it, and Thirdly, show what is meant by using it as the Servants of God.

A STATE of Liberty is one of the most desirable Situations in Life, and of such Importance to human Happiness, that without it all other Enjoyments are scarcely worth our Wishes. The meanest Cottage and most laborious Occupation with Liberty, will by a rational Man be preferred to the most luxurious Slavery of an Eastern Palace. No wonder then that where it is known it is beloved, and where beloved, pursued with anxious Eagerness. But even in this laudable Pursuit, we ought to take particular Care  
that

that we are not by an inconsiderate Rashness, carried beyond the Bounds of Prudence and Moderation.

To be possessed of Liberty, is to have the Command of our own Actions; for I am not speaking here of the Free-Agency of Man respecting Thought and Volition. But to have the Command of our own Actions does not suppose that we are absolutely set loose from every Degree of Restraint, and that under the Notion of Liberty we may do any Thing that hasty Passion, or un-governed Appetite shall dictate. Doubtless such a State may be imagined. It is possible, that Men may for some Time continue wild, un-connected, and rapacious; without Laws, without Cloathing, without Habitation, like Beasts of Prey seeking their Food in desolate Places. Under these Circumstances it is no wonder if Appetite and Passion are the chief Springs of Action, and that human Conduct disdains every Degree of Restraint. Not that even in this State, Men are absolutely free from Obligations, however licentious their Conduct may be. The universal and eternal Law of Nature and of Reason points out a Duty to Man, even in this, as it is called, *State of Nature*. But it is not to be supposed that Men could continue long in such a State: They would naturally form themselves into Societies, and however rudely, yet would establish Laws. And even if they did not,

such savage Barbarity does not come under the Notion of Liberty, but is properly speaking, a State of Licentiousness. Which is as contrary to true Liberty as downright Slavery, and not less destructive of it than absolute Power. In this supposed State then, where every Man is an *Isole*, a detached and unconnected Agent, nothing of Liberty is to be found, for all is Licentiousness. If therefore we look for Liberty, we must look amongst the political Connections of the human Race, where this unnatural Licentiousness is abolished.

It appears then, that true Liberty supports Society. And Society arises from a voluntary Agreement of Individuals independent of each other, uniting together from Considerations of Convenience, and fixing upon such Rules of social Conduct, as in their Circumstances shall to them seem fit. And these Rules are the only Original both of political Power, and of true Liberty: Neither of which has any Existence till after the Formation of Society, and both take their Measures from the Consent of its Members. We have then advanced one Step in our Search after Liberty, and find that it is the Condition of Man in a social State.

This social Liberty of every Man, may be divided into two very important Branches: One respecting him in his civil, the other in his religious Capacity. Each of which shall  
be



be considered in its turn, as both, I think, are included in the Liberty spoken of in the Text. Indeed, in this Passage, the Apostle seems to have a View more directly to the political than the religious Conduct of the new Christians. For just before he says, submit yourselves to every Ordinance of Man for the Lord's Sake ; whether it be to the King as Supreme, or to inferior Governors, acting by his Commission " behaving yourselves as Men that are indeed freed by Christ from many Yokes, but not free from that of Subjection to God, or to Superiors, and therefore not pretending to any such Liberty, nor covering Sedition under Colour of Christianity (a)". But as the Author has also represented to them their Freedom from the *Mosaic* Obligations in consequence of their becoming Christians, I hope I do not extend the Meaning of the Words too far, if I suppose the Liberty and Maliciousness there spoken of, to be taken in a religious as well as a political Sense.

FIRST, then of the Extent of political or civil Liberty. The Liberty of Man as Member of civil Society, consists in being free from all Power and Restraint whatsoever, except that agreed upon by common Consent to be the Rule of political Conduct. This Rule is a common Direction to every Member of the Society, established by the legislative Power

(a) Hammond, or Benson in Loc.

erected in it. Where this Power commands, its Authority is absolute, and where it commands not, Men are at full Liberty to follow the Dictates of their own Inclinations. The civil Liberty of Man then supposes the Restraint of Laws. Which indeed cannot so properly be called the Restraint, or Limitation of his Conduct, as the Direction of it to his own good. No one will say that the Course of a River is stopped or limited, when it is only directed into the Channel in which ought to flow. Nor will any reasonable Man insist upon calling that a Restraint, which restrains him only from doing Mischief. Can that fairly be called a State of Confinement, in which I am confined only from Distraction and Misery, with a full Allowance to enjoy all the rational Happiness of a social Agent? Laws then, though they lay some Restraint upon human Conduct, yet they do not restrain the proper Liberty of Man, but even secure and extend it.

Now though Man in that connected State which has been mentioned, has a Right to be himself the Judge of all Injuries done to him, and according to their Nature to punish the Offenders as he thinks proper; yet as soon as he becomes Member of civil Society, all this natural Power is given up, all this Right of private Judicature is resigned into the Hands of the Public. And from hence it is that the Public receives the Power  
of

of establishing Laws for the (*b*) general good, of determining the Nature of Offences against those Laws, and of prescribing the Kind and Degree of Punishment to be inflicted on the Offenders. And as the Foundation, Nature, and Essence of a public Authority to establish Laws is the Resignation of all private Judgment, for except that had been given up the public Authority could not have been constituted, so the Power of Laws is absolute and uncontrollable: Because there is not any Authority existing that can controul them. For there is not left to the Individuals of Society, after the Constitution of a legislative Power, and this regular Establishment and Promulgation of a Law, any Province but that of absolute Obedience.

IT is therefore a mistaken Notion of Liberty, to suppose that the private Members of a State have a Right to inveigh against those Laws established by the Legislature, which they happen to dislike; or, (which is generally the Truth in popular Outcries) which happen to displease a few self-interested and factious Men, who craftily seduce and inflame an unthinking Multitude, and lead them to those Actions which are the Disgrace of civil Society, and the Destruction of public Liberty and Happiness. Such despe-

(*b*) All Laws are established with a View to public Utility, though with regard to particular Cases they may sometimes be injurious. Plat. Hippias Maj.

rate Wretches thus heated to Madness trample down all Restraint, human and divine : But a State of civil Liberty supposes Man under the Government, and absolute Authority of Laws ; the Extent of it is determin'd by their Injunctions, and its Abuse by his Disobedience. Here then let us rest, that as there cannot possibly be any true Liberty where there is no Restraint of Laws, so that Restraint gives the only Security to, and full Extent of civil Liberty.

I THINK it will be proper to add, a short Explanation of what I mean by the *absolute Authority* of human Laws. Though I have all along insisted upon that Circumstance, and though it be true of Laws properly so called, yet in one Respect all the Authority of human Laws is conditional. “ Human Laws  
 “ are Measures in respect of Men whose Ac-  
 “ tions they must direct, howbeit such Mea-  
 “ sures they are as have also their higher  
 “ Rules to be measured by; which Rules  
 “ are two, the Law of God and the Law of  
 “ Nature : So that human Laws must be  
 “ made according to the general Laws of  
 “ Nature, and without Contradiction to any  
 “ positive Law of Scripture, otherwise they  
 “ are ill made (c)”. When therefore they do not in any Respect contradict the Law of God, (for I take the Liberty to comprehend both the Law of Nature and of Scripture

(b) Hooker's Eccl. Pol. B. 3. S. 9.

under

under this general Term) then is their Obligation to Man absolute, sacred, unalterable, and in this Case *whoever resisteth, resisteth the Ordinance of God.*

WHAT has been hitherto said respects Man only as a Member of civil Society, and is relative to his civil Interests only, such as Life, Well-being, Health, Freedom, and Security of his lawful Property. But every Man has an Interest different from, and far superior to all these, and that is his religious Interest. What is the nature and lawful Extent of Liberty in this Capacity, is next to be examined.

Now as in the Examination of the Nature and Extent of civil Liberty, it was necessary to suppose something of Civility, that is, the Existence of some Kind of Society, so also in this Enquiry into the Nature and Extent of religious Liberty it is absolutely necessary to suppose something of Religion. We must suppose at least the Belief of a supreme Being, the Creator and Governor of the Universe, and a future State of Existence. For without this Supposition Men are with regard to the very Notion of a religious Interest, utterly wild, extravagant, and unconnected: The very Foundation of a religious Interest is totally annihilated, and Men are, in this Case with regard to religious Liberty, just what they are as to civil Liberty, whilst they continue in a State of unrestrained, and savage Licentiousness. In the one there cannot possibly be any such Thing as civil, nor in the other any such Thing as religious Liberty.

WE must therefore examine what is the Nature and Extent of religious Liberty under the Belief of a supreme Being, and a future State. Now to every dispassionate and unprejudiced Enquirer under this Conviction of Mind, it will evidently appear from many Arguments that at the Commencement of this future State, we shall be accountable for our Conduct in this; and that in all other Respects this future Existence has nothing to do with the Interests or Concerns of the present World. All human Connections will be entirely dissolved at the Dissolution of the human Frame; in the next Life we shall *neither marry nor be given in Marriage, but be as the Angels in Heaven*. As therefore there is not any Shadow of Connection between the temporal Interests of this State of Existence, and the eternal Interests of the next, and as civil Authority can only be relative to Man as a Member of civil Society, all whose Connections are necessarily ended by Death; consequently the civil Authority has no Right to order or ascertain the preparatory Means of Man's Existence in the next World. Points of Faith therefore, and Modes of Worship are beyond the civil Jurisdiction. So that Religion *by Law established*, seems to be an Expression of great Impropriety. For Instance, with Regard to Christians, all the Laws upon Earth would be utterly ineffectual, as to the Establishment of any religious Institution different from that which is ordained by Jesus Christ; and if they but prescribe the same,  
what

need of human Laws to establish that which is already established by a superior Authority? In the important Affair of Religion therefore, every one must be left to determine for himself. His Interests in this Respect are not any way connected with the Interests of other Men. He alone is to be the Sufferer if his Election is wrong, and *to his own Master* must he stand or fall. Nor is it indeed in human Power, whatever may be vainly attempted to determine and establish Religion for another. An outward Profession may be extorted, but Faith which is a principal Part, (*d*) cannot be forced. All the united Force of human Might cannot possibly constrain me to believe what I do not believe. As therefore human Authority has no Right to interfere in this Matter, and as it is impossible that it should interfere to any rational Purpose, it follows, that every Man is at Liberty to decide for himself in Matters of religious Faith. A Christian does well, and discharges his Duty who endeavours charitably to convince a *Turk* or a *Jew*, or any one else, of the Errors of his Opinions; but if he fails in his pious Attempt, he has no Right to insult or molest him, or any ways obstruct even his temporal Advantages on Account of any such Difference in Opinion; for whenever he breaks the Laws of universal Cha-

(*d*) Human Penalties concerning Opinions must be of little Consequence, since no Penalty can supply the Place of Argument, or Probability to engage our Assent, however they may as Motives determine our Election. Huch. on Pass.

riety, he becomes, on the Principles of his own Religion, guilty of an abominable Crime.

AND as every Man is necessarily at Liberty to determine for himself in Matters of religious Faith, so also has he a Right to determine for himself the Mode of religious Worship ; provided he does not in any Respect interfere with, or encroach upon the same general Rights belonging to every other Member of the civil Community. And with this Restriction all established Churches will be safe and unhurt in their Priviledges. For wherever a Number of Persons agree in Points of Faith, and by common Consent fix upon a Form of Worship for themselves, there, as far as I can understand the Term, is an *established Church*. And as each Meeting, Assembly, Church, or whatever it is called, has a Right to be undisturbed in its own Form of Worship, so ought it to give the same Indulgence to all others. As to the very extraordinary Ideas which some Persons have annexed to the Word Church, since they have not any Foundation either in Reason or Scripture, and are besides above my Comprehension, I beg leave to have nothing to say to them (e).

THESE particular Churches however must have their Laws, and Rules for the Admission

(e) *Εκκλησια* in the antient classical Authors signifies any Kind of Community, even Companies of Robbers, or Bands of Conspirators ; the Christian Authors use it in very different Significations. For the particular Import of it see *Bobmer's* 8th Diff. de Veter. Eccl. Stat. The Enquiry into the Const. of the prim. Church, Chap. 1. Mr. *Locke* on Toleration, *Suidas*, *Scapula*, &c. &c.

and



and Qualification of their Members, and from the Nature of the Thing, an exclusive Power with Regard to all those that submit not to their Laws. Which is indeed all the defensible Authority that Men in their religious Capacity can be invested with, and is all that can now be meant by that Anathema, whose Influence some Men have unwarrantably stretched to a most exorbitant Degree. If any Man insists upon a greater Power as belonging to any Church, and pleads the Example of *St. Paul* delivering an Offender over to *Satan*, I shall not dispute with him. For whatever Authority *St. Paul* might have; no ecclesiastical Man, nor any body of ecclesiastical Men upon Earth hath Authority now, either to deliver another over to *Satan*, or even in the least to injure him in his civil Concerns. The *Kerem* or Anathema of the *Jews*, when in their later Ages Excommunication was established with the Sanhedrim, did indeed signify Expulsion out of the Synagogue, with Imprecations and a Deprivation of all civil Commerce. But I think it is more consonant to the general Tenor of *St. Paul's* Writings, and those noble glowing Sentiments of fervent Charity which every where adorn them, to suppose that by Anathema he means only *Expulsion* from the religious Congregation, rather than the very *Jewish* Excommunication with all its terrible Consequences. That he intends something analagous to it but not the very Thing, something like it in Kind, but not in Circumstances or Degree

gree (*f*). And this Opinion seems to be confirmed by *Tertullian's* Account of the judicial Proceedings of the Church in his Time: He says that in ecclesiastical Censures the Sentence is given with great Solemnity, and that it is looked upon to be the strongest Anticipation of future Judgment, if any one has been so far delinquent as to be deprived of all religious Commerce (*g*).

UNDER an ecclesiastical Constitution formed upon the truly Christian Principles of general Indulgence, and under such a one only might all men enjoy what they have a natural Right to, the full Extent of true religious Liberty.

BUT then it may be objected, if this general Indulgence is to be granted, the civil Community will consist of Members whose religious Persuasions are very contrary one to the other, and it may happen that many will not be even Christians. What then? Where is the absolute Necessity, in order to attain the general Purposes of civil Society, that all its Members must be Christians? If all are to be excluded but those who are really Christians, I fear we should have very slender Societies even in what is called the Christian World. For a mere Name is nothing: It is not a hypocritical Profession of the Name of Christ that makes a

(*f*) See Hamm. on Anath. Rom. ix. 3. 1 Cor. v. 5. Galat. i. 8, 9. Basnage Hist. of Jews B. 5. C. 18. (*g*) Judicatur magno cum pondere, ut apud certos de Dei conspecta, *Summumque* futuri judicii præjudicium est, si quis ita deliquerit, ut a communicatione orationis, et conventus, et omnis *Sancti* commercii relegetur. Apol. c. 39.

Man a Christian, it is the Observation and Practise of the moral Duties which he has established. A *Jew* or a *Turk* who is a strict Observer of the Duties of Morality, would be a much more valuable Member of civil Society, than any of our modern Roarers for Christianity, who having nothing of the Institution but the Name, act cunningly to make the most of what they have. A Man had better be a *Jew*, or a *Turk*, or any, even the most despised Name than such a Christian, so sunk in self-Interest, and all the Vices that crowd themselves into that human Heart which is deficient in a benevolent Principle. It would be much better for such Men that they had not known the Way of Righteousness, than after they have known it, to turn from the holy Commandment delivered unto them. Christianity then is not absolutely necessary for the Attainment of the general Ends of civil Society. And though they would be infinitely better answered, if all the Members of the Community were sincere and real Observers of genuine Christianity, than they can possibly be under the Profession of any other Persuasion whatsoever; yet if the World is so unhappily circumstanced that the grand Purposes of human Life cannot at present be so compleatly accomplished as might be wished, that is no Sort of Reason that they should not be fulfilled as well as they may: As well as the present confused State of Things will permit. And if this be true, no sufficient Reason, I think, can be given why Persons differing

fering from us in religious Persuasions should not be indulged in all civil Rights, so far as is consistent with the public Welfare of that Community to which we belong.

I HAVE hitherto been speaking only of the natural Rights belonging to every religious Agent, and of the Liberty which in Matters relative to religious Faith and Worship he ought to enjoy. What his Duty is where the municipal Laws abridge this natural Freedom, or how far the Laws which do so come under the Notion of those human Establishments, which are contrary to the Laws of God, I shall not now determine. I am in the next Place to consider some of the Abuses of civil and religious Liberty.

THE Laws of a Community which are agreeable to the Laws of God (and whenever I speak of Laws, I understand this always as a necessary Requisite) are the Criterion of civil Liberty. Consequently so long as Man's Conduct is measured by that Rule, so long he uses his Liberty as he ought; but whenever he transgresses it, and refuses Obedience to the Laws, he is guilty of an Abuse of Liberty. Of the inviolable Sanctity of Laws in general, we have the concurrent Opinion of all the great Authors of Antiquity, who have either purposely treated, or accidentally mentioned this Subject. Established Laws then are supported by a certain Divinity of Sanction, which cannot without Impiety be resisted. They flow originally from the very Beginning and first Principle of all Things. And from

from the Generality of this Persuasion amongst Mankind, all Lawgivers have founded the Authority of their Laws in the Sanction of some Deity (*b*).

*TULLY* says, when he speaks of Law, he means Empire; some irresistible Authority without which all the Relations of Mankind, and the very Constitution of the Universe would be instantly dissolved (*i*). And on Account of their sacred Authority, *Plato* thinks it an unjustifiable Thing to presume even to enquire into their Rectitude, and says, they should be received with entire Submission as if they were ordained by the Gods themselves (*k*). And what a perfect Picture have we of absolute Resignation to the legislative Power in the Conduct of that wonderful Man his Instructor (*l*)! Not but that he would surely have been defen-

(*b*) Thus *Zoroaster* in his Laws to the *Bactrians* and *Persians* gave the Authority of *Horomafis*. *Trismegestus* to the *Ægyptians*, *Mercury*. *Moses* to the *Jews*, the true God. *Minos* to the *Cretans*, *Jupiter*. *Charondas* to the *Carthaginians*, *Saturn*. *Lycurgus* to the *Lacedæmonians*, *Apollo*. *Draco* and *Solon* to the *Athenians*, *Minerva*. *Numa* to the *Romans*, *Egeria*. *Mahomet* to the *Arabians*, *Gabriel*. *Zamolxis* to the *Scythians*, *Vesta*. *Plato* to the *Magnesians* and *Sicilians*, *Jupiter* and *Apollo*. (*i*) Videtis igitur, magistratus hanc esse vim, ut præsit, prescribatque recta et utilia, & conjuncta cum legibus. Ut enim magistratibus leges, ita populo præsumt magistratus; vereque dice potest, Magistratum legem esse loquentem, legem autem mutum Magistratum, Nihil porro tam aptum est ad jus, conditionemque naturæ; quod cum dico legem, a me dici nihil aliud intelligi volo quam imperium, sine quo nec domus ulla, nec civitas, nec gens, nec hominum universum genus stare, nec rerum natura omnis, nec ipse mundus potest. *Tull. de Leg. Lib. 3,* (*k*) μια δε φωνη, και εξ ενος σχοματος παντας συμφωνειν ως παντα καλωσ χεινται, θετων θεων. *Plat. de Leg. L. 1.* (*l*) See the *Crito*, and latter End of the *Phædo*.

D

fible,

fible, had he accepted of the Means proposed to him by his Friends to escape that Death to which he was unjustly doomed by his Enemies. For he knew his own Innocence, he knew the Envy and Malice of his Prosecution, he knew that his Condemnation was a Contradiction to the universal Law of Justice. Notwithstanding all this he thought it necessary to set an Example of absolute Obedience to the legislative Power, by calmly resigning himself to that Sentence which unjustly deprived him of his Life. What would this Man have determined to have been the proper Conduct of the private Members of a political State, where the legislative Power had ordained a Law that was holy, just, and good? He, who says, that if he should attempt only to avoid a manifestly unjust Condemnation, that the Laws would thus accost him; "Tell us, O *Socrates*, what are you attempting to do? Know you not, that by this Undertaking as far as is in your Power, you are plotting the Destruction both of the Laws, and of the Commonwealth? Do you think it possible that a Community can any longer subsist, and not be entirely overturned, in which the public Decrees are of no Force, but are made ineffectual and absolutely perish through the Disobedience of private Persons (*m*)?" What would have been thought of private Subjects in the *Roman* State, who should have had the Presumption to have disobeyed the Laws, at the Time when a Father

(*m*) *Crito*.

could

could condemn his Son to an ignominious Death for Transgression of the public Orders? When the Action was attended with many Circumstances to excuse it, and particularly (which has great Sway in determining the Judgments of common Men) with Success. Obstinate and incorrigible Fomenters of Rebellion require something of the Discipline of a *Manlius*, for we find that the Severity of his Sentence produced a more ready Obedience in those under his Command (*n*).

ALL Resistance then to established Laws is really an Abuse of civil Liberty. And a great modern Author is so well convinced of this, that amongst unlawful or factious Bodies, such as Companies of Thieves, Beggars, Pirates, Highwaymen, he reckons those Confederacies which carry a plausible Pretence, such as *Protection from Danger*, and *Redress of Grievances*. And it is worth Notice, that these two last are particularly specified (*o*). Indeed, not only these Confederacies upon what Pretence soever formed, but every Degree of Resistance to the Legislature is absolutely unlawful, because "The Power that every Individual gave the Society when he entered into it can never revert to these Individuals again so long as the Society lasts, but will for ever remain in the Community (*p*)."  
But when Subjects grown Wanton from Indulgence, openly desert their Duty, and violently invade and oppugn the Rights of

(*n*) Tit. Liv. L. 8. S. 8.    (*o*) Puffendorf, B. 7. C. 2. S. 23.  
(*p*) Locke of civil Govern. Se. 243,

the Legislature, they are guilty of the greatest Crime of which Man is capable, they deserve to be esteemed the Enemies of Mankind and treated accordingly (*q*).

IN short, the general Duties of Subjects are these, “ That they be faithful and obedient to  
 “ their Governors, that they be contented un-  
 “ der and satisfied with the Decrees of the le-  
 “ gislative Power, and never enter into any se-  
 “ ditious Practises against them: That they  
 “ make it always an inviolable Rule to prefer  
 “ the Good of the Public to any private Mo-  
 “ tive whatsoever: That they observe a peacea-  
 “ ble and friendly Conduct, be good humour-  
 “ ed, and complaisant in the Affairs of human  
 “ Life, and that they never envy or unneces-  
 “ sarily oppose the Happiness or Advantage of  
 “ any one (*r*).” These are all very material Points of Duty to every Member of civil Society, as long as Men are Subjects and live under any Form of true Government, and whoever is deficient in any of these Articles is guilty of an Abuse of civil Liberty.

MANY unanswerable Arguments to prove that absolute Obedience to the Laws is the indispensable Duty of Subjects, might have been produced from the Gospels and other canonical Books of the New Testament: But the Behaviour of those Persons for whose particular Service this Discourse was intended, having too

(*q*) Fuit, fuit ista olim in hac republica virtus, ut viri fortes acrioribus suppliciis civem perniciosum quam acerbissimum hostem coercerent. Tull. (*r*) Barbey. on Puff.

plainly



plainly shewn that the Precepts of Jesus Christ and his Apostles have no Weight with them, they are for that Reason omitted.

IT is by these Men that the Public Voice truly, has been much cried up of late, as a Something of mighty Importance. But let us take great Care of their Designs who make such Sort of Distinctions where none ought to be made. The Voice of the Legislature is the only Voice of the Public. A public Voice as something distinguished from the Degrees of the legislative Power, is an Absurdity. The Voice of a seduced Multitude in Contradiction to the Legislature is the Voice of Anarchy: And when the wild Roarings of this outrageous Tumult drown and overwhelm the Voice of Reason and the legislative Power, it is a fatal Proof that the Constitution is very hastily tending to its Dissolution. The public Happiness of this Nation has been too often wrecked, in the Storms and Confusion attending this Kind of public Voice.

WITH Regard to the Abuse of religious Liberty, I shall confine myself to the Consideration of those Persons who call themselves Christians, yet however differ very much in their Notions of Christianity. The common Direction to all these as a general Rule of Faith and Practise, ought to be the Gospel of Jesus Christ. It has been said, that the civil Laws give the Criterion or Measure of civil Liberty, in the same Manner is the Gospel of Christ the Measure of religious Liberty: The Gospel  
itself,

itself, not the Additions or Corruptions of Men, and whatever Instance of human Conduct is not resolvable into and defensible by the Precepts or Permission of that general Law, is an Abuse of religious Liberty.

HERE then if we act consistently we are obliged to condemn every Kind, and every Degree of Persecution for difference of religious Opinion. Some Men have acted as if they thought that Persecutions and Tortures were an Honour to Christ and his holy Religion. They have artfully studied the Means of protracting the most exquisite Agonies, and by close Application discovering what Degree of Anguish the human Constitution will sustain ; with Eagerness and the utmost Satisfaction of Mind, they inflict just so much Misery as is for a long Time consistent with Life ; and after having sedately practised all the Arts of ingenious Cruelty to preserve the Sense of Pain, deliver a beloved Brother to the Flames, and Feast upon his dying Agonies. This the Papists, who call themselves Christians, practise, and as they pretend from Motives of Love, and Regard for a Man's Welfare. Whether or no that be their Motive, let the common Sense of Mankind determine. Others indeed in ecclesiastical Censure, do not carry Persecution quite so far ; they do not strain a Man's Muscles, dislocate his Members, mangle his Body, or deprive him of Life, But content themselves with robbing him of all the Benefits of civil and religious Society, and compleating the Ruin of his temporal Concerns.

cerns. But Papist or Protestant, whoever they are that act thus, it would have been better for such Men that they had not been born.

AND not only these enormous and horrible Acts of Persecution whatever the Pretence is, are unlawful, but also every inferior Degree is in its Proportion an Abuse of religious Liberty. No one ought to prejudice another in any Respect in any of his civil Rights, because he happens to be of a different religious Persuasion. His Rights as a Man, are to be inviolably preserved to him. These are not the Business of Religion. No Violence, nor Injury is to be offered him, whether he be Christian or Pagan (s). Every Instance of Conduct tending that Way, though masked with the hypocritical Pretence of Regard for Religion, is a notorious Abuse of religious Liberty. Every Action of Reproach, of private Calumny, or public contumelious Treatment stands condemned by the same Law (t). We must not in any Respect use our Liberty for a Cloak of Maliciousness; and though the Original signifies Wickedness in general, yet it certainly includes every possible Instance and Degree of that Crime which we particularly mean by the Word Maliciousness, and this either in a political or religious Sense.

LET us then examine what has been our

(s) Locke on Toleration. (t) An Action is morally Evil, either from Intention of absolute Evil, universal or particular, or from pursuit of private, or particular relative Good. For even the Want of just Degree of Benevolence renders an Action Evil. Hutcheson on the Pass.

Conduct in these very important Relations. In our civil Capacity have we been Obedient to our lawful Governors? Have we shewn ourselves contented under, and satisfied with the Decrees of the Legislature? Have we never entered into any seditious Practises against them? Have we never formed any Combinations under Pretence of Protection from Danger, or Redress of Grievances? Have we always preferred the Good of the Public to every private Motive? Have we been careful to observe a peaceable and friendly Conduct, and never to obstruct the lawful Happiness and Advantage of another? Rather have we not in every one of these Instances been scandalously blameable? Even to such a Degree as to deserve no better Appellation than that of Traitors to our Country (*u*).

IN our religious Capacity have we been careful to regulate our Conduct by the Rules of the Gospel? Have we shown ourselves meek, benevolent, and charitable? Have we avoided all Degrees of Persecution? Have we exhibited that particular Species of Charity which rejoiceth not in Iniquity, but in the Truth? Have we exerted ourselves on every Occasion to the utmost of our Ability to fulfil that daily Petition, *Thy Kingdom come*? Rather have we not inverted all the distinguishing Precepts of the Gospel, and shewn ourselves to be Men whose Conduct is a scandal to Christianity? Are we

(*u*) Plato Titanum e Genere statuit eos, qui, ut illi cælestibus sic hi adversentur magistratibus. Tull. de Leg. 3.

not such as the Apostle calls Murmurers, and Complainers walking after their own Lusts, whose Mouth speaketh great swelling Words, who despise Dominion and speak Evil of Dignities, Clouds without Water carried about of Winds, raging Waves of the Sea, foaming out their own Shame, to whom is reserved the Blackness of Darkness for ever.

As a Justification of these Observations, let us reflect a Moment upon the Conduct of our modern pretended Advocates for Christianity, who have opened to our Eyes a View at which every Lover of his Country, every Lover of Christianity must tremble (*w*). They have long distinguished themselves by an open Opposition to their lawful Governors under various plausible Pretences, but have at last disclosed their real Aim, and by recent Instances, have shown what is to be expected from their intemperate Zeal. Whoever delights not in Scenes of Blood and Desolation, whoever has a Spirit to assert his own and the general Rights of Mankind, whoever dares declare for Liberty and the Authority of the Laws in Opposition to the riotous noise of Anarchy, and the Tyranny of a mad Multitude, whoever dreads and would attempt to prevent the intolerable Scenes of Misery that attend the Ruin of a happy Constitution, whoever holds dear the Rela-

(*w*) The public Rejoicings upon the Repeal of the Bill relating to the *Jews*; in which the Image of a *Jew* was born along in formal Procession, and burnt at a Stake amidst the Acclamations of the Populace.

tions that sweeten Life, whoever has a Heart to feel the Cries of Virtue, or a Hand to wipe away the Tears of Innocence, let all such be timely warned of the Mischiefs that naturally follow the late outrageous Insults upon our Laws, our Liberty, our Religion.

THE pretended Protestant who acts upon the Principles of a Papist, is a Papist ; for Actions not Pretences speak the Man. Whence then comes Reproach, and Contumely ? Whence arise fiery Persecutions for Difference of Opinions ? What Spirit is it that dictates public Rejoicings, and even bestial Acts of Festivity on Account of another's Disappointment and Distress ? Whence come mock Triumphs, and the solemn the inhuman Foolery of imitated Processions, dragging along the Effigies of some unhappy guiltless Sufferer ? Whence, what is all this ? And what does it portend ?—These are the Proceedings of that factious Rout, who for a Pretence bellow out Christianity. Let us give Thanks to our omnipotent Protector that as yet they have only the Will and Wishes to destroy us.

IN these Circumstances just mentioned it plainly appears that Liberty both civil and religious is used for a Cloak of Maliciousness : Let us briefly enquire in the last Place, what is meant by using it as the Servants of God. And these indeed are but other Words signifying an Institution of Life and Manners, formed according to the divine Precepts of our holy Religion. The Bent and Genius of which, if we  
examine

examine it with a sincere and honest Heart, we shall find not only allows but even prescribes the most extensive and benevolent Indulgence. So that to use our Liberty as the Servants of God, is for Men universally to show mutual benevolence and allow free Toleration to each other. Not but that the Duty of Toleration, like all other Duties has its Boundaries, beyond which it ought not to be extended. No speculative Notions, or Principles of Practise ought any where to be tolerated that are inconsistent with the Safety of the Community ; but every thing that is, on the Principles of Christianity ought to be born with. It is plain, that no Person ought to be continued a Member of Society who denies the Being of a God or a future State of Existence ; because without this Belief there cannot possibly be any Security that the social Obligations shall be observed. Atheism not only radically destroys all Religion, but disunites all the Connections, and dissolves all the Obligations of human Society. Nor can it be required by the Duty of Toleration that any Person should be either admitted or continued Member of the Community, who with wilful Obstinacy refuses all Obedience to the Laws. For to what Purpose are Laws and Magistracy, if they have no moral Effect upon the Conduct of the People (x)? He only is a good Member of Society and worthy to be continued in it, with whom the public Decrees of the legisla-

(x) *Quid leges sine moribus vanæ proficiunt?* Hor.

tive Power have their proper Force (*y*).

UNDER these two Restrictions, the Belief of of a God, and a future State, and Obedience to the Laws, there is not any Reason upon Earth, I am sure there is not any from Christianity why every Man that desires it, whatsoever his Denomination is, should not be admitted to the several Rights of civil Community (*z*). To give this noble, this charitable, this truly Christian Indulgence, is in my Opinion, to use our Liberty as the Servants of God. The first Christian Emperor had this generous Principle much at Heart, when he desired that all his Subjects Believers or Unbelievers, might enjoy the same Advantages of a quiet and peaceable Life (*a*): And our Saviour seems to me to have enjoined it, when he says whatsoever ye would that Men should do unto you, even so do ye unto them. And there is not a Man breathing who is of a mean and contracted Spirit to others, but would if their Situation was changed, wish himself in the same Circumstances, more Indulgence than he is willing to give. It is great Pity, but this golden Rule of social Conduct, as it most easily

(*y*) Vir bonus est quis? qui consulta patrum, qui leges, juraque servat. Hor. (*z*) If we may openly speak the Truth, and as becomes one Man to another, neither Pagan, nor Mahometan, nor Jew, ought to be excluded from the civil Rights of the Commonwealth because of his Religion. The Gospel commands no such Thing. The Church which judgeth not those that are without, wants it not. And the Commonwealth which embraces indifferently all Men that are honest, peaceable and industrious, requires it not. Locke on Tolerat. (*a*) Ομοίαν τοις πιστευουσιν οι πλανώμενοι λαμβανέτωσαν ειρηνης τε και ηουχιας απολαυσει. Constantin. ap. Euseb. Lib. 2. de Vita Const.

might



might be, were universally observed. There would not be any Reason then to complain of the many Miseries of human Life. Nor should we see any Thing of the great Source of most of this narrow persecuting Spirit which is gone abroad into the World, and like the Devil in *St. Peter, walketh about seeking whom it may devour.*

IF any Man thinks proper to ask me where I find this most benevolent and comprehensive Dispensation, I will freely answer him, in the Gospel of Jesus Christ: There, and there only: Not in the laboured Systems of Divinity, or the unintelligible Heaps of metaphysic Jargon. From hence indeed we may learn this contracted and persecuting Spirit, and be incited to quarrel about what we do not understand. But the Gospel itself is ever easy and intelligible, and breathes nothing but Peace and Good-will towards Men, towards all of the human Race. It's Peace and Good-will is not confined to a few nominal Christians, but is by the Author of it offered alike to all the Inhabitants of the Globe. Mercy, and Love, and general Indulgence are the Genuine Fruits of Christianity; whose Benevolence, like the Light proceeding from the Sun is universal. The Radiance is not diminished to any one Object, because it is bestowed upon many, but the Glory of the great Source itself encreases with the Number over which it sheds its Influence. The Beams of the Sun have no Beauty, when they are darted into Vacancy, but when they exhibit to us the Various and  
engaging

engaging Prospects of Nature, they fill the Mind with inexpressible Delight. Thus too the Benevolent, the Christian Heart, lessens not its Affections to any one, because they are exerted to bestow Kindness upon all ; but the Virtue of Benevolence is then most glorious, is then truly Christian, when it is directed alike to all Mankind. This we may learn in the Gospel with the Nature and Extent of that *Liberty wherewith Christ has made us free* ; and there may we be all instructed upon the Fundamental Principles of this universal Benevolence *to use that Liberty, not as the Cloak of Maliciousness, but as the Servants of God.*

F I N I S.

