

originate our liberty in a practical sense, i. e., it secures the exercise of it to us.

The instance most commonly cited, as one of a natural right surrendered to civil society, is the right of self-defence. We accept the instance, and assert that it fully confirms our view.

For if it means the liberty of forcible defence at the time the unprovoked aggression is made, that is not surrendered; it is allowed under all enlightened governments fully. If it mean the privilege of a savage's retaliation, I deny that any human ever had such a right by nature. "Vengeance is mine, saith the Lord." If it mean the privilege to attach the righteous temporal penalty, and execute it ourselves, on the aggressor, so as to deter him and others from similar assaults, I deny that this is naturally a personal right; for nothing is more unnatural than for a man to be judge in his own case. Other instances of supposed loss of natural rights are alleged with more plausibility; as when a citizen is restrained by law from selling his corn out of the country, (a thing naturally moral *per se*) from some economic motive of public good; and yet the righteous citizen feels bound to obey. I reply: if the restriction of the government is not unjust, then there exists such a state of circumstances among the fellow citizens, that the sale of the corn out of the country, under those circumstances, would have been a natural breach of the law of righteousness and love towards them. So that, under the particular state of the case, the man's natural right to sell his corn had terminated. Natural rights may change with circumstances.

Here we may understand, in what sense "all men are by nature free and equal." Obviously no man is by nature free, in the sense of being born in possession of that vile license to do whatever he has will and physical ability to do, which the infidel moralists understand by the sacred name of liberty. For every man is born under obligation to God, to his parents, and to such form of government as may providentially be over his parents. (I may add the obligation to ecclesiastical government is also native). But all men have a native title to that liberty which I have defined, viz: freedom to do what they have a moral right to do. But as rights differ, the amount of this freedom to which given men have a natural title, varies in different cases. But all men are alike in this; that they all have the same general right by nature, to enjoy their own natural *quantum* of freedom, be it what it may. Again: are all men naturally equal in strength, in virtue, in capacity, or in rights? The thought is preposterous. The same man does not even continue to have the same natural rights all the time. The female child is born with a different set of rights in part, from the male child of the same parents; because born to different native capacities and

No Natural Right sacrificed to Just Government.

Natural Equality what? Golden Rule.

natural relations and duties. In what then are men naturally equal? I answer, first: in their common title to the several *quantums* of liberty appropriate to each, differing as they do in different men; second, they are equal in their common humanity, and their common share in the obligations and benefits of the golden rule. All men are reciprocally bound to love their neighbors as themselves; and to do unto others, as they would that others should do to them. See Job xxxi: 13-15. Here inspiration defines that equality as in full force between master and slave; and as entirely compatible with that relation. Here is the great charter of Bible republicanism. Men have by nature, a general equality in this; not a specific one. Hence, the general equality of nature will by no means produce a literal and universal equality of civil condition; for the simple reason that the different classes of citizens have very different specific rights; and this grows out of their differences of sex, virtue, intelligence, civilization, &c., and the demands of the common welfare. Thus, if the low grade of intelligence, virtue and civilization of the African in America, disqualified him for being his own guardian, and if his own true welfare (taking the "general run" of cases) and that of the community, would be plainly marred by this freedom; then the law decided correctly, that the African here has no natural right to his self-control, as to his own labour and locomotion. Hence, his natural liberty is only that which remains after that privilege is retrenched. Still he has natural rights, (to marriage, to a livelihood from his own labour, to the Sabbath, and to the service of God, and immortality, &c., &c). Freedom to enjoy all these constitutes his natural liberty, and if the laws violate any of it causelessly, they are unjust.

The two remaining questions are more practical, and may be discussed more briefly. We discard the theocratic conception of civil government. The proper object of it is, in general, to secure to man his life, liberty, and property, i. e., his secular rights. Man's intellectual and spiritual concerns belong to different jurisdictions; the parental and the ecclesiastical. The evidence is, that the parental, and the ecclesiastical departments of duty and right are separately recognized by Scripture and distinctly fenced off, as independent circles. (See also Jno. xviii: 35, 36; Luke xii: 14; 2 Cor. x: 4; Matt. xxii: 21). The powers of the civil magistrate then, are limited by righteousness, (not always by facts) to these general functions, regulating and adjudicating all secular rights, and protecting all members of civil society in their enjoyment of their several proper shares thereof. This general function implies a number of others; prominently, these three: taxation, punishment, including capital for capital crimes, and defensive war. For the first, (see Matt. xxii: 21; Rom. xiii: 6, 7;) for the second, (see Gen. ix:

3. Proper Sphere of Civil Government.