

**DISESTABLISHMENT  
AND DISENDOWMENT.  
WHAT ARE THEY?**

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Disestablishment and Disendowment. What are They? by Edward A. Freeman

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# DISESTABLISHMENT

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*WHAT ARE THEY?*

BY

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SECOND EDITION

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1885

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## PREFACE TO THE SECOND EDITION.

IT is ten years since these papers first appeared in the columns of a newspaper, and were presently reprinted in the shape of a small book. The book has now been for some while out of print. But the lapse of time seems hardly to have changed the position of the controversy. The assertion of the same plain facts seems as much in place now as it was then. It is hardly needful to say that the papers were not written at first, and that they are not reprinted now, to support the practical conclusion of either side in a dispute on which no judgement is given on either side. Their object, then and now, is simply to clear away confusions on both sides, and to enable both sides to discuss more easily the really simple ground of controversy between them. The question in truth comes to this ; A great change in the law is proposed, a change which, like any other change, it is any time within the power of Parlia-



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ment to make. Are there, or are there not, good grounds for making that change? To that question these papers give no answer; their object is the humbler one of clearing the ground for their discussion. They appear as they did in the first edition with only a few verbal changes. In two or three places the meaning has been made clearer; in two or three places a few words have been changed where things were spoken of which were present in 1874 but which are past in 1885.

SOMERLEAZE, WELLS,  
8th January 1885.

# DISESTABLISHMENT

AND

## DISENDOWMENT.

### I.

WE have lately heard with one ear that the disendowment of the Irish Church has as yet brought no funds to the purposes to which its surplus revenues are to be applied, and we have lately heard with the other ear that the cry for the disestablishment and disendowment of the English Church is again rising as loudly as ever. This then is not a bad time to stop and ask what the words "disestablishment" and "disendowment" really mean. And this question involves the earlier one, What is the "establishment" and the "endowment" of which "disestablishment" and "disendowment" are the opposite? The answer to these questions involves an examination of one or two common confusions by which the subject is often clouded over.

First of all, there is a lurking unwillingness in the disputants on both sides, as indeed there is in

most speakers on all subjects, to acknowledge the simple principle that, in every political community, the supreme power of the State, wherever that supreme power may be placed, may do whatever it thinks good. We say this, of course, with the necessary limitations, both physical and moral. A law may be, as we hold, unjust ; this means that, if we were members of the assembly in which that law was passed, we should vote against it. Or, at the outside, it means that we should deem it our duty to resist the law in obedience to some supposed higher law. This is all ; a man may suffer what he thinks a wrong at the hands of the supreme power ; but that wrong is something wholly different from a wrong done by a private person. The difference is not merely that redress may be had in the case of a wrong done by a private person, while it cannot in the case of a wrong or alleged wrong done by the supreme power. For it may happen that a private man may by some act, as for instance by what we think an unjust will, do us what we hold to be a wrong, but for which there is no redress. All acts of the supreme power come under this last head. However much we may disapprove of them and suffer from them, they answer, at the worst, not to the act of the burglar or the forger, but to the act of the father who bequeaths something which he has a right to bequeath, but bequeaths it in a way which some of his children think unjust. Every act of the supreme power is in its own nature lawful. The