

**A SECULAR VIEW OF  
RELIGION IN THE  
STATE, AND THE BIBLE  
IN THE PUBLIC SCHOOLS**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649306862

A Secular View of Religion in the State, and the Bible in the Public Schools by E. P. Hurlbut

Except for use in any review, the reproduction or utilisation of this work in whole or in part in any form by any electronic, mechanical or other means, now known or hereafter invented, including xerography, photocopying and recording, or in any information storage or retrieval system, is forbidden without the permission of the publisher, Trieste Publishing Pty Ltd, PO Box 1576 Collingwood, Victoria 3066 Australia.

All rights reserved.

Edited by Trieste Publishing Pty Ltd.  
Cover @ 2017

This book is sold subject to the condition that it shall not, by way of trade or otherwise, be lent, re-sold, hired out, or otherwise circulated without the publisher's prior consent in any form or binding or cover other than that in which it is published and without a similar condition including this condition being imposed on the subsequent purchaser.

[www.triestepublishing.com](http://www.triestepublishing.com)

**E. P. HURLBUT**

**A SECULAR VIEW OF  
RELIGION IN THE  
STATE, AND THE BIBLE  
IN THE PUBLIC SCHOOLS**



©

A

SECULAR VIEW

OF

RELIGION IN THE STATE,

AND

*The Bible in the Public Schools.*

BY

**E. P. HURLBUT,**

FORMERLY A JUDGE OF THE SUPREME COURT OF THE STATE OF NEW YORK;  
AUTHOR OF "ESSAYS ON HUMAN RIGHTS," ETC.

---

ALBANY, N. Y.:  
JOEL MUNSELL.  
1870.

## INTRODUCTORY.

---

The writer, in common with many of his fellow citizens, has long looked with apprehension on a foreign religious element, which has assumed large proportions in this country; and he has been desirous that some just and peaceful remedy might be devised, to prevent a national calamity from this source. An intelligent friend, retired from politics, and all public strife, and who had meditated much on the subject, communicated in a letter addressed to the writer, an amendment to the first article of the Amendments to the Constitution of the United States, which will be found in the following pages, on the subject of a foreign hierarchical establishment in this country. The writer, after much reflection, esteemed this proposition of sufficient value to merit public attention, and communicated it by letter to several friends; intending if they approved it, to assign some reasons in its favor, if permitted, in the *New York Evening Post*; but meant to write anonymously, as he was completely retired from public life, and averse to public notoriety. One letter, however, escaped, and found its way into the paper referred to, with the writer's name in full; and thus committed, he felt the more constrained to assign his reasons at length, in support of the proposition. This he undertook, and one paper was published in that journal; but as the writer

proceeded, he found the matter rather voluminous for a daily paper; and as the theory he advanced embraced the present controversy respecting religious instruction in the schools, he thought it better to present the subject in one view, and in the present form: hence this pamphlet, which if noticed at all, seems likely to encounter unfriendly criticism at the hands of religious sectarians, and of all those who have never considered the proper relations of religion to a free state. So far as the writer has observed, no publicist has yet entered the lists of this controversy, the argument having so far (excepting what has been briefly put forth by the daily press) been presented by gentlemen of the clerical profession; and it seems fit that the secular view of the school question should be more elaborately stated. This the writer has endeavored to do, at the hazard of being called ill names, and of standing on neutral ground between the two contending religious factions, which may provoke the ire of both; as was the case according to Bunyan, of a neutral, at the siege of the town of "mansoul."

The writer, though a friend of morality and true religion, will not however admit, any more than the late Thomas Hood, that a man is pious "when he is only bilious;" and agrees with Lord Macaulay, "that the experience of many ages proves, that men may be ready to fight to the death, and to persecute without pity, for a religion, whose creed they do not understand, and whose precepts they habitually disobey."

E. P. H.

## RELIGION IN THE STATE

AND

## THE BIBLE IN THE PUBLIC SCHOOLS.

---

### I.

The following amendment is proposed to article I of the amendments to the Constitution of the United States. The words in italics are proposed to be added to the present article :

“ART. I. *Neither congress nor any state shall make any law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble and to petition the government for a redress of grievances. But congress may enact such laws as it shall deem necessary to control or prevent the establishment or continuance of any foreign hierarchical power in this country, founded on principles or dogmas antagonistic to republican institutions.*”

It is assumed that there is nothing in the Constitution as it stands, which forbids a *state* from establishing a religion, and that no power is conferred on congress by the Constitution to forbid a foreign hierarchial establishment in the United States. If such a power be needed, then the proposed amendment is also necessary.



In discussing the proposition it seems proper, even at the risk of being tedious, to draw on some of the first principles of civil government, and to make a few historical references pertinent to the subject. I commence, then, by observing that there exist but two pure, original sources of governmental authority: one professedly derived from the Supreme Divine Power, and exercised by divine right, which is theocracy; while the other is earthly and human, deriving all authority from the people, and is based on their consent; which is democracy. In the former the ruler is the vicegerent of Heaven; while in the latter he is the mere servant of the people. The one is a minister of the Divine Will; while the other only executes the will of the people. The right divine is, of course, a mere assumption; but this assumption, believed and acquiesced in by a nation, becomes a reality, and, in general, a dreadful one.

A government mainly theocratic regards men's relations to the Divinity and a future life as of primary importance, and treats their civil rights and duties as secondary; while in a democratic state men's spiritual interests are left to their own individual care, and to such guides as they may voluntarily select; the government being concerned only in maintaining justice between the citizens and securing the public defense. The rulers in a theocratic government are assumed to be divinely commissioned and infallible, and popular remonstrances are answered by a "Thus saith the Lord;" while in a democracy it is held that the voice of the people, rather than that of the high priest or monarch, is the voice of God; and obedience to law is

demande because it is the highest and most solemn expression of the popular sentiment.

\* In a theocracy, the state is little or nothing—the church everything; or in other words, the church is the state; while in a democracy, the state is everything, and the church nothing, so far as law, or legal recognition is concerned. The church exists as the offspring of public sentiment, without giving law, or law given to it. Theocracy may degenerate into monarchy, or become mixed with the latter, when king and priest divide the sovereignty, and conspire to oppress and plunder the people. Then the monarch assumes the title of “Defender of the Faith,” and divides the spoils of the subjects with his prelates. Examples of pure theocracy are found in the history of the Jews, of Egypt, and of Mexico and South America before the Spanish conquest, and in Rome under the Popes. Examples of theocracy, mixed with the monarchical element, now exist in every European monarchy where religion is established by law and the prince claims to rule by right divine. And it can be said with truth, that pure or mixed theocracy exists nowhere, at this age of the world, without encountering the antagonism of the democratic instinct of the subject, and that the people are everywhere anxious to be delivered from it as from an oppression and a scourge.

Now in matters of state there cannot exist a more perfect contradiction than arises between the theories, on the one hand, that the church is everything and the state nothing, or only its mere instrument; and on the other, the state is everything and the church nothing, except a mere volunteer, to aid lawful authority by its moral and

religious influence. A free and spontaneous religion may help to support the state, by the moral strength which it may confer on the citizen who is a pillar of the state; but the least drop of religion legally allied to the state, like the water in Father Tom's punch, spoils the state.

Count de Montalembert wisely advocates a free church in a free state, and maintains that neither can be free without the other is so.

I need hardly say that the American government is as nearly democratic as the vast extent of our country will permit; that it is a constitutional, democratic republic, without a single element of theocracy, but directly opposed to it; and now that slavery is abolished, equally destitute of any aristocratic element. It is founded purely on popular consent, and recognizes no source of power but the people. It acknowledges no spiritual power on earth, nor does it deal with man's relations to the infinite, or concern itself about his future existence, but confines its ministrations to man's earthly relations, rights and duties. Our citizens are bound only to be faithful to the state, and just to their fellow-men; doing which, they are left as free in thought, opinion and action as if they were in a state of nature. Their religion is a secret between them and their divinity. All religious sects are equal, and equally disregarded by the law. The citizen is not known as a religionist, but only as a man. This seems to be the true idea of civil and religious liberty; and a few historical examples will show how great an advance it is upon the past, and whether it is not too precious a thing to be lost or hazarded by our errors or lack of vigilance. My examples will be drawn from governments in which the theocratic element either