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Freedom and Constraint in Matters of Faith.

"The inclination to overthrow firm and established institutions and substitute for them innovations and revolutions is sooner the characteristic of the vile mob, than of a noble mind".

Patriarch Photius.

Our periodical press has raised the question of the freedom of religious conscience and discusses it very diligently. But in the great quantity of opinions, expressed by people belonging to different parties, it's hardly possible to find something new and original. Everything is as old as the question itself, which, having been put nineteen centuries ago, has never ceased to occupy the greatest thinkers and law givers of the Christian world. However we need not lament the fact; in the old one can find a good deal that is new, if

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one takes the trouble to think it over. This is why we have decided to acquaint the readers of the present essay with the growth of the question of the freedom of freedom of conscience and its present position in our country.

I.

If discordant and even opposed opinions have been expressed in relation to the freedom of religious conscience, the reason of it is to be sought in the difference of the fundamental points of view, from which this question can be examined. There are three such points of view. Firstly, one can ask whether a man is free to determine his faith only by the interior voice of his conscience, or is there anybody who has the right to force him to believe what he does not want to believe? In this we are obviously concerned with the question whether anything can justify the constraint over personal religious convictions of a man by exterior constraining measures. Secondly, one can ask, whether a man is free to profess, that is to manifest in his exterior life, his religious beliefs, whatever they might be, or is he to be limited in this by some exterior and consequently constraining power?

Thirdly, one can formulate the following question: has a separate body of people, bound by the same faith (for instance, the Orthodox Church in our Country) the right to pretend to the especial protection of the National Laws, in preference to other religious communities, or should all religious associations have the same importance in the eyes of the National Laws.

The first of these three questions is the question of the freedom of belief, the second—of the freedom of confession of faith, the third—of the freedom of the Church.

Religious belief springs forth from the natural bent of the human spirit towards God and its indestructible need of communion with God. Faith is communion with God, founded on the certainty that the invisible, that what we expect, is as real as what we already possess. This certainty has the character of definite convictions, prescribing to our minds to think of God in a certain way and in no other, and to our wills to carry out in practical activity certain moral principles and no others. If you consider faith in this light, it is out of reach of everything, that stands outside our soul; it could be influenced by an exterior authority, in case it feels an instinc-

tine trust in this authority, by arguments of reason, by the direct testimony of interior religious experience and, ultimately, by the divine grace of the Holy Spirit; as to the measures of constraint, they can not touch it in the least, as they act in a region which is alien to it, in the region of the physical, the material, not the spiritual. In this sense, every man has a natural right, granted to him by God and Nature, to believe, what he thinks true, and to repudiate what he judges false; every man is absolutely free in his religious beliefs. This point of view was unknown to the Heathen world and belongs to Christianity, it was revealed by the Gospels and introduced into the civilized life of humanity by the Church of the Holy Martyrs. Our Saviour Himself implanted the Kingdom of Heaven in terrestrial regions by his words and his works alone, and, likewise, ordered His apostles to employ only means of spiritual and moral character, that the belief in Him should spread, and no exterior or constraining means. When his disciples — James and John — wanted to call down the fire on the inhabitants of a certain Samaritan village, who refused to receive the Lord, the Lord said unto them: "Ye know not what manner of spirit ye

are of; for the Son of man is not come to destroy men's lives, but to save them" (Luke 9, 55, 56). That is to say, people ought not to be allowed to undergo physical suffering and death, in order that the salutary faith in the Son of God should be awakened and established in the hearts of men. Towards this end, there exist different means — earnest preaching and the power of God, acting through the preachers. Sending His disciples to preach the Gospel in the boundaries of Judea, our Saviour spoke thus to them: „And as ye go, preach, saying, the kingdom of heaven is at hand; heal the sick, cleanse the lepers, raise the dead, cast out devils: freely you have received, freely give... and when you come into an house, salute it, and if the house be worthy, let your peace come upon it... And whosoever shall not receive you, nor hear your words, when ye depart out of that house or city, shake off the dust of your feet" (Matthew 10, 7—14). After His resurrection, His legacy to His disciples was to conquer the whole world by the same means: „Go ye into all the world and preach the Gospel to every creature. He that believeth and is baptized, shall be saved; but he that believeth not, shall be damned" (Mark 16, 15—16).

The Apostles fulfilled the commandment of the Divine Teacher; not only did they shun all constraint in matters of faith, but all „secret and shameful ways”, in general; without having recourse to cunning or defacements of the word of God, but by revealing the truth, they offered themselves to the conscience of every man before God and, in this way, they founded faith not on the wisdom of man, but on the power of God (compare with the 2 Corinthians 4, 2 and others; and 1 Corinthians 2, 5).

But if, in their missionary activities, the disciples of Christ always remained true to the evangelic spirit of tolerance towards the professors of other creeds, if they always stood up for the principle of the freedom of faith („for whatsoever is not of faith is sin”,—Romans 14, 23), the opposite principle of violence and constraint continued for a long time, before it gave place to the new. This principle was established only through the struggle of the Martyrs for the sake of Christ's faith, a struggle in which were used only spiritual weapons, amongst others, the justification of the righteousness of their cause. Tertullian defended the freedom of faith as follows: „natural and social right demands, that every man should worship what he

wills". The religion of one man can not be either harmful or useful for another. But it is not proper that one religion should use force towards another. Religion must be accepted through free conviction, not through constraint; sacrifices to God should be made with a free heart" (Epistle to Scapula, chapter 1, 2).

Lactantius said the same: „force should not be used here, because in religion force is out of place. Words should be used rather than scourges, so that there might be freedom either to accept or to refute it... Let them imitate us and explain everything with exactitude. We do not ensnare anybody, as we are accused of: we teach we prove, we expound our doctrine. We do not retain anybody against their will: he, in whom there is no faith and piety, is not wanted by God" (Concerning Truth, chapter 20).

The holy truth, for the sake of which so much Christian blood was shed, triumphed at last and the Emperor Constantine the Great openly announced it to the world in his famous edict of Milan, in 312. In it we read: „we grant to the Christians and all other people the right to follow the religion they choose; we grant to everyone the right to profess the worship, towards

which he is inclined... We think it good, that the freedom we grant to the Christians should extend to all our other subjects, so that no one's worship should be interrupted" (Lactantius, Concerning the Death of the Persecutors, chapter 48).

Since the time this edict was made public, the freedom of religious belief has grown to be a vital factor in civilized life and remains so to this day. It is true, though, that it was often sacrificed for the sake of measures of constraint as early as the days of Constantine the Great, who turned to them in his struggle with paganism. But the Church never approved of this treatment of the heathen; and its missionaries spread Christ's faith, cross, and not sword, in hand. In our days also the missionary activity of the Church is accomplished by means of a totally different character; if the help of the states is secured to the missions, it only finds expression in the material support of their exterior organisation and in the protection against the violence of the alien, but never in using force, so that the latter may be converted.

In this wise, the freedom of religious belief is an indestructible characteristic of human nature, and every man has an ina-

alienable right to belong to that creed, which he chose for himself, freely and deliberately. In this sense, religious freedom has been established in the world by Christianity and has been uninterruptedly professed by the Church of Christ.

II.

Religious convictions are different from any other convictions in this, that they have a natural tendency towards outward manifestation, towards penetrating all outward activity. A man who has faith feels a necessity to live according to his faith. But how can he satisfy this demand, if he lives in a community, belonging to a different creed. Has he the right to demand an unrestricted freedom for the confession of his faith, when this freedom must necessarily clash with the freedom of others, leading to animosity and strife, which are sure to destroy all human intercourse? As an instance, the heathen believe their duty demand, human sacrifice from them and they piously sacrifice, from time to time, strangers who live amongst them. Or another instance; the Stundists, who deny the existing order of State and Church life, doing all they can for its overthrowing. Must the right to the confession of

faith be unrestricted in either case, when by confession of faith are meant life practices?

It is obvious though, that in these cases the freedom of religious convictions oversteps the limit of the spiritual region and enters the region of external human intercourse, the regulating principle of which is not the personal freedom of this man or another, but truth and justice. A human community, whatever might be its objects, will exist only so long, as it recognizes and respects objective truth. And so, a man, who desires to belong to some community, must subordinate his freedom to this truth.

Let us apply the above to the Orthodox Church, which is accused by some people of an excessive tyranny over the religious freedom of its adherents, through its dogmatic and canonic definitions. Has a Christian, who wants to be Orthodox, not merely in name, but in reality, the right to maintain a free attitude towards the doctrine and the institutions of the Orthodox Church? Has he the right of repudiating one thing, and of accepting another merely in accordance with the decrees of his conscience, without any restriction on the part of the Church's Authority? Of

course, he has no such right, as a son of the Church, who has entered it of his own free will. The Lord Jesus Christ wished that all those who believe in Him should form a single Church body, reaching salvation, not separately, but all together, bound by the oneness of their faith and their love. At the threshold of his Passion, he prayed to the Father in Heaven:

„Holy Father, keep through thine own name those whom thou hast given me, that they may be one as we are... Sanctify them through thy truth: thy word is truth.. That they all may be one; as thou, Father, art in me, and I in thee, that they also may be one in us... I in them, and thou in me, that they may be made perfect in one... „(John XVII, 11, 17, 21, 23). Accordingly, the faithful must be o n e (forming a Church), through their being in the One God; and as this being in God is possible for them only through their making themselves holy by the truth of Christ, obedience to truth is necessary for all of them. Christ's truth is to be found only in the Church, and is revealed to the world only through the Blessed Apostles and their heirs. „And they have kept thy word... For I have given unto them the words which thou gavest me”. (John XVII, 6, 8); accordingly the latter

are invested with the divine right of binding and loosening the consciences of the children of the Church by the word of truth, in accordance with what the Saviour spoke to them: „whatsoever, ye shall bind on earth, shall be bound in heaven; and whatsoever you shall loose on earth, shall be loosed in heaven” (Matthew 18, 18). The blessed Apostles always used this right, whenever distortions of truth threatened the union of faith and love. Saint Paul wrote to the Corinthians in regard to some disagreements, which arose amongst them: „What will ye? Shall I come unto ye with a rod, or in love, and in the spirit of meekness?” (I, 4, 21). And to the Galatians he wrote: „As we said before, so I say now again, if any man preach any other Gospel unto you than that you have received, let him be accursed” (Galatians 1, 9).

With all this, the apostolic Church did not forbid every manifestation of the freedom of religious thought: the faithful were not deprived of the right to have their own opinions in regard to various questions of faith, if these opinions were in harmony with truth. As an instance, Saint Paul expresses some of his ideas with regard to married and single life and offers them to the faithful as a private opinion and not

as a divine command (1 Corinthians, 7, 6, 2, 5). Also he writes to the Romans, that in regard to observing certain holidays and eating meat and vegetables they ought to let every man be fully persuaded in his own mind (Romans 14, 1, 5), so long as they do not dispute over opinions. But it goes without saying, that the regions, in which private opinions are permissible, must be firmly restricted, otherwise everything that constitutes the Christian faith may become a subject for discussion and Christ's truth may vanish in the chaos of opinions, contradictory to each other and excluding each other, and the union of faith and love will perish. The Church has always pointed out to the faithful the limits, which their thirst for knowledge must not pass. In the apostolic age they had to conform with the doctrine which the apostles handed over to the representatives of the Church. „Hold fast, says Saint Paul to Timothy, the form of sound words, which thou hast heard of me, in faith and love, which is in Christ Jesus” (2 Timothy, 1, 13). Towards the end of the first century, when various heretics began to distort „the form of sound words” and to sow strife in the minds and hearts of the faithful, in order to shield

the latter from error, the f o u r Gospels and the epistles of the apostles were gathered into one and made universally known, which, together with the tradition, entrusted to the keeping of the immediate disciples of the apostles, were to serve as a test in the distinguishing of truth from falsehood.

Beginning with the second century, the teaching of Christ came to be studied by people of philosophical training, and, in course of time, many contradictory opinions accumulated around certain topics. When the originators of some of these opinions attempted, so to speak, to ascribe to them the character of religious dogmas, the Church stepped forth to defend the truth, expressed by the Œcumenical consciousness of the faithful, raised on Apostolic tradition. Standards of Œcumenical faith, that is to say symbols, conformity with which was considered a sign of orthodoxy, were put forth to oppose private opinions of people, who merely studied the christian faith in a sort of school boy fashion. Moreover to defend the binding force of these symbols and to guarantee the way to salvation for the faithful, the Church published various rules, which excommunicated the heretics and the dissenters from the Com-

munion of the Church and which prescribed penance for those desirous to return into the bosom of the Church.

In this fashion, the Church, which is called to serve as „the pillar and ground of the Church” (1 Timothy 3, 15), in restricting the liberty of religious opinions, guarantees to all the possession of salutary truth, the communion with God and the usage of all the means divinely granted for the salvation of man. Properly speaking this restriction of freedom by the voice of truth is real freedom. The Saviour says: „and ye shall know the truth and the truth shall make you free.. If the Son therefore shall make you free, ye shall be free indeed” (John 8, 32, 36), that is to say, freedom does not consist in the right freely to announce and to maintain any sort of opinion, but in possessing the truth, to which freedom is related, as a sunbeam is related to its source—the sun.

III.

What objections could be made to this kind of „restraint” in matters of conscience, to this „dogmatism” of the Church? To give up the spiritual direction of the faithful, giving them complete religious freedom — would not the Church being self des-

truction by so doing? And were the faithful to revolt against the authority of the Church in order freely to believe in whatsoever the judgement of their consciences should dictate, would not they bring on themselves all the fatal consequences, which follow protestant individualism? As to these consequences, they are so destructive for the faith, the Church and the state, that any one must think of them seriously. In itself, devoid of the true essence, in which it has its being, the freedom of faith is a mere empty shell, which the liberty loving protestants fill with all kinds of trifles: and it would be difficult to foresee what it will lead to in the near future, following the logical process of development. „What if, lead by the formal right of personal liberty of conscience and the acknowledged (?) imperfection of modern Christianity, a Christian should form world—concepts, which would go against the existing state institutions, as obligatory to everyone, — would not the state's demands of obedience to its verdicts be considered as a piece of „absolutism“? And would not a Christian be right in insisting upon the abolition of state institutions and even in helping to abolish them by force, they being obsolete and contra-

tradictory to the personal right of the freedom of conscience, inferior and not doing justice to the superior, new and consequently more just religious conscience of the Christian? Would not this lead to the destruction of the Church, as well as of the state and all social order?"

If the right of the Church to modify the freedom of conscience of the faithful, and if the duty of the latter to obey the authority of the former are above doubt, then it can easily be understood what the attitude of the Church should be towards those, who openly disown its authority and replace its reason by their own opinions, towards those, who go against the long established order of the Church and endeavour to substitute their own ideas and beliefs, that is to say towards heretics and dissenter's. The Church can not tolerate the latter within its pale, but it is its duty to endeavour in every possible way to enlighten them with the light of truth. At all times it has always tried to accomplish this task, but it has never used measures of constraint towards this end. „We do not detain any one against their will: he who has no faith and no piety is not needed by God" (Lactantius) — such is the attitude of the Church towards this

matter. The holy Fathers and instructors of Church acted against the destroyers of the Church unity with words only, with the logical power of argument, with the moral power of tradition, with the spiritual power of the universal consciousness, purified by faith, with the superior power of the enlightenment of grace. The greatest promoters of Orthodoxy, the indefatigable and unconquerable opposers of the Arians, like Saint Athanasius and Saint Basil the Great conquered them with one weapon only, which they manipulated with extraordinary skill,—with their writings. When these spiritual means proved powerless, the Church excommunicated the heretics and dissenters. But who can doubt, that this latter course is its inalienable right, which does not violate the freedom of conscience? What can a n a t h e m a matter for a man, who has left the Church of his own free will? The act of communication has a purely moral significance and is thought to be more necessary to the faithful Children of the Church than to heretics and dissenters. If, in the hope of shaking obstinacy and reestablishing truth, the Church proclaims the latter to be outside the pale of the Church, it warns the former against

the consequences of unbelief and error, which are fatal for the soul,

Let us make some brief deductions. No one is entitled to the unlimited right of professing religious beliefs. In life's intercourse the freedom of one, naturally comes into friction with the freedom of the others, and so it must be restricted from the point of view of objective truth, regulating the life of every social association. In application to the community of the faithful, forming the Church of Christ, this truth substitutes the absolute truth of the teachings of Christ. Accordingly, the latter limits the freedom of conscience for all those, who desire and seek communion with the Church. And he who neglects this communion for the sake of unlimited personal freedom, puts himself outside the Church and ought not to offer to the Church his hypocritical homage.

IV.

But in the consciousness of the community most often the freedom of conscience is linked to the right of all religious associations equally to enjoy the freedom of professing their faith and of being protected by the State laws. In the name of the freedom of conscience people

generally insist, that „in matters of faith, jurisdiction has no voice and is not called to interfere. Accordingly, the so-called going astray can be considered a crime only where freedom of conscience is disclaimed. In its essence, the going astray is an awakening of the religious feeling, ergo a gravitation of souls towards God, accordingly it must be considered good and not evil. The existence of a State Church and the consequent limitation of the rights of other religious communities is a direct violation of the freedom of faith. In our country, the latter is manifested in the persecution of dissenters, in the prohibition of being converted from the orthodox creed to some other, in the oppression of the Uniates, and in limiting the rights of the Jews”.

This argument is built on two propositions. The first: personal freedom of conscience is to be the one law in matters of faith; the second: the State is called merely to serve the exterior, the earthly interests of men. The first, as we have already seen, is true only so long, as freedom is understood as the formal principle of the spiritual life of man, but it is altogether false when this principle is placed face to face with the exterior

actuality, with the objective truth. As to the second, it is too obviously one-sided and is too evidently the result of pre-conceived historical and philosophical theories.

The state is an institution, which is called to serve not only the material earthly interest of the community, but the spiritual and the heavenly as well, amongst which the religious beliefs of the people ought to occupy the first place, because faith is the very centre of the moral life of the nation and it is only on the grounds of faith that there can exist that interior and living link between the state and its subjects, which is necessary in order that the acts of the former should be accepted by the latter with a perfect confidence in their legality and adequateness. When the governing power intentionally shuts its eyes to the creed of the people and ignores it, in its catering to the material welfare of the state organism, this organism is sure to contract the incurable disease of decomposition. This has been proved above any doubt by the histories of the ancient and the modern nations. One of the most competent representatives of the science of the State law says: "the more clearly the spiritual power is represented in a state the

more powerful and the more important it is. It is only under this condition, that the feeling of lawfulness, the respect of law and trust of the state power is supported and strengthened in the masses and in social life. Neither the principle of state unity, or state wealth, state prosperity, nor even the moral principle are enough in themselves for the establishment of a firm link between the nation and the governing people; even moral principle is not lasting, is unstable, is devoid of the fundamental root, when it is independent of the sanction of religion. And the state which of its own will denies itself any belief whatsoever, for the sake of an impartial attitude towards all beliefs, will doubtless be deprived of this centralising, agglomerative power". K. P. Pobedonostzeff, *Moskovski Sbornik*, 15; compare with the *Revue internationale de Theologie*, Nos. 25, 33.

On the other hand, the objects of the Church of Christ can not and ought not to be limited to the region of spirit, in as far as this spirit is manifest in faith, in religion. Our Lord Jesus Christ says: „the kingdom of heaven is like unto leaven, which a woman took, and hid in three measures of meal, till the whole was lea-

vened" (Matthew, 13, 33). That is to say the Church has a great destiny in store,— that of remodeling the whole world after its divine model, in accordance with which it always commanded the faithful „that ye put off concerning the former conversation the old man, which is corrupt according to the deceitful lusts; and be renewed in the spirit of your mind; and that you put on the new man, which after God is created in righteousness and true holiness" (Ephesians, 4, 22—24), — „put on the new man" not only in private life, but in social and state life as well. This transformation of human life in the spirit of Christ's righteousness and truth, as the greatest object of the Church, is also pointed out in the following words of our Saviour: „think not that I am come to send peace on earth: I came not to send peace but a sword. For I am come to set a man at variance against his father, and the daughter against her mother, and the daughter-in-law against her mother-in-law. And a man's foes shall be they of his own household" (Matthew 10, 34—36). Then if the state can not be indifferent to the beliefs of the people, if the Church is called to spread the salutary principles of the Christian faith into all regions of human

activity, it is only natural that these two institutions should enter into a close alliance, — but what sort of alliance precisely? This question belongs to the category of those questions, which are raised and answered by history alone, in close dependence on a multitude of varied circumstances of historical life of one environment or another, of one nation or another. Consequently, in order to make it clear, we also must turn to the histories of Byzantium and Russia, as we especially have in view the relation between an Orthodox state and the Orthodox Church.

The present question first originated in the days of Constantine the Great, when he announced he was siding with the Christians. In those days was marked the fundamental tendency of the solution which was to be given to it by the future Emperors of Bysantium. Having become the monarch of the empire, Constantine the Great once begun to take an intimate part in the progress of the Christian faith. He highly valued religious freedom, but at the same time he was conscious that he was bound especially to further the spread and the flourishing of the Christian Church in his empire. He considered himself the „servant of God”, to whom the Creator entrusted-

ed the power that the human race, educated under his influence, should be called to serve the most sacred law, and that the most blissful faith should be implanted, under the guidance of the Most High Being (Eusebius, Life of Constantine the Great, II, 28, page 129). He started working for the realization of this great object with much energy. First of all, he took care legally to place the Christian church above all the heathen religious communities, and gradually he surrounded it by a number of rights and privileges, which gave it the character of a state religion. Then, Constantine the great thought it his sacred duty to help the regular inner growth of the Church by outward means. In the light of this he considered all dissent and heresy as an attack on the truth of Christ and a breaking of the Church unity; accordingly, to the end of his life, he never failed to take various measures towards the reconciliation of all the discontented and combative elements of the Church, trying to ensure victory to the orthodoxy in life, that is to say to the catholic faith and the catholic Church. Once, talking to some bishops, he said he also was a bishop, adding: „you are the Bishops of the interior matters of

the Church, and I may be called the God appointed bishop of exterior matters". Which means, that bishops are called to mind and guide everything, that has a direct bearing on the faith (the doctrine, the Sacraments, the rites, the Church government), and the emperor is to mind the exterior application of the faith to life.

This was also the system of Constantine's heirs in the relation of state and Church, with that difference, that later on this system got to be more definite and sanctioned by the law. Bysantian legislation thus defines the relation of state and Church: 1) in a state, desirous to be truly Christian, the clerical and the lay power should be of equal rank; 2) they act by mutual agreement; 3) the ruling power ascribes to the dogmatic and canonic edicts of the Church the importance of state laws. The first of these positions is founded on the teachings of the Scripture that „there is no power but of God; the powers that be are ordained of God. Whosoever therefore resisteth the power, resisteth the ordinance of God" (Romans 13. 1—2; compare with I Peter 2, 13—17), and that in the Church the Lord has „named pastors and teachers, for the perfecting of the saints, for the work of the ministry, for

the edifying of the body of Christ, till we all come in the unity of the faith and of the knowledge of the Son of God" (Ephesians 4, 11--13). The second is the natural deduction from the first and the third ought to be looked upon as the natural expression of that attitude towards the truth of Christ, which was the very life of the bulk of the people of Byzantium until the very downfall of Constantinople and which Nicephor Grigora defines — perhaps too strongly though in the main justly — in the following words: „sooner the iron will change its properties, than the people will allow the least alteration in the dogmas of the forefathers" (Grigora I, page 512). If this attitude penetrated the whole edifice of the popular life, how can Byzantine legislation be reproached for having taken into its protection faith, the dearest possession of the people?

But the exterior shape taken by the indubitable principle of the state protecting orthodoxy can not be pronounced perfect from the point of view of objective truth. If the dogmatic and canonic edicts of the Church were to be made equal with the state law, this would naturally introduce the principle of constraint in the attitude of the state towards the heretics and the

dissenters. The restriction of the civic rights of the latter is altogether in keeping with the duty of the state to protect the popular faith against all attack: the laws of an orthodox country, that is to say of a country, the kernel of which is an orthodox people, could not treat in the same way orthodoxy and heterodoxy, otherwise the negation of the former, without an interior discord. But the restriction of rights is one thing and legal persecution of the professors of a different creed is another: violent repressions of heterodoxy contradicts the Gospel interpretation of the freedom of conscience. Yet, Byzantine emperors, beginning with Constantine the Great, often turned to this measure, in the hopes of the reconciliation of the Church. It is true, though, that they considered this reconciliation rather from a political, than a clerical and religious point of view: their object was chiefly the wholeness and tranquility of the state. In an imperial letter to Cyril of Alexandria, ordering the calling of the Ephesian Council, it is said, amongst other things: „above all we care that the condition of the Church should be worthy of God and in keeping with our times, that out of the harmony of all there should come peace, and out of peace in Church

matters, there should come an unbroken calm" (Christian reading, 77, I, 815). Yet the object does not justify the means, and some of the Fathers of the Church are very much against the use of restraint in matters, which are subject only to the rule of conscience. For instance, this is what Saint Hilary of Pouatié writes to the emperor Constantius, a follower of Arius: „You are appointed in order, that all should enjoy sweet freedom. The peace of the Church can not be reestablished, its torn up condition can not be mended, unless all, being freed from every servitude, receive the possibility to line according to their conviction. If you use your authority even for the sake of the true faith, can it be that the bishops do not contradict, saying to you: God is the Creator of the world; He does not need enforced obedience; He does not seek enforced confession" (The same, II, 548).

However, in the matter we are examining, it is necessary to discern that side, which can be justified by the imperfections of the outward forms of social life. If all the forms of falsehood and error are to supercede the truth of religion and if the state is called to use exterior means in putting aside all the obstacles on the road

towards this goal —, then we are to be allowed to lose sight of the fact, that Christ's truth, in many cases, does not reach the hearth of the erring and produces no desirable effect merely because of such conditions of life, which have nothing in common with interior convictions and the destruction of which, accordingly, out not to be considered a violation of the freedom of faith? Undoubtedly, this point of view guided those amongst the Fathers and the teachers of the Church, who were inclined towards measures of constraint. Augustine the Blissful writes concerning the dissent of the Donatists: „we personally know how many are those, who, being already convinced of the evident truth and desiring to be orthodox, postponed from day to day the realization of this intention, in the fear of taunts on the part of their former coreligionists... Not a few are these also, who are bound by the heavy fetters of old custom... And how many are those, who take the heresy of the Donatists for the true Church merely because security has made them careless and slovenly in the understanding of truth. For how many the road to the Church was obstructed by the talk

of calumniators. How many... remained in the heresy of the Donatists simply because they were born in it and because no one induced them to leave it and join the Orthodox Church. For all these people, the fear of the law was useful... If they were acted upon by fear alone and not taught, it would have been an unjust persecution" (The same II, 541).

And so, Bysantium has built up the following system in the relations of state and Church. The state and the Church must remain in perfect harmony for the sake of the spiritual and the material welfare of the people. Orthodoxy is the state religion of the Empire, while the dissents and the heresies are a morbid and an abnormal phenomenon. Accordingly the Orthodox Church enjoys the fullness of rights and privileges, and all the other religious communities are restricted by law. The state helps the spread of the former at the expense of the latter, but such measures alone, which are in accordance with the spirit of the Church and detain no one by force.

V.

Along with the Christian faith, ancient Russia borrowed from Bysantium the sys.

tem of reciprocal relations between the state and the church, if not in the form of defined ecclesiastical and imperial politics, at least in the form of habits founded thereon, in the form of settled practise. From the very beginning of its development, the Russian Church entered into a close alliance with the Russian state, based on the same principles as in Bysantium. Princes jealously co-operated in the religious-moral problems of the Church, by guaranteeing her material maintenance, and outer immunity, and likewise by extending to her various rights and privileges, (especially in the sphere of justice); and the ecclesiastical power, on its side, worked indefatigably at the task of religious-moral activity in every direction the civil and imperial life of the Russian people. Thanks to this union, formed at the very beginning of Russia's natural life, the Orthodox faith easily moulded the latter in its own spirit, and gave it a truly Christian character. It illuminated the consciousness of the nation by the divine ideals of Christianity, which blended themselves indissolubly with the national spirit, giving them purpose, loftiness and nobility; the Russians, according to the expression of Dostoyevsky, took into their being Christ and His law, and

therefore they began to call themselves Christians (Krestians), and their land — „holy Orthodox Russia. All this helped the people to endure all the burdens of political and civil life, to preserve their independence, in the struggle with the various enemies, and to come together, that is, to form a vast and mighty empire, and besides this, brought into the consciousness of the sovereign power a definite circle of Orthodox-Christian convictions and comprehensions, which moulded themselves into a certain form on national institutions. In this way „the history of the Russian people is the only history, in the whole world, of a people Christian not only by confession, but in life, at least in its aims in life” (K. A. Aksakov).

We have recalled these sufficiently familiar historical facts, in order to ask: is it just to ask for equality in liberty of confession and rights for Orthodoxy and Heterodoxy? Orthodoxy is the mighty power of the Russian people which made the Russian empire one, in presence and even in spite of the wishes of various forms of Heterodoxy and alien faith; how then can that empire bring Orthodoxy and the lie of Heterodoxy into implacable hostility towards each other, and cast the former

into the dirt of all the delusions, passions and evils that the morally corrupted conscience of man is capable of, with unlimited and falsely directed liberty (See „For Right and Truth”, 13)? Has Russian legislation the right to set aside the perpetual principle of „preserving Orthodoxy”, entering the path of religious indifferentism, for the sake of the fashionable theories of liberty of conscience? Will the real lord of the Russian land, — the Orthodox Russian People, — allow it to do this? No, the pre-eminence of the Orthodox Church, behind which stand the ten centuries of Russian history, is inseparable from it, and that pre-eminence is naturally expressed in a legislative curtailment of the rights of other confessions of faith.

But it is said: Let the privileges of the dominant religion remain with Orthodoxy, but why not legally guarantee liberty of faith to those who think differently? and has the government the right to aid the Orthodox Church in its struggle with various sectarians, by undertaking external, compulsory measures against them? — In answer to the first half of the question it must be said that the laws do not persecute anyone for a change of belief, but persecute for confession of anarchical prin-

principles, artfully cloaked with the word „belief”, and directed to the overthrow of the whole structure of Russian life, — which is far from being the same thing, and which is entirely in harmony with the dignity of the state. As to the second half, here the substance of the matter is confused with its outer forms of expression, its application to actuality. Action against heretics through certain measures of compulsion, with the aim of bringing them to Orthodoxy, is made incumbent on the civil government by the principle of justice, when there is cause to believe that the heretics follow their errors not through religious conviction, but for ulterior reasons (e. g. in consequence of the moral and material oppression of the ring-leaders of heresy upon them) is it not then within the rights of the government to stop the action of these considerations by measures of compulsion? But this is the point of view of a principle, which in actuality sometimes takes on very undesirable forms in consequence of the excessive zeal of the executors of the legislator's will. In principle the removal of malpractices without doubt brings profit to the missionary activity of the Orthodox Church, but can any one seriously recommend for this such measures

as the legislation of unlimited liberty of conscience for all subjects of the Empire, with the right to profess heresy, the right to convert the Orthodox? If we cannot endure among us „martyrdoms and persecutions, as being contrary to the spirit of the Christian Church”, then there should be no place for „excessive toleration”, because „good may show toleration to evil, but evil will not show toleration to good; consequently, to show unmeasured toleration to evil means to give it a weapon against good” — (opinion of the Metropolitan. Philaretos)

Consequently, it becomes necessary to think of other means for doing away with that which gives „free-thinking” peoples a reason for accusing the government and the Orthodox Church of persecuting heretics for their belief, — means which shall not be at variance with the basic principles of Russian popular life, but shall guarantee to them free development, and strongly confirm that system of relation, which has been worked out through our past history, between the Orthodox government and the Orthodox Church.



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