

CONSCIENCE AND CIVIL GOVERNMENT.

---

AN ORATION

DELIVERED BEFORE

THE SOCIETY OF ALUMNI

OF THE

College of Charleston,

ON

COMMENCEMENT DAY, MARCH 27TH, 1860.

BY THE

REV. JOHN L. GIRARDEAU.

---

PUBLISHED BY REQUEST OF THE SOCIETY.

---

CHARLESTON:  
PRINTED BY EVANS & COGSWELL,  
3 Broad and 103 East Bay Streets.  
1860.

241

CONSCIENCE AND CIVIL GOVERNMENT.

AN ORATION

DELIVERED BEFORE

THE SOCIETY OF ALUMNI

OF THE

College of Charleston,

ON

COMMENCEMENT DAY, MARCH 27TH, 1860.

BY THE

REV. JOHN L. GIRARDEAU.

PUBLISHED BY REQUEST OF THE SOCIETY.

CHARLESTON:

PRINTED BY EVANS & COGSWELL,

3 Broad and 103 East Bay Streets.

1860.

JSC

973.711

6441c

# ORATION.

---

## CONSCIENCE AND CIVIL GOVERNMENT.

---

*Gentlemen of the Society of Alumni  
of the College of Charleston:*

It has been frequently observed, that at a time when a pestilence prevails, all ordinary diseases tend to assume the type of that which is dominant. In like manner, when any great question of absorbing interest monopolizes public attention, the temptation to a speaker to indulge in reflections upon a cognate topic, is well nigh irresistible. This must be my plea for attempting to discuss—briefly, as the circumstances of an occasion like this demand—a subject which is at once of permanent importance, and of special interest in the present disturbed condition of the affairs of our country. And I confess that it has been undertaken in the hope of showing, by a reference to one of the principal causes of the existing state of things, the real attitude which the respective parties in the great controversy of the day sustain to each other, and to a common government. No thinking man can be an indifferent spectator of those striking events which stamp the character and make the history of his age; nor can such a man living at the present day withdraw his attention from the conflicts which are waging on the theatre of the world. The face of European affairs presents the aspect of a stormy sea, lifting up its billows in wild and tumultuous agitation. All conceivable theories

of political science are brought to the test of severe experiment, and the stability of governments to that of threatened revolution. Meanwhile, our own people, in the enjoyment of a peace which has suffered but little interruption from foreign war, have been left to work out the problems connected with their own government, and to try the durability of their own institutions. Nor are we exempt from the perils of discord, and the conflicts of momentous issues. As year after year elapses, the conviction must force itself upon the mind of every patriot, that the dangers which are confessedly incident to republics are thickening in the progress of our own. There is a feeling amounting to the presage of an instinct, that we stand in near proximity to critical events. All eyes are turned upon the evils which threaten the very existence of the Federal Government and of the Union, and all minds are speculating in regard to the nature of the remedies which ought to be employed for their removal.

Really, there is but one issue before the country, and that a mighty, though a simple one. More than a score of years ago, the sagacious mind of the great statesman of South Carolina descried in the political horizon a cloud not then larger than a man's hand. Since then that cloud has risen and expanded, until now the political heavens are black and threatening with its overhanging masses. Reflection has profoundly convinced me that the chief peril to our institutions lies in the misinformed and misdirected moral sentiments of one great section of the country. The Constitution and law of the land have lost their moral force and commanding authority, in consequence of the fact that the conscience of the people has been placed in an attitude of resistance to them. I trust, therefore, that in considering the question of the relations of conscience to civil government, I will be regarded as no more doing violence to the genius of this occasion, than to the prevailing temper of the times.

The theory that civil government is the result of a conventional arrangement suggested by the inconveniences of

what has been termed a state of nature, though supported by some names of no mean repute, appears now to be very generally abandoned. It seems to be the prevailing opinion that this theory is destitute of countenance from the dictates of reason and the principles of Revelation. The science of government has gained by the establishment of a juster theory in regard to the origin and nature of the State, a theory which makes an organism, supposing the existence and exercise of regulated authority, a necessity arising out of the fundamental constitution of human nature. Endowed by their Creator with social as well as individual instincts, it is impossible to conceive that men can exist except in society, unless it be possible to suppose that they could live in a permanent condition, which would contradict the necessities of their being. The true state of nature, therefore, is not that in which each man, in accordance with the law of individuality, tends to live apart from every other man in a state of isolation, but that in which, though maintaining his individuality in a measure, he enjoys the fellowship of his kind. He does not enter society from choice, but at his birth forms an integral element of a social state which springs from the very constitution of human nature, and is necessary to the development of its laws and the progression of its faculties. While, however, it is true that mankind are thus, of necessity, led to exist in society, it is also clear, as has been shown by an able writer, that the antagonism, which in the social state arises from the conflict of individual interests, by tending to destroy the benefits growing out of the relations thus formed, necessitates the existence of government. Society must exist, and its well-being renders it necessary that it should be regulated by lawful authority, terminating on its several members in the form of government. This necessity, springing from the essential nature of man, is but another expression for the will of his Creator, impressed upon his constitution in each of its several aspects, as bodily, mental and moral. Reason, therefore, basing its conclusions upon the facts of the case,

conducts to the doctrine explicitly enounced by the Scriptures, that civil government is the result of Divine ordination.

It has been contended, too, and with much truth, that in its inception the State was coincident with the family. To the patriarch was naturally assigned the government of different households and the adjudication of their difficulties. But as the race increased in number, and became more and more widely dispersed over the earth, other relations than those of mere consanguinity—moral relations implying reciprocal rights and obligations between men as men—began to be developed; and the great principle of justice, as distinguished from filial affection, was felt to be the principal bond of society in its diffused and expanded condition. The patriarch became the magistrate—the ruler of a State, rather than the father of a household. If this view be just, it will be seen that the State and the family stand in the same category, as to the necessity of their existence and their immediate relation to the appointment of Divine Providence. They are both institutions which spring from the will of the Creator and Ruler of men. Neither is primarily the offspring of a compact involving the election and consent of the parties who compose it; and as neither derives its existence from the mere will of man, neither depends for its continuance upon his option. Imbedded in his very nature and constitution, their being is co-extensive with his own in this world, and the obligations they suppose fundamental and indestructible.

In stating these views, it is not intended to convey the impression that particular forms of government are of Divine appointment, and may claim the authority conferred by a Divine right. While government, in its essential feature, must exist, it is left to the wisdom of men trained in the painful school of experience, and guided by the lights of history and observation, to form those systems of government which are best adapted to meet the wants and promote the welfare of the governed. Whether the monarchical, the aristocratic, or the democratic form, or one combining

some or all of their distinctive elements, be the best kind of government for a particular people, is a question that can only be decided in view of all the circumstances which, under the discipline of Providence, concur to form the history, the education, and the character of that people. All that it is important to the present discussion to establish, is the fact, that government, as such, is the result not of a conventional arrangement on the part of men, but is a Divine ordinance, as firmly and clearly impressed upon the constitution of human nature as are the great laws of the material world upon its organic structure.

If these views of the origin and nature of the State be correct, it is not difficult to give a plain and definite answer to the question—Why are we obliged to yield obedience to civil government? The ground of the obligation on which such obedience rests is not the consent of the governed, or the force of a compact into which it may be conceived that men have freely and voluntarily entered. These, doubtless, enhance the obligation in reference to particular forms of government, which, as in the case of that of this country, partake of the nature of a solemn contract; for then men make themselves debtors to their own faithfulness and honesty to fulfil the duties which spring from mutual stipulations. The general obligation to render obedience is of a higher and more imperative character, arising from the nature of the State, as a Divine institute, and of government as the ordinance of God. The Deity has expressed to us His will in the matter, in the form of law, and the duty to obey rests with the potency of a moral and religious sanction directly upon the conscience of mankind. The oracles of Nature and the voice of the Scriptures concur in establishing the truth of this position. They agree in enforcing upon the conscience the obligation to reverence the supreme and awful sovereignty of the State, “to obey the powers that be,” and to “render unto Cæsar the things that are Cæsar’s;” and as the penalty of the laws by which the State sustains its authority, and executes its high and commanding purposes, descends with acknowledged justice upon the

head of him who treats its sovereignty with contempt, so the Bible explicitly delivers the tenet, that he who resists shall receive to himself condemnation. Government is the sacred ordinance of Heaven, the magistrate a representative of the Great Ruler, and the sword which he bears the symbol of that sublime principle of justice, which is the noblest pillar of the Divine regiment and the firmest support of human constitutions.

Is the ground taken, then, it may be asked, that resistance to government is in no case lawful and justifiable? On the contrary, the very principle which has now been affirmed conveys the clearest warrant for resistance, and resistance even proceeding to revolution in certain extreme and exceptional cases. Time was when the doctrine of passive obedience was advocated by a large and influential section of that nation, from whom we have derived the most valuable elements of our own civil fabric—a nation to which I cannot allude without pausing to render to her the tribute which her immortal history, and her present elevated position, as an exponent of the great principles of constitutional government, so richly deserve. To say that England has not been free from faults, is only to confess that she has had occasion for steady and perceptible progress, and for revolutions, which have served to purify, reform and ennoble her. Nor is it more than the barest justice to remark, that after all the changes through which she has passed, and the shocks of conflicting interests which she has experienced, sufficient to have rent a feebler government than hers assunder, she now stands among the nations of the earth venerable with the honors which age confers, without the imbecility by which it is commonly attended. Conspicuous among the evidences of her advance is the fact that this very doctrine of passive obedience, though once supported by some of her staunchest sons, is now only to be found on her imperishable historical monuments which bear upon their face at once its record and its epitaph. Each great national change contributed to deprive it of some of its prescriptive force; and the revolution of 1688, in which the prerogative of the

crown met its most effectual limitation and constitutional rights their surest establishment, obliterated it forever from the heart of the British people. It has been said that the theory of the Divine right of kings "perished with the expulsion of James II. from the throne of England; that monarch took it with him into exile, and it lies entombed with the last of the Stuarts." The same may be affirmed of its legitimate offspring—the dogma of passive obedience.

There are two cases in which obedience to government may be refused: one in which the subject is required to infringe his conscientious convictions of what the Divine law demands, in which he is prohibited from doing what it enjoins, or directed to do what it forbids; the other, in which the fundamental law of a country, and the clearly defined constitutional rights of its people, are invaded and overthrown by the existing government.

It has already been contended, that the principal ground of obedience to government lies in the obligation to obey the Divine law. The State is a Divine ordinance, and its authority is, therefore, supported by that of the Supreme Ruler himself. This view may appear at first to countenance the doctrine of unconditional obedience. A little reflection, however, will suffice to convince us, that there are limitations attending the obligation to obey even some of the Divine commands, though specific in their nature, and formal in their expression. However difficult it may be precisely to define these limitations, it is still a fact that they exist, and that they not unfrequently meet with a palpable manifestation in human actions. The command—"Thou shalt not kill," is ordinarily binding on the conscience, and its infraction justly dooms the transgressor even to the extreme penalty of human law. Yet, there are cases in which it is confessedly right and lawful for a man to kill another. It will, perhaps, be found in these exceptional cases, that the apparent violation of one specific law is the result of conformity to another, which exercises paramount authority under peculiar circumstances. The primary law of self-preservation, for example, is sometimes obeyed, when

that which forbids the taking of life is infringed. In a conflict of duties, the less must yield to the greater; and as the law to which it stands related is the measure of any duty, obedience is clearly due to that law which is felt to be of superior authority over the conscience. To apply this illustration to the case under consideration: Whenever the law of the land, expressed in constitutions, in legislative enactments, or in supreme judicial decisions, comes distinctly into conflict with a Divine command, the question at once arises, whether the specific obligation to obey such a command is of paramount authority to the general obligation to render obedience to government as the ordinance of God? This question will be decided sometimes in one way and sometimes in another, the nature of the answer depending on the relative force of these two sorts of obligation. If the government requires the citizens of a country to take the lives of their fellow men in war, obedience can not properly be refused because a particular command of the Divine code prohibits the taking of human life. But there are supposable instances in which the decision must be of an opposite character. If the supreme authorities of this country should pass a law requiring its citizens to violate their most cherished religious convictions and become Mohammedans or Pagans, who could hesitate as to his duty to refuse obedience to such a law? The general conscience of the people would feel the obligation to obey a more commanding law. Here would be an exceptional case in which the limitations upon obedience to government would start out distinctly into light. The supposition may be extreme, but it is extreme cases which are the clearest tests of principles.

In addition to these considerations, it deserves to be remarked, that obedience to the State, like that which is due to other institutions, even those which may claim Divine origin, is limited by the sphere in which it is designed to operate, and the end which it is intended to subserve. The authority of the father of a family cannot extend beyond the limits of the household, nor can the rulers of the Church

claim obedience in other than spiritual matters. In like manner the authority of the State is concerned about the objects of civil government, and terminates when it is thrust beyond these objects, and is exercised upon grounds of other than civil import. The Church officer cannot wield civil power, nor can the civil officer control those subjects which are purely spiritual, and which fall strictly and exclusively within the jurisdiction of the spiritual Courts. There is a frontier territory, it is true, where the spheres of both osculate, and sometimes appear to intersect each other. A member of the spiritual community is at the same time a citizen of the State, and is amenable to civil government. His accountability to the State, however, is as a citizen, and not as a subject of ecclesiastical government. The relations are distinct, and ought not to be confounded. The position will scarcely be controverted, that the obedience which is due to all institutions—the State among the number—is limited by their obvious design and the legitimate sphere in which their jurisdiction is intended to be exercised. When these are manifestly and arbitrarily transcended, the question is raised at the bar of enlightened conscience, whether protest and the refusal to obey may not become a solemn and imperative duty.

Let it be observed, however, that, where moral obligation is concerned, the refusal to render obedience to regulated government requires for its justification the most undoubted evidence that conscientious principle would be sacrificed should a course of acquiescence be pursued. No light pretext can warrant the position of a recusant. He must be sure that he is not acting as a fanatic, and must be ready to make the sacrifices, however costly, which such a position may entail upon him, and upon others who may be influenced by his example. And although mere success or the want of success may sometimes, in the public judgment, serve to signalize the distinction between a patriot and a malecontent, the difference is really immense between a rebel against lawful authority, and a man who is rightfully and conscientiously prepared to become a martyr on the altar of

principle. The position of the one is execrable, and the scaffold is the appropriate badge of his infamy; that of the other is noble, heroic, sublime; and though his life may terminate on the gibbet, posterity will honor his name and embalm his memory. Under any circumstances the responsibility involved in resistance to the law of the land is not less than awful. He who offers such resistance sustains a position of antagonism to the high and dreadful sovereignty of the State; and he must be prepared to show that it is overshadowed and held in abeyance by the sovereignty of the Supreme Ruler himself. Nothing less will furnish a satisfactory justification of his course.

There is still another case, in which, in these remarks, it has been pleaded that resistance to civil government is justifiable. It sometimes happens that the fundamental law of the land is violated by the powers which administer the government. Here there is a conflict between the duty to adhere to constitutional law, and the duty to render obedience to those who are entrusted with the conduct of the government. Now, if it be clear that the Constitution itself violates no conscientious obligation to obey the Divine law, then it would seem to be evident that our first duty is to comply with its provisions. The disobedience to the law of the land is really chargeable on the existing government, and not on the citizens who maintain their duty to obey the law and to resist all encroachments on the fundamental principles of the Constitution. Disobedience to government, in such a case, is obedience to constitutional law. Here again the higher duty takes precedence of the lower. It is precisely this principle which governed the British people in achieving those memorable revolutions, each of which contributed to increase the number of their constitutional rights and the security of their guaranties. In that of 1688, even the prelates and cavaliers who had strenuously asserted the prerogative of the crown, and advocated, after the most extravagant fashion, the doctrine of passive obedience, deemed themselves justified in resisting the departures of the government from the sacred

principles of constitutional liberty. In those very churches, the walls of which had so often echoed the voice of the preachers inculcating the duty of unconditional submission to the royal behests, the clergy refused to comply with the king's command, requiring that his famous Declaration of Indulgence should be read from their pulpits. The same principle guided the patriots of our own Revolution in their resistance to the government of the mother country. The cherished and time-honored provisions of the great Charter, of the Petition of Right, and other constitutional documents, which secured the liberties and claimed the homage of British subjects, were outraged and trampled under foot by the crown and the ministry; and nothing was left to freemen, acting from high and conscientious motives, but by renouncing their subjection to the government, to maintain inviolate their obedience to fundamental law. In each of these illustrious instances, resistance to government, which, though at the time it encountered formidable opposition, was grounded in principle, and sustained by conscience, has been justified by results, and now stands vindicated by history and supported by the suffrage of mankind.

There are certain facts, moreover, springing from the bosom of these great revolutionary changes which are deserving of notice, as they furnish evidence of the truth of the theory that, in the last analysis, the responsibility incurred in resisting government must rest on the conscience of individual men. The act which inaugurated the Revolution of 1640, was the heroic refusal of John Hampden, single and unsupported, to pay the tax levied by an arbitrary monarch for the purpose of raising ship-money. The names of Burnet, Russell, Shrewsbury, Devonshire, Danby, Lumley, Compton and Sidney, will ever stand prominently associated with the Revolution of 1688, as of men who risked their lives in their individual attempts to give it inception; nor will the memory of Otis, of Henry, of Gadsden, and of their noble coadjutors—heroes who propelled the ball of the American Revolution against the opposing impulse of a majority of their countrymen—be

ever forgotten by a disenthralled and grateful people. Duty and responsibility are, of necessity, the correlates of conscience, and all questions affecting moral obligation must, from the nature of the case, terminate on men in their individual capacity. While it is not intended to express the opinion that it is either wise for individuals to attempt, or practicable for them to effect, those revolutionary movements which involve the general interests of a country, without the settled conviction of an intelligent preparation for them on the part of the masses, it must still be conceded that there are times when it is the duty of individuals to refuse obedience to an iniquitous and oppressive government, and that many who have so acted have justly entitled themselves to be regarded as vicarious sufferers for the benefit of their race, or to be canonized as martyrs for the sake of principle. Who can fail to be affected by the noble reply which Plato, in his defence of Socrates, tells us, was made by that remarkable man to the Athenian judges who doomed him to death: "You, O Athenians, I embrace and love, but I will obey God rather than you!"

I am not unaware that a distinction has been drawn between active and passive resistance to government; and that it has been contended that even when a refusal to obey is justifiable on conscientious grounds, the duty of individuals is to go no farther than simply to decline obedience and to submit to the penalty which may follow. The distinction may, in the main, be admitted to be valid, and the consequent duty of individuals, under certain circumstances, to be simply passive, and to refrain from the employment of force, be conceded to be clear; and yet the distinction is not so sharp as at first sight it appears to be. He who dies in consequence of his refusal to obey the requisitions of government, which he conceives to violate his conscience, offers a protest against that government under the most solemn and affecting sanctions. He delivers a testimony in blood. His death is a seal of his views, which constitutes a powerful and moving appeal in their favour; and as the blood of the martyr is the seed of

the Church, the blood of the patriot, dying for his constitutional rights, is the seed of a Commonwealth. Passive resistance, it is easy to see, may become an irresistible inducement to that which is active. In either case, whether resistance be active or passive, the responsibility incurred by him who offers it, is nothing less than tremendous. If he be right, and fall a victim, he dies a martyr, and the best interests of the race may be subserved; if wrong, he dies a traitor, and bloodshed and anarchy may result from the tendencies of his act.

It is proposed, in the light of this subject, to expose the dangerousness and the unjustifiableness of that agitation, which is now threatening to subvert the Constitution, to mar the peace and to blight the prospects of our country. In doing so, I desire to employ dispassioned and temperate language. Heated crimination is suited to accomplish but little good; but a calm investigation of the nature of those opinions, which are the producing cause of the present diseased condition of the body politic, is adapted to awaken the attention of sober-minded men to the real character of the evils which threaten us, and of the remedies which ought to be applied. Can the present attitude of resistance to the Constitution and government of the country, which is held by a large portion of the Northern section of the Confederacy, be sustained on either of the grounds which have been assumed to furnish a justification of disobedience to civil authority?

However much ambitious partizans may, in a political point of view, exaggerate the sentiments and outstrip the opinions of the Northern people, and however strongly and justly some of the latter may disclaim fanatical designs, it cannot be disguised that the great, the overwhelming majority have been educated to regard the relation of slavery as in itself immoral and contrary to the Divine law. It must also be admitted, that that relation is sanctioned by the provisions of the Federal Constitution. The majority of the Northern people, therefore, deem themselves justified in opposing the fundamental law of the land, on the ground

that it is in conflict with the Divine law. They are conscientiously opposed to slavery, and by consequence, conscientiously opposed to an instrument which sanctions its existence. This, it seems to me, is the greatest feature of danger involved in the agitation of this subject. The moral sense of the people is enlisted on the side of resistance. Without this, it cannot well be conceived that the great political measures which are now advocated by their representatives in the Federal Councils, and which are ominous of evil to the Union, could be pushed unrebuked to their contemplated results. The general conscience of the people affords the support, without which they could not for a moment exist. The great exponent of free-soilism, who, whatever may be his faults, will not be denied the possession of ability and shrewdness, did not misapprehend the temper and conscience of the Northern people, when he promulgated his famous theory of a "higher law"—a theory founded, in the abstract, upon a true principle, and involving, in the concrete, a false and ruinous application of it. His recent triumphal entry into the country after a temporary absence, the magnificent ovations which were rendered him by men of all classes and professions, and the posture which he at present sustains in the Federal Legislature, prove that he had not mis-read the views or mistaken the moral sense of the people. But argument is not required to show, that in these remarks, there is no unfair representation of the conscientious sentiments of the North in relation to this subject. The facts are too obvious to be denied. The very highest ground, then, is taken in opposition to the Constitution that can be used to justify resistance to civil government. It is assumed, that it is opposed to the Divine law, and ought not, in conscience, to be obeyed. The error lies in the assumption, that because the Constitution sustains the existence of slavery, therefore it is contrary to the Divine will. There is the misapplication of a great principle, the perversion of an abstract truth of acknowledged importance. Like all other errors which have been for a time in the ascendant, it owes its success to

the forced incorporation of this truth with itself. It has, in the progress of this discussion, been admitted that a case may exist in which the law of the land may and ought to be resisted. The mistake of the North is, that such a case now exists. The Constitution is not opposed to the Divine law, for the institution which it upholds is sanctioned by that law. It behooves, be it said solemnly, it behooves the Northern people to show conclusively, that the relation of slavery is condemned by the Scriptures; otherwise they incur the terrible responsibility involved in resisting the ordinance of God for false and inadequate reasons. It would be impossible in this address to discuss the question of the lawfulness and Scripturalness of this relation; nor is it necessary. The views of the South have been ably presented by some of her most distinguished writers. We may safely point to the defence of her institutions, as well on moral as on other grounds, by Smith, Bledsoe, Harper, Hammond, Simms, Dew, Grayson, Thornwell, and a host of reviewers. The argument has not been avoided, the controversy not evaded. The Northern people is under obligation to examine this question patiently, calmly and thoroughly, before they enlist the conscience against the law of the land, and excite a religious war—proverbially the fiercest, the bitterest, the most uncompromising, of all the forms of war—against a Constitution approved by the wisdom of our Revolutionary forefathers, and supported, so far as this subject is concerned, by the principles of Divine revelation. They are not asked to espouse the institution; but if it be not condemned by the Word of God, the fact that it is sanctioned by the Constitution can furnish no ground of conscientious resistance of the provisions of that instrument. Resistance may be offered, but it is not a righteous resistance, and conscience, when, perhaps, too late, will itself condemn it. A revolution may be effected, but it will spring neither from necessity nor justice. Conceived by a perverted moral sense, it will be brought forth in iniquity, and issue in mischief. We verily believe that the Constitution on this subject is in harmony with the law of the

Supreme Ruler, and we disclaim and throw upon others the responsibility involved in a resistance to it, leading directly to a revolution, the consequences of which no human mind is sagacious enough to foresee.

It only remains, very briefly, to consider the question, whether the people of the North are justifiable in resisting the government of the country in its attempts to enforce the provisions of the Constitution. It has been one purpose of these remarks to show that when an existing government flagrantly violates the fundamental law of the land, it becomes the right of its citizens to refuse obedience to such a government, in the maintenance of constitutional authority; and it has been conceded that all the great revolutions, which have signalized the history of Great Britain and this country, have originated in this principle. If the attitude of the Northern people be brought to this test, it will be discovered to be destitute of its support. So far from resisting the government on the ground of its departure from the Constitution, the fact is that they resist it expressly because it attempts to enforce its provisions. In support of this view let facts be consulted. The law passed by Congress in regard to the rendition of fugitive slaves has met with resistance; the efforts of the Executive to carry that law into effect have met with resistance; and the decision in the Dred Scott case by the Supreme Judicial tribunal, has met with a resistance which is the most significant and ominous of all. I do not say that this has been universally the case. It is cheerfully acknowledged that this course has been rebuked by men of the highest character and the most exalted position; nor is it forgotten that one of the most distinguished lawyers of New York—a man who is alike an ornament of his profession and an honor to his race—has recently and publicly uttered opinions which entitle him to universal praise, for patriotic adherence to the interests of the country, and heroic devotion to the claims of truth. It is to be deeply lamented that such men do not reflect the sense of the great mass of the people. Were it so that they did, the hatchet of strife in the hands of those who should

be brethren would be buried, and they who inherit a common history, speak a common language, and worship at a common altar, would not afford a humiliating proof of the truth contained in the sarcastic line—

“Lands intersected by a narrow frith abhor each other.”

It is to be feared that Lord, of Dartmouth, does not represent the sentiments of a title of New England; that Hodge, of Princeton, is no exponent even of the Middle States; and that the noble utterances of O’Conor are not echoed by the imperial State of New York. The press, the platform, the pulpit, and the character of the representation in the Federal councils, furnish the real criteria of the sense of the masses; and it must be confessed that these combine to evince the fact that the conscience of the Northern people is in a position of resistance to the Constitution and the government of the country. The separation of the two most numerous religious denominations on this question; the more recent division of another; the refusal of many Churches to receive Southerners to a participation with them in the most solemn and tender offices of a religion whose leading grace is charity; these are facts which show that the chief seat of the opposition is in the conscience itself. It needs but little reflection to produce the conviction that the political theories and the differences of party which now disturb the counsels and agitate the heart of the country, are but indications on the surface of the body politic, that the disease lies deeper down. The great and paramount question must be met and settled—Do the Constitution and Law of the land violate the conscience? If they do, resistance to them will be justified on the score of moral obligation. If they do not, resistance to them involves rebellion against the authority of the Supreme Ruler, faithlessness to the stipulations of solemn treaties, and treachery to the dearest interests of man.

It is a matter of sober satisfaction to the Southern people that in this controversy, freighted as it is with issues perilous to the peace and welfare of the country, the great

majority have thus far been true to the Constitution and the laws of the land, and in this respect loyal to the Divine government; that they neither resist the one nor the other, and that in the event of a rupture of this Union, in consequence of the present agitation, they may, with a clear conscience and a calm and unshaken sense of rectitude, take their appeal to the Ruler of Nations and Supreme Disposer of Events.