

## GLADSTONE, RELIGIOUS FREEDOM AND PRACTICAL REASONING<sup>1</sup>

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**Abstract:** W.E. Gladstone's changing and inconsistent views on religious oaths and established churches present an intriguing puzzle. This article compares and contrasts his early and later stances on these topics with the purpose of evaluating the place of practical judgments in his arguments. This exploration reveals that the prevailing description of Gladstone's views, which privileges the role practicality played in his later support for a more liberal set of policies governing church–state relations, does not explain the changes and inconsistencies in his position as well as does a description that emphasizes the changes and continuities in his fundamental philosophy. In conclusion, connections are suggested between this explanation of Gladstone's views and theoretical considerations regarding the development of liberal freedoms.

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### Introduction

W.E. Gladstone's changing and eclectic positions on issues of religious freedom mark the views of a politically active figure who moved from a constricted stance to a mostly, but not completely, liberal outlook on church–state relations. To examine questions concerning those views is to begin to understand a person important to the complex development of religious freedom in the Anglo-American world. In particular, how did Gladstone's later justifications for removing religious oaths for public office differ from his earlier support of such oaths? And how could he have led the Parliamentary effort to disestablish the Church of Ireland in the 1860s and then defended the establishment of the Church of England almost immediately thereafter?<sup>3</sup>

In addressing these and related questions, I focus on practical judgments. What role did they play in Gladstone's justifications of church–state policies? Here I define 'practical judgment' as did Aristotle, as an act of 'calculat[ing] well with respect to some worthwhile end'.<sup>4</sup> I pursue this course because an initial reading of Gladstone seems to verify the centrality of practical considerations to his later, more liberal stance. That is, he appears to have justified an expanded realm of religious freedoms when he turned belatedly to a set of

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<sup>3</sup> Here I take disestablishment and the elimination of religious oaths as liberal freedoms. See Robert Audi, *Religious Commitment and Secular Reason* (New York, 2000).

<sup>4</sup> Aristotle, *Nicomachean Ethics*, trans. Martin Ostwald (Indianapolis, 1962), Bk. VI, 5c, lines 28–9.

practical judgments that highlighted the dangers to church and state resulting from their mutual ties. But I argue that while Gladstone's practical judgments were important, they played a dependent role in his discussions of religious freedom, reflecting the changes, continuities and ambiguities of his underlying philosophical tenets rather than driving his normative approach. More important to understanding the differences between the early and later Gladstone, as well as the complexities of his later positions, is his dualistic religious anthropology, his historicism and his acceptance of equal protection. I conclude by underlining the importance of such philosophical views to an understanding of Gladstone's mixed and puzzling stance towards religious freedom, and then discussing the theoretical implications of that finding for the development of liberal freedoms.

### Understanding Gladstone

Gladstone initially rejected all efforts to sever connections between the British state and the Churches of England and Ireland or to open the political system to non-Protestant dissenters. He defended instead the Irish and Anglican religious establishments, justified the exclusion of Jews and atheists from office through religious oaths, and only grudgingly accepted Catholic Emancipation. Explanations for why Gladstone later reversed himself on all but the Anglican establishment usually hold that he came to embrace a practical orientation that cancelled or softened his religious idealism. Analysts point to Gladstone's decision in 1843 to support Peel's policy of providing permanent government funding to the Irish Catholic seminary at Maynooth as the point at which he departed from his original idealism in favour of a pragmatic politics.<sup>5</sup>

The most absolute characterization of this kind is in Morley's biography of Gladstone, where Morley argues that the practical experience Gladstone gained in Peel's cabinet moved him from idealism to a generally pragmatic orientation on all issues and hence to a gradual, progressive attachment to liberty.<sup>6</sup> Since Morley's time, scholars have followed his lead but qualified his conclusions. Bebbington follows rather closely in arguing that the Maynooth episode led Gladstone to realize that although his original stance defending a

<sup>5</sup> He had earlier resigned from Peel's cabinet over this question, citing his stated opposition to multiple establishments. Note that this change removed him from the ranks of those who opposed government support for multiple religious institutions in Ireland, but it did not make him less of a supporter of the Irish established church.

<sup>6</sup> John Morley, *The Life of William Ewart Gladstone* (3 vols., New York, 1921), Vol. I, pp. 270–81. For an assessment of Morley and other biographers, see Deryck Schreuder, 'The Making of Mr. Gladstone's Posthumous Career: The Role of Morley and Knaplund as "Monumental Masons", 1903–27', in *The Gladstonian Turn of Mind: Essays Presented to J.B. Conacher*, ed. Bruce Kinzer (Toronto, 1985), pp. 197–243. Schreuder agrees with Acton and others that Gladstone's turn to liberalism was incomplete, 'spasmodic', dualistic, practical and influenced by political environments.

churchly state was 'the ideal position . . . in the conditions of the mid nineteenth century it was impracticable . . . Gladstone's theory foundered on the rock of religious pluralism'.<sup>7</sup> In a similar vein, while Matthew acknowledges Gladstone's changed views on religious diversity, he argues that Gladstone never abandoned in principle his idealist understanding of the relationship between the state and religion. He asserts rather that Gladstone came to regard that understanding as 'impractical on specifically allied subjects' and searched for ways in which 'aspects of it be made practical by other means' through moral statesmanship in colonial affairs, trade and international relations.<sup>8</sup> Ramm offers another version of this explanation, arguing that the Maynooth episode was the beginning of Gladstone's Aristotelian quest to use practical reason to approximate his ideal.<sup>9</sup>

Vidler creates a different variant of this theme, arguing that Gladstone eventually recognized the impracticality of his early ideas but failed to create alternatives. Vidler paints Gladstone as pursuing a practical political career by adopting but not internalizing the liberal spirit of his times, creating an unacknowledged disjunction between his political practice and his idealistic beliefs.<sup>10</sup> Likewise, Helmstadter argues that Gladstone retained his basic theory regarding church and state, yet with increasing experience of power 'became more flexible, more pragmatic, more astutely unpredictable in manoeuvre'.<sup>11</sup> Schreuder holds that Gladstone made practical modifications to his idealism while retaining a flexible role for the state in promoting moral progress, thereby creating a method of 'moral pragmatism'.<sup>12</sup> Stansky, too, argues that, after Maynooth, Gladstone 'was now able to become a more accommodating and practical politician' while he continued to defend conservative and liberal positions, including both fairness and the belief that 'the state was a moral force'.<sup>13</sup> Parry pursues a different line, arguing that Gladstone departed from earlier positions on the basis of his anti-Erastian attempt to defend the Church of England from dissenting members of Parliament who

<sup>7</sup> David Bebbington, *William Ewart Gladstone: Faith and Politics in Victorian England* (Grand Rapids, MI, 1993), p. 62.

<sup>8</sup> 'Introduction', *The Gladstone Diaries*, ed. H.C.G. Matthew (Oxford, 1974), Vol. 3, pp. xxxi, xxxiii, xxxiv; also Vol. 7, p. xxv, and Vol. 9, p. xxv.

<sup>9</sup> Agatha Ramm, *William Ewart Gladstone* (Cardiff, 1989), p. 15.

<sup>10</sup> Alec Vidler, *The Orb and the Cross: A Normative Study in the Relations of Church and State with Reference to Gladstone's Early Writings* (London, 1945), pp. 142–50.

<sup>11</sup> Richard Helmstadter, 'Conscience and Politics: Gladstone's First Book', in *The Gladstonian Turn of Mind*, ed. Kinzer, p. 8.

<sup>12</sup> Deryck Schreuder, 'Gladstone and the Conscience of the State', in *The Conscience of the Victorian State*, ed. Peter Marsh (Syracuse, NY, 1979), pp. 73–134, esp. p. 85.

<sup>13</sup> Peter Stansky, *Gladstone: A Progress in Politics* (New York, 1979), pp. 38, 42, 45, 112.

might abuse the state machinery governing the church.<sup>14</sup> Butler similarly argues that Parliamentary politics led to the practical breakdown of Gladstone's idealist understanding, forcing him to reconstruct his views on a High Church anti-Erastianism that emphasized freedom for the Church of England and social justice for everyone.<sup>15</sup>

While these explanations are helpful, they do not satisfactorily account for the differences between the positions Gladstone took earlier and later in his career on the topics of disestablishment and religious disabilities, nor for the complexity of his later position on disestablishment. The argument that Gladstone retained but did not act on his original views for practical reasons, the assertion that he retained those views but pursued their realization by pragmatic means, and the hypothesis that he completely abandoned those views for a pragmatic approach all privilege the role of practical judgments in ways that leave important questions unanswered. For example, if Gladstone's early work also had 'utilitarian' overtones, as Keble and Matthew argue,<sup>16</sup> what are we to make of this continuity if we explain Gladstone's later changes only by reference to a turn to practicality? In addition, why should a bare application of practical reasoning lead him to support the admission of Jews and atheists to Parliament or to agree to disestablish the Church of Ireland? Would they not just as easily have brought him, as Morley says of others who pursued the same goals of political stability and defence of the Anglican establishment, to support the policies of exclusion and Irish establishment on the practical grounds that innovations would be too disruptive?<sup>17</sup> And how do we explain Gladstone's use of practical reasoning to support elements of religious freedom in light of his utilization of it to resist Anglican disestablishment? The practical qualification of Gladstone's idealism that Morley, Bebbington, Matthew, Ramm and Helmstadter identify appears overdrawn, while the disjunction Vidler discovers does not seem to exist. Butler and Parry meanwhile ground Gladstone's allegiance to freedom on his anti-Erastianism, but this explanation is vulnerable to a critique similar to those above. In particular, if Gladstone supported religious freedom mainly because he

<sup>14</sup> J.P. Parry, *Democracy and Religion: Gladstone and the Liberal Party, 1867–1875* (Cambridge, 1986), p. 159.

<sup>15</sup> Perry Butler, *Gladstone, Church, State and Tractarianism: A Study of his Religious Ideas and Attitudes, 1809–1859* (Oxford, 1982), pp. 104, 120, 130. John Kenyon also emphasizes Gladstone's anti-Erastianism and commitment to religious freedom, as well as the influence of changing contexts and the need for stability. J. Kenyon, 'Gladstone and the Anglican High Churchman', in *The Gladstonian Turn of Mind*, ed. Kinzer, pp. 43, 57.

<sup>16</sup> Keble, as quoted in Butler, *Gladstone*, pp. 88–9; Matthew, 'Introduction', Vol. 3, pp. xxvii–xxix.

<sup>17</sup> He glosses the opposition to Irish disestablishment as arguing 'the operation was too gigantic in its bearings, too complex in the mass of its detail, to be practicable'. Morley, *The Life of William Ewart Gladstone*, Vol. II, pp. 257–9.

feared the threats the state posed to the church, the logical extension of that position is the disestablishment of the Church of England, a policy he never endorsed. Finally, while Stansky and Schreuder may be right in asserting that Gladstone's later defence of Anglican establishment involved a persistent belief in the state's moral duties in tandem with a commitment to religious freedom and fairness, their explanation for this dichotomy, which characterizes his position as a combination of liberalism and atavism, or as a product of a moral pragmatism, does not clearly specify the grounds for that combination.

I suggest that we best understand Gladstone's policies by appreciating fully the background set of understandings he employed to interpret events and apply practical reasoning to the problems he perceived in church–state relations. This entails not only looking at Gladstone's views during the 1840s and 1850s, but also beyond that timeframe to compare his original set of understandings to those he employed later in life. When we do, we find that a persuasive explanation of Gladstone's shifts and inconsistencies refers to the continuities and changes in the elements of the intellectual framework that focused his practical judgments. In particular, that explanation pays close attention to his retention of a dualistic religious anthropology (that is, his description of humans requiring both the freedom to follow their individual consciences and the teachings of the institutional church to direct their spirituality), his continued historicism, and his belated acceptance of a principle of equal protection.

**Gladstone's Original Framework:  
*The State in its Relations with the Church***

Gladstone's early position was outlined in *The State in its Relations with the Church (SRC)*.<sup>18</sup> There he founded his understanding of church–state relations on an organic, historical conception of the state. The state is an enlarged person that gains its identity from history and its purpose from God. Given this conception, Gladstone emphasized the advantages that accrue to the state from its association with religion, arguing that while the church can shift for itself, the state needs the church to inform its conscience.<sup>19</sup>

Gladstone grounded his argument on a variety of sources that constituted for him the 'universal sense of mankind'. These included Paley, Hooker and Locke;<sup>20</sup> scriptural sources; an ethical analysis of the 'nature of the state'; a consequentialist argument that religion is necessary for attaining the 'higher and lower' ends of the state; and 'induction' — judgments derived from an

<sup>18</sup> Gladstone, *The State in its Relations with the Church* (2 vols., London, 4th edn., 1841) (hereafter *SRC*). All references are to this edition.

<sup>19</sup> See especially *SRC*, I, pp. 4–5.

<sup>20</sup> He also cites, among others, Coleridge, Plato, Aristotle, Augustine and Macaulay.

examination of historical materials.<sup>21</sup> Gladstone then gave these texts an Aristotelian veneer, not only borrowing from Aristotle an understanding of humanity's social life, but also taking from him the overall philosophical position of the *Politics*. Like Aristotle, Gladstone saw the purpose of political philosophy as understanding how to adapt the concept of the state to the specific context in which we live.<sup>22</sup> Gladstone engaged in this analysis by invoking three contextualized conceptions of the relations between church and state. First he established the ideal form of the relationship, which entailed describing the state in its perfect form. Next he depicted the best possible state given human nature. Finally he described church–state relations in contemporary Britain, characterizing them as falling short of the best possible model, yet sufficiently close to that arrangement to merit defence.

*The Ideal and Best Possible States*

In establishing the ideal set of relations between church and state, Gladstone concentrated on the state. It is natural and historical, he argued, not the artificial product of calculations and compact that Locke depicted. Along with other natural entities like the family and the individual, the state has a 'personality', a 'conscience' and potentially a 'moral agency'. As such it needs 'a deliberative regulatory principle', which, in order to conform to God's laws, 'requires the application to it of a conservatory principle of religion'. As a 'living, active, and moral' entity, the state has 'religious responsibilities' in addition to those of preserving life and property.<sup>23</sup> Thus he argued that the state is and should be a moral agent, contrary to Locke's understanding of a government restricted to outer, secular projects.<sup>24</sup> This ideal state in Gladstone's conception is in perfect harmony with the moral and religious beliefs of its citizens. All its citizens accept the state as part of their higher, organic selves, and all citizens are members of an established church that provides the state with its religious conscience. In contrast, he deemed a state that supports a diversity of churches a conventional rather than a natural state, while labelling a state that completely severs its relations with religion as incomplete and an Erastian state a tyranny.<sup>25</sup>

However, Gladstone acknowledged that an ideal state of this type is not attainable. 'The absolute and strictly ideal perfection of this theory . . .', he asserted, 'requires conditions that have never been fully realized in our fallen state, that is to say, not only unity of religious action in the state, but unity of

<sup>21</sup> *SRC*, I, pp. 36–7.

<sup>22</sup> See Ramm, *William Ewart Gladstone*, pp. 10–11, and Helmstadter, 'Conscience and Politics', pp. 9–17.

<sup>23</sup> *SRC*, I, pp. 45–6, 63–8.

<sup>24</sup> *Ibid.*, pp. 160–1.

<sup>25</sup> *Ibid.*, p. 302.

personal composition with respect to religious profession . . .'.<sup>26</sup> Given the inescapable existence of religious diversity, we are left with the best possible state as the practical summit of our expectations. This state also supports a national church and defines its relationship with that church as one of full 'unity of religious action', but it nevertheless tolerates an inevitable contingent of religious dissenters.<sup>27</sup> Thus both a full identification between church and state *and* religious toleration are its hallmarks.

Why should the best possible state continue to assume a full identification with one church in a situation marked by religious diversity? Why not do away with all connections or support all religions equally? Gladstone answered this objection with a mix of moral, practical and historical references. Morally, as Schreuder emphasizes, Gladstone argued that maintaining ties with the true church is a state duty (just as it is a moral duty for the individual), and he detected that true church in the Church of England.<sup>28</sup> What is more, a series of practical reasons established for Gladstone the importance of a close connection between the state and religion in general. With regard to the needs of even a limited 'Lockean' government, he pointed to the prevention of crime — the 'terrors of posthumous punishment' are useful to deterring individuals from breaking the law. A national religion also teaches the individual beneficial material lessons involving thrift, productivity and the family. It makes individuals good people and citizens by 'destroying that law of self-will and self-worship'. And a national religion encourages obedience to laws and 'contentment' with the rights assigned by the constitution.<sup>29</sup>

Why a single established church rather than support for all denominations given the multiplicity of churches and problems with detecting the true church? Gladstone here turned to practicality and history. He argued on practical grounds that multiple establishments confuse people and make officials appear hypocritical by supporting churches not their own. Likewise practicality supports the stable connection with one church. A single, stable connection, Gladstone argued, reinforces the popular view that the church possesses a true doctrine, for stability is associated with truth while change is associated with doubt or error. It also promotes the self-government of the established church and creates a defence against Erastianism. Meanwhile he argued that multiple establishments are politically unstable. He pointed to Prussia and New England as negative examples in this regard and provided a list of

<sup>26</sup> *SRC*, II, pp. 282–3.

<sup>27</sup> *Ibid.*, p. 283.

<sup>28</sup> Gladstone's position was that the Church of England was a national apostolic church that can trace its history unbroken to the primitive church. See *SRC*, II, pp. 95–122, as well as 'The Elizabethan Settlement of Religion', 'Queen Elizabeth and the Church of England' and 'The Church Under Henry VIII', in W.E. Gladstone, *Later Gleanings: A New Series of Gleanings of Past Years, Theological and Ecclesiastical* (New York, 1897) (hereafter *LG*).

<sup>29</sup> *SRC*, I, pp. 173–6.



possible practical reasons for the failure of the New England experiment in multiple establishments.<sup>30</sup>

Gladstone also cited historical evidence to the effect that all nations adopt a singular national religion. Religious establishment follows national character, as the histories of the Jews, Romans and Christians all attest. The United States was no exception, he argued, pointing to the religious ceremonies that marked the workings of the federal government. But Gladstone contended that the American brand of official Christianity without establishment was an extremely precarious and unsatisfactory arrangement. Those who did not want government-sponsored religion were offended by official displays, forcing those displays to be theologically broad; and broad religious doctrines, reminiscent of theism and the philosophical belief in an afterlife that Locke advocated as a religious test, Gladstone argued, are not sufficient for 'forming the groundwork of a constitution' from a religious point of view. In a moral argument that he would later deploy to different effect, he rejected here attempts to create a watered down 'official' Christianity because they divide religion into parts (belief in God or in an afterlife without any attending theological or moral doctrines), whereas religion is an organic whole.<sup>31</sup>

#### *Views on Toleration*

Having dealt with the connection between the state and the true church, Gladstone moved on to the second component of his best possible state-toleration. In doing so he was forced in the 1841 edition of *The State in its Relations with the Church* to address the question that preoccupied critics like Macaulay. If the best possible relationship between church and state entails identification between the two, how do we escape the traditional penchant for intolerance and religious coercion found in that model? Gladstone dealt with this question by dividing it into several parts, defending some uses of state power in religious affairs while disclaiming others. He rejected the use of force to generate compliance with a set of religious doctrines or to compel people to disavow religious views. Persuasion is the only appropriate means for leading people to God, for spirituality is a matter of choice. Following Locke, he conceded that the state is incompetent to make judgments that will affect the salvation of individuals. It can choose and support only institutionally the national religion that informs the higher life of the state. Like Locke and, more directly, Bishop Butler, he argued that the choice of correct principles and doctrine is a matter of probabilities, and judgments based on probabilities are not strong enough to remove the 'natural freedom' that God gives humans to gain their

<sup>30</sup> *Ibid.*, pp. 183–6; *SRC*, II, pp. 271–2.

<sup>31</sup> *SRC*, I, pp. 26, 127, 140; *SRC*, II, pp. 362–8.



salvation.<sup>32</sup> Moreover, like Locke he argued that coercion can be used to suppress the truth; that it tends to corrupt those who administer it; that it is not necessary to safeguard life and property; and that no direct command from God approves it. Thus the best possible state embraces an established church but does not require its citizens to belong to it or to espouse a particular creed.<sup>33</sup>

However, Gladstone refused to brand as intolerant or coercive all state activities that disadvantage persons on religious grounds, just as he refused to concede that establishment curtails the God-given freedom to choose one's path to salvation. He distinguished, for example, between intolerance and the punishment of blasphemy. Drawing upon a theistically centred account of persons, he argued that the latter is the legitimate suppression of views that appeal not to reason but rather to the 'gross passion', an appeal that transforms humans from moral beings into brute creatures.<sup>34</sup> More important, he defended measures of 'civil defence' that prohibit religious views carrying political or social consequences, such as views which disavow allegiance to a monarch or which reject all laws governing society. Again with Locke he argued that the purpose of these regulations was not to coerce adherence to religious opinions *per se*, but to eliminate views dangerous to society. These are matters of expediency and defence. At the same time Gladstone also provided an extended justification of religious disqualifications. He granted that objections to intolerance in general also counted against disqualification, but maintained that their force was diminished in that sphere. As with his civil-defence argument, he stated that disqualification rested not on the attempt to coerce people to accept religious doctrines, but rather on the setting of minimum standards for holding political office, which for the best possible state must include religious components.<sup>35</sup>

In direct response to the question of persecution, he argued that employing religious qualifications as a way of identifying the church with the state would not inevitably lead to the persecution of dissenters because it was not in the interest of the state or church to do so. Relying upon the innate benevolence of political and clerical officials, he argued that they wished to lead dissenters to the true religion, not destroy them, and therefore neither a monopoly on political power nor the establishment of a church should be considered dangerous to dissenters who are denied office. In his understanding, one can justify disqualification and establishment while rejecting intolerance both descriptively

<sup>32</sup> See 'Probability as a Guide to Conduct', in W.E. Gladstone, *Gleanings of the Past Years* (7 vols., New York, 1886) (hereafter *GPY*), Vol. VII, pp. 154–99.

<sup>33</sup> *SRC*, I, pp. 310–19; II, p. 255; *Letter on Toleration*, in *Political Writings of John Locke*, ed. D. Wootton (New York, 1993), pp. 394–6.

<sup>34</sup> *SRC*, I, pp. 306–7; II, p. 246.

<sup>35</sup> *SRC*, II, pp. 267–8.

and normatively in the British context.<sup>36</sup> Thus, while he would have preferred a stronger set of qualifications in place, Britain's law restricting officeholders to those who can take an oath as a Christian was on these grounds 'moderate', 'prudent' and 'warrantable'.<sup>37</sup>

This discussion of church–state relations, particularly with regard to establishment, was founded on Gladstone's original understanding of religious freedom and toleration and subsequently on his bifurcated religious anthropology. Gladstone consistently argued that religious freedom entails granting people the right to follow 'private judgment' in religious affairs, for people must find God themselves without coercion. Yet, in a long and detailed discussion, Gladstone refused to equate 'private judgment' with merely following one's 'individual conscience'. Private judgment genuinely understood, he argued, is neither one dictated externally by force nor one informed solely by individual conscience. Institutions also necessarily condition it. As the church has traditionally held, true private judgment is a faculty informed by the findings of church tribunals, for individuals alone are usually unable fully to grasp or appreciate Scriptural doctrines. This assertion, one may note, paralleled his earlier argument that ordinary people are unable to grasp ethical concepts or follow laws without religious institutions. He summed up this discussion by observing that if 'freedom of assent' was the greatest gift of the Reformation, the tendency to privilege the individual conscience in religious affairs and thus to oppose the doctrinal authority of the established national church was its 'besetting sin'.<sup>38</sup> There was no Miltonian acknowledgment on his part that the religious freedom he believed essential to true faith could lead one legitimately to a plurality of religious doctrines because Truth has been scattered, for he argued both that Truth has not been scattered and that 'private judgment . . . essentially depends for its right discharge less upon the understanding than the conscience'. Nor was there much faith on his part in the capacity of individuals outside institutions to find their way to true belief and spiritual knowledge.<sup>39</sup>

This initial failure to acknowledge either the legitimacy of religious pluralism or the possibility of a complete moral individualism led to Gladstone's original understanding of toleration as a minimal concept amenable to religious oaths and an established church. Because he believed that a true understanding of religion was dependent upon church authority, and the state had a

<sup>36</sup> *SRC*, I, pp. 325–35. Indeed, he saw the oath of allegiance as a 'considerable accommodation' to Catholics. *SRC*, II, p. 224.

<sup>37</sup> *SRC*, I, p. 337.

<sup>38</sup> *SRC*, II, pp. 46–52, 94–5.

<sup>39</sup> *SRC*, II, p. 177; also 'Ward's Ideal of a Christian Church', *GPY*, V, pp. 138–61. Richard Shannon describes Gladstone's own dependence on institutions for moral guidance in R. Shannon, *Gladstone: 1809–1865* (Chapel Hill, NC, 1984), pp. 113–14, 157. See also Butler, *Gladstone*, p. 103.

moral responsibility to support one authority, the early Gladstone adopted the traditional understanding of toleration that privileged membership in the state church and granted dissenters mere indulgence. Distinguishing the individual's right to choose God freely from the state's responsibility to tolerate dissenters, he specified that in the context of the best possible state, toleration 'does not imply a recognition of the moral equality of all forms of faith . . .' or of judgments regarding faith. Rather, it means merely removing 'the biasing and blinding influences of fear from without' at the same time the state vigorously fulfils its equally important duty to support the true church. Thus, as a discriminatory concept, toleration 'presumes the actual preference of one [form of faith], and includes the passive sufferance of others'.<sup>40</sup> This sufferance did not include equal treatment of religious sects or access to political power on the part of dissenters. Nor did it include the separation of church and state.

Gladstone thereby harmonized toleration with religious oaths and an established church by relying on the institutional portion of his religious anthropology to hedge the sphere of religious liberty he was forced to concede to escape the charge of intolerance and persecution. He did so by specifying simultaneously the need for individual liberty (liberty from outside coercion and imposed religious uniformity) and the necessity of intertwining the state with an established church (generated by the state's need for a conscience, the state's duty to support the true religion, and the individual's need for religious institutions), arguing that both were required for a fully developed state and the individual's exercise of private judgment in spiritual matters. This formulation inevitably led him to condemn states that laxly discharged their religious duties and to criticize the drive to push toleration to its logical, pluralist conclusion.<sup>41</sup>

#### *History, Contexts and Practical Judgments*

The bulk of Volume II of *SRC* was given over to a historical discussion of church–state relations in Britain, reflecting both Gladstone's penchant for historical analysis and his conceptualization of the state as a historical being. Here he posed a series of key questions that moulded his early, practical approach. Was the principle animating the best possible state at work in Britain? His answer was yes. The English state and church occupied the preferred middle ground differentiated from a 'popish' external control of church and state, Erastianism and a secular state populated by independent churches. It contained a state church that drew political and financial support from the state and commanded the allegiance of a majority of the population but

<sup>40</sup> *SRC*, II, p. 176.

<sup>41</sup> *Ibid.*, pp. 177–8.

remained in control of its doctrine and ceremonies.<sup>42</sup> Were there problems in the relations between the established church and the state? Yes, some of which were amenable to solution, some not. Were the problems so serious as to require that the connection be abandoned? His answer was no — the best policy was to defend current structures from further deterioration. As he put it, emphasizing the contextual difference between Britain and other countries:

We still have ground which is defensible, and which is still worth defending . . . with political institutions in reality very much more popular than those of France, to say nothing of Prussia, our country seems to promise at least a more organized, tenacious, and determined resistance to the efforts against national religion . . .<sup>43</sup>

In his quest to defend current structures, Gladstone addressed first the question of toleration. If the best possible state was one typified by toleration, his historical discussion faithfully recorded its uneven development in Britain but concluded that the central problems had been solved. Before the Reformation, he argued, differences of religious opinion were directly repressed, thus removing an important part of each individual's 'moral freedom'.<sup>44</sup> But he attributed problems since the Reformation mostly to contingent factors rather than to structure, citing as culprits misguided rulers, the tumults created by religious differences, and external threats. For example, he argued that as the Reformation became entangled with the efforts of English monarchs to defend the country against both Puritan-inspired revolts and threats from Catholic countries and the Papacy, monarchs were forced to define political allegiance in religious terms. The result was that when Elizabeth and the Stuarts dealt with the political problem of religious dissidents, state and religion were connected by 'bonds' that were 'drawn tighter than either the infirmities of human nature or the quality of the subject-matter would warrant', resulting in the punishment as well as disqualification of religious dissidents.<sup>45</sup>

The exception was life under the Puritans, which, he asserted, was afflicted by structural errors. While Cromwell favoured an extensive toleration, the Puritans in Parliament preferred a coercive tie between church and state. This unflattering stance Gladstone attributed to Puritan independency. In the process of downplaying the institutional church and exalting the state, the Puritans inexorably transferred theological discipline from the ecclesiastical to the statist realm, resulting in the judicial punishment of dissent. In short, he argued that independency plus a strong state encourages religious intolerance. Consistent with this point he disputed Nonconformist claims to a history of toleration, maintaining that, as compared to the Anglicans, the Puritans used

<sup>42</sup> *Ibid.*, pp. 154–8.

<sup>43</sup> *Ibid.*, p. 389.

<sup>44</sup> *Ibid.*, p. 283.

<sup>45</sup> *Ibid.*, p. 21.

coercion to punish theological errors, and used it more extensively, for a longer period and against more people.<sup>46</sup>

The second topic Gladstone addressed was that of the ‘unity’ between church and state. The forces that most consistently promoted toleration, he admitted, also threatened the ties that bound the state to the church.<sup>47</sup> While the Restoration reinstated the established church, and the Reformation and democratization purged the established church of any lingering problems regarding toleration, democratization also created ‘disorganization’ in the state’s actions with regard to religion. Moreover, the practical nature of politics had weakened those ties. The result was a set of relations between church and state in Britain that was ‘chequered’.<sup>48</sup> He listed numerous connections between the state and the Church of England, the defence of which was becoming difficult. Rising education levels and democratization had decreased deference and spread power to dissenters who were hostile to these connections, making the number of those committed to close church–state relations smaller and the pool of its opponents larger. Modern beliefs were also to blame. The belief that political privileges are natural rights had weakened the commitment to linking politics with an established church, while, more ominously, modern ideas about the value of education had displaced the value of religion in the minds of citizens.<sup>49</sup> But even in the face of such views, Gladstone argued that existing church–state relations should be vigorously defended *in toto*.

As part of that argument, Gladstone explored anti-Erastian grounds for Anglican disestablishment. While he conceded that the British state had hurt the Church of England in the past, and that the Church of England could live without formal ties to the state, he nevertheless rejected arguments for its disestablishment. He rebutted the generalization Tocqueville drew from the American experience, which attributed religious vitality to the separation of church and state, by maintaining that establishment only harms degraded churches. Disestablishment itself, he argued, will not necessarily improve churches. He described the Church of England as a vital church well able to defend itself and in no need of disestablishment.<sup>50</sup> Thus, in a move he later repeated, he resisted pushing his anti-Erastianism to its logical conclusions by referring to Anglicanism’s strength.

Finally, Gladstone pointed to two important deviations from the best possible state that he deplored yet was reluctant to challenge. One was the combination of the state with both the Church of England and the Church of Scotland, churches ‘not in Christian Communion with each other’. The other

<sup>46</sup> *Ibid.*, pp. 217–22.

<sup>47</sup> *Ibid.*, pp. 277–8.

<sup>48</sup> *Ibid.*, pp. 257, 279.

<sup>49</sup> *Ibid.*, pp. 392–8.

<sup>50</sup> *Ibid.*, p. 385.

was the annual provision of state funds to Maynooth College in Ireland to support the training of Roman Catholic priests. In addition to his theoretical opposition to such arrangements, Gladstone also viewed dubiously the practical results they achieved. Yet in both cases he refrained from calling for a return to more consistent positions. Both commitments, he argued, resulted from attempts to conciliate the populations of those regions to union with England and represented important state obligations. While those policies deviated from the tenets of the best possible state and did not necessarily fulfil their practical aims, he implied that practicality itself demanded their maintenance.<sup>51</sup>

### Continuities and Changes, 1845–83

If, as Morley and others suggest, experiences spurred Gladstone to change these early views on the relations between church and state, how did this change manifest itself in arguments regarding disqualification, establishments and other related topics? I argue that in supporting a variety of measures that weakened the connection between the British state and religion and simultaneously defended the Church of England's status as an established church, Gladstone both changed and conserved important parts of his original intellectual framework.

Gladstone's conversion to selective support of the Church of England's establishment was the result of several factors. The first factor was an ongoing contextual analysis that from the mid 1840s progressively recognized important changes in Britain's environment from earlier in the century. One result of that analysis was an increased appreciation of and emphasis upon religious diversity. While he continued to believe that the Church of England was the true church and longed for Christian unity, by the early 1850s religious diversity in Britain became a factor in his considerations that went well beyond what he had acknowledged in *SRC*. 'A Chapter of Autobiography' attributed the beginnings of this greatly enhanced appreciation to his perusal of Irish census results and his 'discovery' in 1850 of the large increase in the number of Nonconformist places of worship in England. Those beginnings may have been reinforced by his personal and political contacts with Nonconformists, and by his continued, albeit diminished, contacts with Henry Manning and John Newman.<sup>52</sup>

<sup>51</sup> *Ibid.*, pp. 280–305. His position in *SRC* reflects a change to a less rigid stance. Compare Letter to H.E. Manning, 2 April 1837, and Letter to H.E. Manning, 23 April 1837, with Letter to James Lord, 8 October 1841, in *Correspondence on Church and Religion of William Ewart Gladstone*, ed. D.C. Lathbury (2 vols., New York, 1910), Vol. II, pp. 29–39, 51–2.

<sup>52</sup> For his greater appreciation of religious diversity, see 'The Courses of Religious Thought', *GPY*, III, pp. 102–25, 'A Chapter of Autobiography', *GPY*, VII, pp. 124, 144, and 'The Place of Heresy and Schism in the Modern Christian Church', *LG*, pp. 289–96.

The other result of this contextual analysis involved his assessment of the British state. Whereas in *SRC* Gladstone had assumed that Parliament could freeze the effect of changes in politics and population, by the mid 1840s he admitted that those developments had profoundly affected the state, and identified himself as one of the last supporters of a churchly regime. Britain was in transition from a natural, organic entity that resembled a ‘family’ in its religious affairs (as did Austria and Russia) to an entity that resembled a club (as did the United States and France). Thus he acknowledged that momentum had shifted in favour of further loosening the ties between church and state.<sup>53</sup>

The second factor involved changes in his understanding of the practical effects of the relationship between church and state. In later life Gladstone exhibited a greater appreciation of the danger the state posed to the church; thus anti-Erastianism played a larger role in his analysis. But, more tellingly, he came to accept that those relations could also harm the state, a proposition he did not entertain in *SRC* but invoked in the Irish debates.<sup>54</sup>

The third factor was the cumulative methodological result of the first two: Gladstone abandoned his ‘best possible state’ analysis both normatively and descriptively. No longer interested in preserving a churchly state, he began conceptualizing his understanding of church–state affairs in terms of the narrower goals of maintaining British stability and defending the Church of England’s established status. In describing his approach to the latter goal, he argued in 1847 that those like himself who defended the established church must be willing ‘to part earlier and more freely and cordially, than heretofore with some such of her privileges, here and there, as may be more obnoxious

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Schreuder in ‘The Role of Morley and Knaplund’, pp. 215–17, and ‘Gladstone and the Conscience of the State’, pp. 103, 106, provides a qualified version of this argument. See also Butler, *Gladstone*, p. 121, and *The Gladstone Diaries*, ed. Matthew, Vol. 7, p. xxviii. Evidence for the influence of personal and political contacts is tentative. For example, consideration of the Ecclesiastical Titles Bill occurred at approximately the same time as Hope and Manning were leaving Anglicanism (February/March 1851). Also beginning in 1864, at about the time he began making known his theoretical decision to support a change in the Irish establishment (‘A Chapter of Autobiography’, *GPY*, VII, p. 129), *The Gladstone Diaries* show a considerable number of social, religious and political contacts with Nonconformists, and an increased attention to Nonconformist views inside and outside the House with regard to Parliamentary and party affairs. Compare Matthew’s observation in *The Gladstone Diaries*, Vol. 3, p. lv, with Vol. 14 [Index], p. 769. Of course he was dependent upon Nonconformist votes, as well as Newman, in his struggle for Irish disestablishment despite the other problems he experienced with both. However, he was willing to part with them on the question of Anglican disestablishment.

<sup>53</sup> Letter to J.H. Newman, 19 April 1845, in *Correspondence*, ed. Lathbury, Vol. I, pp. 71–4; ‘A Chapter of Autobiography’, *GPY*, VII, p. 98.

<sup>54</sup> Also ‘A Chapter of Autobiography’, *GPY*, VII, p. 151: ‘an Establishment leaning for support upon the extraneous aid of a State, which becomes discredited with the people by the very act of lending it’.



than really valuable . . . and further, not to presume too much to give directions to the State as to its policy with respect to other religious bodies'.<sup>55</sup>

As evidenced by the last part of this quotation, a fourth factor was also fundamentally important to Gladstone's change. Gladstone's abandonment of a churchly state cleared the way for him to act politically on his increased appreciation of religious diversity by converting that appreciation into a normative commitment. His understanding of religious freedom broadened to include more than the absence of coercion or 'passive sufferance' — it now meant equal protection. This meant that his defence of establishment came to incorporate an equal consideration of the claims of religiously diverse populations.<sup>56</sup> As he put it during the election of 1865, he rejected policies that defended the church by 'maintaining odious distinction against our Roman Catholic or dissenting fellow-subjects'.<sup>57</sup>

But despite the variety of changes listed above, and regardless of his anti-Erastian doubts and commitment to placing religious orthodoxy above political connections, to the end of his life Gladstone maintained his belief that the British state should support the Church of England in its institutional mission of fostering the true faith among the populace,<sup>58</sup> and it is clear that he would have continued to support the establishment of the Church of Ireland had it not failed to convert the Irish, a failure that robbed it of its spiritual legitimacy and created political instability.<sup>59</sup> The fundamental explanation for this stubborn allegiance to establishment in the face of his recognition of spiritual pluralism, I argue, was Gladstone's persistent adherence to his original religious anthropology and to his historicism. While he continued to privilege contexts to draw distinctions in both time and space as he had done earlier,<sup>60</sup> and sustained his reliance upon the kinds of practical judgments that mark *SRC*, these methodological continuities yielded a variety of results later in his life and cannot by themselves account for his commitment to religious freedom or to Anglican establishment, much less to both simultaneously.

The consistency of his substantive views on religious anthropology and historicism was, in contrast, fundamental to explaining all these positions.

<sup>55</sup> Letter to R.J. Phillimore, 24 June 1847, in *Correspondence*, ed. Lathbury, Vol. II, pp. 13–14, and 'A Chapter of Autobiography', *GPY*, VII, pp. 149–51.

<sup>56</sup> For religious equality and the correct analysis of establishments, see 'A Chapter of Autobiography', *GPY*, VII, pp. 125, 128, 150–1. Butler adopts Gladstone's term of 'social justice'. See Butler, *Gladstone*, pp. 120, 130.

<sup>57</sup> Quoted in Shannon, *Gladstone*, p. 54.

<sup>58</sup> See 'Queen Elizabeth and the Church of England', *LG* esp. p. 192, and 'A Chapter of Autobiography', *GPY*, VII, pp. 146–8.

<sup>59</sup> See the Letter to Sir R. Phillimore, 13 February 1865, in *Correspondence*, ed. Lathbury, Vol. I, p. 168, and 'A Chapter of Autobiography', *GPY*, VII, pp. 123–5.

<sup>60</sup> 'Kin Beyond the Sea', *GPY*, I, pp. 239–47. 'The Sixteenth Century Arraigned Before the Nineteenth', *GPY*, III, p. 264, stresses change. See also Schreuder, 'Gladstone and the Conscience of the State', p. 89.

Both the early and late Gladstone depicted humans as requiring freedom from outside coercion in religious affairs, a depiction that spilled over into his understanding of equal protection. Likewise, although he came to grant a greater role to reason in religion,<sup>61</sup> he also continued to emphasize that it was the institutions of the church that allowed people fully and truly to pursue spiritual lives.<sup>62</sup> The result was that alongside his commitment to religious freedom and equal protection, he continued to highlight the institutional nature of the church in its necessary role of preserving religious doctrines and guiding the spiritual and intellectual lives of individuals and the nation. This corporatist aspect of his religious anthropology was part of his overall privileging of institutions as key to human development. While he lessened his emphasis on the state, he consistently viewed institutions like the Church of England and the universities, with their organizational structures, discipline and traditions, as essential to preserving knowledge and to serving as the means to new understandings, acting as 'great mediating power[s] between the high and the low, between the old and the new, between speculation and practice, between authority and freedom'.<sup>63</sup> He in turn combined this anthropological institutionalism with a persistently organic and historical conceptualization of England. England for Gladstone was always defined as fundamentally by its history as by its current composition. The institutions that best discharged their functions for the good of England, he argued, were those rooted in English history; and since the Church of England was embedded in English history, it had necessary connections with English life.<sup>64</sup>

The continuity of Gladstone's dualistic religious anthropology linked the disparate parts of his later discussions of church–state policies. Its individualistic side, stressing freedom from coercion, supported his principle of equal protection in the removal of religious oaths and the Irish establishment, while its institutional side, combined with his historicism, prevented him from abandoning the concept of establishment and the Anglican establishment in particular. Only by reference to this framework, I contend, can we understand his flexible, contextually sensitive use of practical reasoning in later life to address questions of church and state.

<sup>61</sup> For a good example, see 'Dawn of Creation and Worship', *LG*, pp. 1–39.

<sup>62</sup> For an early view, see 'Blanco White', *GPY*, II, p. 40; for later views see 'The Influence of Authority in Matters of Opinion', *GPY*, III, pp. 145–71; 'The Sixteenth Century Arraigned Before the Nineteenth', *GPY*, III, pp. 236, 251–4; 'Robert Elsmere: The Battle of Belief', *LG*, pp. 77–117, *passim*; 'Queen Elizabeth and the Church of England', *LG*, p. 205; and 'The Place of Heresy and Schism in the Modern Christian Church', *LG*, p. 309.

<sup>63</sup> See 'Inaugural Address: The Work of Universities', *GPY*, VII, pp. 1–14, and 'Memoir of Dr. Norman McLeod', *GPY*, II, pp. 349–50.

<sup>64</sup> See 'The Sixteenth Century Arraigned before the Nineteenth', *GPY*, III, pp. 244–50; 'Remarks on the Royal Supremacy', *GPY*, V, esp. p. 222, and 'The Church of England and Ritualism', *GPY*, VI, pp. 159–60.

### Gladstone's Support for Religious Liberty and Disestablishment

To support this explanation, I examine samples of Gladstone's later arguments supporting equal protection, the removal of religious oaths, and Irish disestablishment. I then discuss his defence of the Anglican establishment. I begin by documenting Gladstone's commitment to a principle of equal protection.

#### *Religious Liberty and Equal Protection*

By 1847 Gladstone began putting his case for eliminating some of the ties between church and state on both practical grounds (their defence would backfire on the church and complicate affairs of state) and on the grounds that the ties themselves violated the principle of religious liberty and denied equal protection to minority religious groups. In one letter he characterized a scheme to extend civil privileges to all but Catholics and Unitarians as a move that 'grievously violates social justice'.<sup>65</sup> Likewise he characterized his support for the removal of Jewish disabilities as reflecting 'a simple debt which I think is owed to civil justice . . .'.<sup>66</sup> He described attempts by churchmen to deny privileges to Catholics and lead a campaign in Parliament under the banner of 'No Popery' as an attempt to lock the state into 'a negative and repressive policy'.<sup>67</sup> He justified his opposition to the bill against 'Papal Aggression', discussed below, not only on the grounds that it would have the practical and negative effect of dividing the country; it was also, in his words, 'politically unjust'.<sup>68</sup> Even earlier his ruminations on the Irish Establishment had been framed in terms of 'social justice', as he had asked in 1845 whether that principle would 'warrant the permanent maintenance of the Irish Church as it is'.<sup>69</sup> Later, when writing of the Bradlaugh case, he prefaced his remark that continued opposition to the seating of Bradlaugh would serve only to 'weaken reverence for religion' with an analysis similar to that he used in favouring the admission of Jews to the House in 1847,<sup>70</sup> concluding that 'it is

<sup>65</sup> Letter to R.J. Phillimore, 24 June 1847, in *Correspondence*, ed. Lathbury, Vol. II, p. 14.

<sup>66</sup> Letter to C.E. Radclyffe, 19 February 1853, in *Correspondence*, ed. Lathbury, Vol. I, p. 124.

<sup>67</sup> Letter to J.W. Warter, 21 July 1847, in *Correspondence*, ed. Lathbury, Vol. II, p. 16.

<sup>68</sup> Letter to W.F. Hook, 23 June 1851, in *Correspondence*, ed. Lathbury, Vol. I, p. 122.

<sup>69</sup> Letter to H.E. Manning, 6 March 1845, quoted in *Correspondence*, ed. Lathbury, Vol. I, p. 149.

<sup>70</sup> *Hansard*, 8 December 1847, cols. 1282–1303.

best to recognize frankly that religious differences are not to entail civil disabilities'.<sup>71</sup>

We similarly find that he embraced an understanding of equal protection that flowed from a full acknowledgment of religious diversity in his Parliamentary objections to the Ecclesiastical Titles Assumptions Act of 1851. This law forbade the Catholic Church to create ecclesiastical districts and titles that contained English place names, ostensibly to prevent the papacy from laying claim to secular authority over England.<sup>72</sup> In addition to referring to the harmful political consequences of the bill and its boomerang effect on Catholics who were fighting ultramontaniam, Gladstone argued repeatedly that the bill would infringe upon the 'principle of religious freedom' that protects all religious groups. This principle was constituted by 'a line that is drawn between the spiritual and the temporal' that the state cannot traverse unless a real danger is imminent. He outlined his principle as follows: '[I]f I understand anything of the doctrine of religious liberty . . . it implies that within the scope of religious action Parliament was not to intrude . . . it is their [religious groups'] absolute right to make rules for the regulation of their religious concerns'.<sup>73</sup> He then characteristically bolstered this with an argument from history regarding the development of religious liberty, condemning John Hampden and John Pym in particular for their 'bitter and ferocious intolerance which in them became the more powerful because it was directed against the Roman Catholics alone'.

This last quotation led to further and more explicit invocations of equal protection. He asserted that the bill would deny Catholics 'the fullest enjoyment of religious equality'. Arguing that other denominations attached place names to their religious units, and that the Scottish church was explicitly excluded from the bill, he pointed out that the bill was aimed only at Catholics, and maintained that Parliament had 'no right to deny them anything which you give to any other body or denomination of Christians among us'. 'I cannot desire,' he stated, 'that an exceptional system of civil privileges or civil toleration should be created for one class of men, from which others standing in similar circumstances, are to be excluded'. He 'protest[ed] . . . against [the bill's] unequal application' and pleaded with the House not to 'extort' from the doctrine of royal supremacy a policy that was 'unfavourable

<sup>71</sup> Letter to J.C. Hubbard, 11 June 1881, in *Correspondence*, ed. Lathbury, Vol. I, p. 176.

<sup>72</sup> 'Ecclesiastical Titles Assumption Bill', Adjourned Debate, *Hansard*, 25 March 1851, cols. 565–96.

<sup>73</sup> He also later disapproved of compulsory religious exercises in public schools. See 'The Place of Heresy and Schism in the Modern Christian Church', *LG*, pp. 298–304, and Letter to the Rev. Septimus Buss, 13 September 1894, in *Correspondence*, ed. Lathbury, Vol. II, p. 148. However, he opposed opening control of Oxford and Cambridge to dissenters.

to religious liberty' or involved 'a partial and exceptional application to the case of Roman Catholics'.

*Disestablishment and Disendowment of the Church of Ireland (1868, 1869)*

Gladstone spoke three times in the House in 1868 and 1869 in favour of disestablishing the Church of Ireland.<sup>74</sup> On all three occasions he relied upon two lines of argument: that there was a crisis in Irish affairs that had its origins in the denial of equal protection, and that those origins as well as other elements distinguished the Church of Ireland from the Church of England in his theory of establishment. Thus practical judgments were important parts of his argument for Irish disestablishment, but were refracted through other intellectual components.

Gladstone prefaced his justifications of Irish disestablishment with exercises in practical judgment that identified Ireland as a place mired in conflict and crisis and thus as a threat to the stability of the British state. Ireland, he argued, was in a deplorable condition. Widespread sympathy for the Fenians, a general estrangement of ordinary Irishmen from Britain, and conflict between Catholics and Protestants marked the current era. The result was the general acquiescence of governments of all parties to desperate measures to keep the peace, including the serial suspension of the Habeas Corpus Act and the use of the army as an occupying force.

A response to this crisis was needed, he maintained, and Parliament and the people of the country had agreed that fundamental changes to the Church of Ireland must be part of it. He portrayed those changes as necessary to avert a political calamity connected with the chronic problems that afflicted contemporary Ireland. The persistent crisis in Irish affairs, he argued, had its origins in large part in a violation of equal protection — the establishment of the Church of Ireland. That church served only a small proportion of the population, the majority of which adhered to a different Christian denomination. Its support for coercive laws had perverted its spiritual mission and created a spirit of domination and bigotry. As one of the symbols of the English ascendancy, it kept alive 'painful and bitter memories' in the minds of the general population of Ireland. Thus he argued that disestablishment was morally in line with admitting Catholics to the franchise and funding Maynooth, policies that were agreed to not only because they attained the practical goal of reducing instability but also because they reflected the desire of statesmen like Pitt to treat equally the various religious groups in Ireland.<sup>75</sup>

Intimately connected with this argument was Gladstone's other gambit — that the history and condition of Ireland and the Church of Ireland made disestablishment logical and proper from the standpoint of his theory of

<sup>74</sup> *Hansard*, 30 March 1868, and 1 March and 23 March 1869.

<sup>75</sup> For a similar analysis, see 'A Chapter of Autobiography', *GPY*, VII, p. 151.

establishment. While he had acknowledged in *SRC* historical abuses and the failure of that church to win converts, his support for Irish establishment there was firm. He had argued that past errors did not change the truth the church had to offer, that establishment was necessary to strengthen the political bonds of the empire, and that the British government knew best in terms of religion. The result was a romantic analysis of the Church of Ireland's situation.<sup>76</sup> Here in contrast he pointed to a changed context that shed a different light on the history of Ireland and the history and mission of that church. In this he was careful to distinguish between the history, moral status and practicability of the Church of Ireland and those of the Church of England. Whereas the latter was deemed 'good and efficient for its purpose', the former was not. It had failed in its mission of converting the Irish to Anglicanism. He argued that while establishments in general are good things, any particular establishment must be justified ultimately by the fulfilment of its mission — serving the populace in bringing true religion; and this, he argued, had not occurred. Departing from the optimistic stance in *SRC*, he was more deeply influenced here by a history of failures. He argued that the historical record not only of the past several hundred years, but also of the last thirty (since the publication of *SRC*)<sup>77</sup> showed that hope for Irish conversion was misplaced. Only when coercive laws were in force did the nominal adherents of the Church of Ireland approach majority status, and this reliance on coercion he rejected as incompatible with religious freedom (as well as with financial prudence). It was preferable, he argued, to return to the ecclesiastical situation before the Civil War, when no Irish church enjoyed establishment or public endowment. This would not only bring peace to the state, but also, to return to the themes of differentiation and practicality, free the Church of England from an association 'which politically is odious and dangerous'.

It is important to note on which grounds Gladstone stood in his move to disestablish the Church of Ireland. While much of his argument drew on practical judgments, including assessments of the harm continued establishment inflicted on the state, important and necessary arguments held that this establishment caused harm because it violated equal protection, and that the Church of Ireland did not meet the standards of an established church, including the stipulation that church membership be voluntary. At bottom were both his understanding of equal protection and his conceptualization of an established church based on his religious anthropology — it is a true church, supported by the state, spreading the true religion to a large majority of a willing populace. Conditions in Ireland, he argued, would not allow the Church of Ireland to meet that definition; thus the continued existence of its establishment violated equal protection and created the problems of unrest and

<sup>76</sup> *SRC*, II, pp. 12–17.

<sup>77</sup> See Letter to Robert Phillimore, 13 February 1865, quoted in Morley, *Life of Gladstone*, Vol. II, pp. 141–2.

instability. Therefore his understanding of equal protection and religious anthropology ultimately guided his practical embrace of disestablishment.

His practical reasoning was also of a kind consistent with his usage in *SRC*. In both places he privileged context and history such that his understanding of practicality was brought to bear through only them. The danger to the state that he identified with establishment stemmed from important historical circumstances and was confined to the peculiar conditions of Ireland.

*Admission of Atheists to Parliament (1883)*

Gladstone became involved in 1883 in the case of Mr Bradlaugh, a professed atheist elected to sit for Northampton in the House of Commons. Bradlaugh wished to swear the oath of allegiance necessary to sit in the House, but had been barred by Parliamentary officials. After several years of legal wrangling, the government proposed that the Parliamentary Oaths Act of 1866 be amended to allow members to affirm their allegiance without reference to religious grounds. Opponents argued that such a move was quite different from the admission of Catholics and Jews into Parliament. It would radically alter the nature of Parliament by serving to ‘divorce the House from the very elements of religion’, admit people whose integrity was in question because their consciences were not bound by religious principles, and endanger religion in general by the admission of those who sought to ‘damage or destroy the existing religions of the country’, arguments consciously echoing those Gladstone had earlier espoused.<sup>78</sup>

Gladstone, speaking for the Government as prime minister, defended the bill first by linking it with the admission of Catholics and Jews to the House.<sup>79</sup> In *SRC*, he had supported religious tests on two grounds: as general requirements for office-holding, like property and citizenship requirements, and as political defences justified by Britain’s experiences. In 1883 he emphasized the link between toleration and equal protection to reject the general-requirements argument, and referred to a contextual recognition of equal protection for Catholics and Jews to discard the civil-defence argument.

Gladstone disposed of the general-requirements argument by abandoning his previous assertions that religious qualifications were defensible in England because it approximated the best possible state. He now argued that the previous admission of Catholics and Jews to public office had cut the connection between religious profession and eligibility to hold office. Eligibility was currently a matter of liberty, and as such must be equally distributed, not offered up ‘by halves, by quarters, and by fractions’. His contextualist argument regarding civil defence began consistently with *SRC*; he argued that

<sup>78</sup> See the speech of Sir H. Drummond Wolff, *Hansard*, 26 April 1883, cols. 1168–73.

<sup>79</sup> *Hansard*, 26 April 1883, cols. 1174–95.



oaths and religious tests had been introduced only in Elizabeth's time, and then with the purpose of ascertaining loyalty to political institutions. But he now emphasized that loyalty to the state was not an issue. As the state assumed the loyalty of all people regardless of their religion, a correct reading of the law was that the state 'did not interpose barriers against access to this House'. Toleration meant equal protection and equal rights, with no distinctions made among Anglicans, Catholics, Jews and atheists. To deny Bradlaugh admission meant denying this change in context, he argued.<sup>80</sup>

Gladstone's other line of argument drew more heavily upon his previous stance rejecting generic oaths and tests, and included an intricate use of practical judgments that flowed from his religious anthropology to discard as 'impractical' a dependence on an oath to defend Christian institutions. In *SRC*, Gladstone drew upon the corporatist part of his religious anthropology to argue that an oath or test that affirmed only an abstract belief in Christianity or God was not useful to defending a strong connection between Christianity and the state, as the definition of such abstract beliefs would be up to each individual to determine, and such tests tended to divide religion into parts when it is an organic whole.<sup>81</sup> Gladstone asserted likewise here. A requirement to swear by reference to God does nothing to screen out people hostile to Christianity, he argued, since not only would it miss atheists who hide their beliefs and have no qualms in taking the oath, but anti-Christian deists like Voltaire would be welcomed. Rather than defend the Christian nature of the House, the only effect of such an oath, Gladstone maintained, was to force sincere atheists to do violence to their consciences in order to enjoy the political rights that were rightfully theirs. Moreover, he argued that upholding as necessary for office an abstract belief in God was 'disparaging to Christianity' as it 'divide[s] religion into the dispensible and the indispensable' whereas all elements are necessary.<sup>82</sup>

In these arguments Gladstone worked from the viewpoint he had embraced since the late 1840s — that since the best possible state was no longer defensible, the political constraints that arose with such a state were no longer justifiable. Equal protection was now the norm. He also utilized his appreciation of religious diversity to establish the primacy of equal protection. While no admirer of Bradlaugh's theological views, he held that as a matter of both principle and contextual judgment Bradlaugh must be admitted, for the British state had divorced religious affiliation from eligibility for office. This connection

<sup>80</sup> Stansky, *Gladstone*, pp. 144–50, emphasizes Gladstone's references to rights and his practicality here.

<sup>81</sup> *SRC*, II, pp. 367–8. Morley's discussion of this speech does not connect the earlier and later Gladstonian views on this subject. Morley, *The Life of William Ewart Gladstone*, Vol. III, pp. 19–21.

<sup>82</sup> Stansky, *Gladstone*, pp. 149–51, gives a different gloss. For Gladstone's later belief in the unity of religion, see 'Robert Elsmere' and 'The Place of Heresy and Schism in the Modern Christian Church', *LG*, pp. 77–117, 280–311.

between context and equal protection was therefore one key to his changed views. The second was a partial continuation from his previous position — the practical judgment, stemming from his religious anthropology, that generic religious oaths cannot defend the Christian character of the Parliament. But where earlier he had used it as an argument for strengthening religious oaths, he used it here in support of equal protection as an argument against religious oaths.

### **Gladstone's Defence of the Established Church of England (1871, 1873)**

While Gladstone's stance on religious oaths and Irish disestablishment represented important changes in his outlook, regarding the Church of England he remained consistently in support of its establishment. He refused on several occasions to extend to that church his position on the Church of Ireland. That is not to say that he never pondered whether it might be better off if disestablished. In response to the Gorham Case and Parliamentary attempts to purge it of 'ritualism', he hinted that cutting ties with the state was warranted if the historical basis of the establishment was illegitimately altered to allow political interference in church doctrine. But, as he put it on the latter occasion, 'My object and desire has ever been and still is, to keep the Church of England together, both as a church and as an establishment'.<sup>83</sup> Here I discuss concurrently two of Gladstone's addresses on Anglican disestablishment.

On the heels of the disestablishment of the Church of Ireland, the Liberal member for Bradford, Mr Miall, twice introduced motions that the government apply the same policy to all established churches in Great Britain, the first time on the grounds of the 'social, moral and religious advantage' that would accrue to the nation, and the second by reference to the benefits the established churches would enjoy. Gladstone as prime minister opposed both motions by drawing upon his contextual method, his historicism and his religious anthropology.<sup>84</sup>

In both addresses, Gladstone argued that the orientation of the government on the question of disestablishment, contrary to some glosses of its policy on Ireland, was not a matter of abstract principles but of concrete cases. He followed no principle of separation of church and state, and he explicitly rejected the anti-Erastian generalization that disestablishment was helpful to all churches because he rejected the proposition that establishment 'in itself is harmful to religion'. It was the circumstances of establishment that were key to government policy. In addressing the question of the Church of Ireland, he maintained, the government was tending to its peculiar circumstances and concluded that disestablishment was a matter of 'social justice', given that the church was a

<sup>83</sup> Quoted in Morley, *The Life of William Ewart Gladstone*, Vol. II, p. 502. For his views on the Gorham Case see 'Remarks on the Royal Supremacy', *GPY*, V, pp. 173–289.

<sup>84</sup> *Hansard*, 9 May 1871, cols. 559–71, and 16 May 1873, cols. 37–49.

foreign imposition, its membership was a minority of its inhabitants, and the majority of the population wished to see it disestablished. Gladstone underscored this contextually sensitive application of equal protection to the Irish case, as he wanted to argue that the Anglican establishment was different on all these counts and thus its continued establishment did not violate equal protection.

Gladstone made this point in a variety of ways. The most direct way was to highlight evidence suggesting a majority of the English supported the Church of England. He argued that, contrary to the claims of Nonconformists, its membership comprised a majority of the people in the nation. At one point he asserted that over three-quarters of the population were at least nominal members. He also maintained that the nation overwhelmingly rejected the idea of disestablishment, a position reflected in the views of a majority in the Commons. In contrast to his position on the Bradlaugh controversy, he argued here that these majorities should be heeded.

To this democratic point he attached a fundamental practical objection. To forge ahead with such a project, particularly in the face of public opposition, would be impossible since it would involve a project more complex and difficult than was the disestablishment of the Church of Ireland, a task he said was the most complicated legislatively and logistically of any the British government had ever tackled.<sup>85</sup> It would require sorting out the complex set of rights of its members and officers, who numbered in the tens of thousands. The question of compensation was also daunting; Gladstone cited a figure of ninety million pounds, an astronomical sum. In these arguments, Gladstone implied that the English situation was the opposite of the Irish. In Ireland disestablishment was complicated despite the fact that it was popular with the vast majority of the population and was a matter of equal protection. In England the proceedings themselves would probably trigger the kind of popular unrest that Irish disestablishment was meant to forestall because the kind of religious diversity found in Ireland was absent.

Gladstone's other arguments defended the Church of England's vitality, emphasized its institutional role, and privileged its historical connections with England. He quoted Döllinger to the effect that its clergy and laypeople were among the shining lights of Christendom. He also outlined an extensive array of institutional tasks it performed. It cared for the spiritual needs of those deadened to religion; it was deeply involved in educational and charitable works; and, he argued, it was intimately and necessarily involved in the shaping and enlightening of public opinion in all its facets. It provided important connections with other parts of the universal church; it pointed to the future of Christianity; it defended political freedom; it provided the spiritual guidance and intellectual resources necessary to resolve conflicts between science and religion; and it provided a way of reconciling the ancient with

<sup>85</sup> Morley only notes this practical point. Morley, *The Life of William Ewart Gladstone*, Vol. II, p. 458.

the modern. In this, he argued, other religious institutions were not on a par with the Church of England. The role of the latter had been fundamental. Harkening back to the historical text of *SRC*, Gladstone argued that the church was organically intertwined with the history and traditions of England.<sup>86</sup> In important ways it represented, characterized, expressed and reflected the development of the English nation as a whole. It was 'the growth of the history and traditions of the country'. As such it was psychologically important to the vast majority of the English, who had become attached to it through its thirteen hundred years as the nation's leading religious institution. Given their formative role, its religious functions were 'vital' to the history and the future of the nation. 'Take the Church of England out of the history of England,' he argued, 'and the history of England becomes a chaos, without order, without life, and without meaning.'

Here Gladstone rejected disestablishment as a principle while referring to his religious anthropology, contextual differentiations, historical arguments and practical judgments to argue that in this instance disestablishment was unnecessary and impractical. There was no need to change the institutional status quo of the English establishment, he argued, because there was no real change from the religious homogeneity of the past that would require such an alteration, nor were there important and recognizably different administrative problems. Equally important was the fact that the Church of England was admirably performing the functions he expected of a religious institution, and performance of those duties made it inseparable from England. To disestablish it would fundamentally change English life and 'leave nothing behind but a bleeding and lacerated mass'. In this analysis the Church of England's establishment was proper because that legal status did not violate equal protection. The church continued to provide institutional resources to the majority of the population, the church was intimately connected with the life and history of the nation, and a majority wished to retain the status quo. Therefore any calculus, practical or moral, would show that the enormous costs of disestablishment were unjustifiable.

### Conclusion

I argue that a primary emphasis on Gladstone's practicality (or lack thereof) cannot account for the maze of positions he took on matters of church and state. While others have rightly argued that practical judgments played a role in his later decisions to embrace a greater scope of religious freedom and to question religious establishments, a comparison of his earlier and later views demonstrates not only that such judgments were present in the thinking of

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<sup>86</sup> Also 'The Sixteenth Century Arraigned Before the Nineteenth', *GPY*, III, pp. 224–73.

both the young and the mature Gladstone, but also that they did not determine the views of the latter.

It is necessary to pin down the role practical judgments played in Gladstone's arguments. Probably the most important practical judgment underlying his decision to support religious freedoms was the conclusion that a defence of the 'best possible state' was no longer feasible. But while it made available his decisions to adopt equal protection, oppose religious oaths, and support disestablishment, no direct line can be drawn from that judgment to those positions; and that judgment itself was crucially dependent upon his contextually informed appreciation of religious diversity. More directly, practical judgments also peppered his arguments on Irish disestablishment and the admission of Jews and atheists to Parliament. Here, too, my conclusion is that these judgments played a secondary role. They were parasitic upon other elements of his intellectual framework, particularly his emphasis on equal protection. In the absence of his commitment to equal protection, Gladstone would not have conceded that disestablishing the Church of Ireland was the right response to the Irish troubles, or argued that the Ecclesiastical Titles Assumption Act was the wrong response to ultramontaniam. Without a prior understanding that sitting in the House was a matter of equal protection, he also would not have offered the pragmatic argument that opposition to seating Bradlaugh generated support for atheism.

Another important observation is that Gladstone used practical judgments both to justify religious freedom and to defend strong ties between church and state. We see that while he used practical judgments later in life to help justify a partial dismantling of the state's ties with churches, such reasoning played a role in his early justifications of a churchly state when he argued that such a state enjoys low levels of crime, moral political leaders and a stable constitutional order. Moreover, even after he abandoned his defence of a churchly state he continued to use practical reasoning to identify insuperable problems with the project of disestablishing the Church of England.

These observations, I argue, illustrate the importance of Gladstone's fundamental philosophy, and the dependence of his practical reasoning on that philosophy. We have in Gladstone someone whose philosophical views were not completely liberal. This was the cause of his mixed positions on issues of religious freedom, a cause that his practical judgments failed to overcome. Thus while Gladstone favoured Irish disestablishment on practical as well as moral grounds and despite rejecting the principle of disestablishment, he also opposed Anglican disestablishment on practical grounds and because he rejected that principle. On this point it is important to compare Gladstone's position on Anglican disestablishment with his position on the issues of ecclesiastical titles, the admission of Jews and atheists to Parliament, and Irish disestablishment. This comparison indicates that Gladstone usually supported liberal freedoms when he yoked practical judgment to a recognition of religious

diversity, his principle of equal protection, and the parts of his religious anthropology that emphasized freedom of conscience, while he refused to support disestablishment when he joined practical judgments to the institutionalist part of his religious anthropology and his historicist conceptualization of Britain.<sup>87</sup>

We also see that Gladstone's historicism and the institutionalist side of his religious anthropology tended to trump his principle of equal protection. This is revealed most clearly in the two disestablishment cases, where his analysis of the connection between the respective churches and the populations they served was mixed with his historicism and his privileging of institutional religion. If by 1868 Gladstone was willing to disestablish the Irish church, it was because he saw it as alien to Ireland and therefore incapable of discharging the duties of an established church. The claims of the religiously diverse population of Ireland and the instability they caused could then come to the fore. But he never acquiesced to the disestablishment of the Church of England because he viewed it as intrinsically part of a historical England and continued to believe it fulfilled the duties of an established church. Those views, along with arguments connecting that church with the bulk of the English population and extolling its vigour, were decisive, leading him to maintain that establishment posed no equal-protection problems in England even in the face of the considerable religious diversity he had earlier acknowledged.

To conclude, I sketch the implications of these findings for our understanding of Gladstone and for a consideration of liberal freedoms in general. Regarding Gladstone, they suggest a closer connection between his philosophical views and his politics than other descriptions sometimes hold. I of course argue that this examination of Gladstone does not support the explanation, crudely put, that he abandoned his earlier philosophical views on church and state in favour of political pragmatism. Philosophical elements that were important to his earlier views lingered in the arguments of the later Gladstone. But several other observations are also important. One is that Gladstone's philosophy did importantly change, in the form of his rejection of a churchly state, his elevation of religious diversity, and his acceptance of equal protection. Without those changes he would not have acquiesced to the elimination of religious oaths or to Irish disestablishment. Thus Vidler's and Helmstadter's descriptions of Gladstone as completely retaining his former views also are not quite right. Nor are Parry and Butler correct in attributing his support for religious freedom to a change to Tractarian anti-Erastianism. The other observation is that his later views on establishment in general were significantly shaped by philosophical continuities, namely his historicism and his dualistic religious anthropology. Thus if we accept Stansky's and Schreuder's argument that Gladstone's positions incorporated a mixture of conservatism and

<sup>87</sup> Though the institutionalist, organic part of his religious anthropology did play a role in his opposition to religious oaths in the Bradlaugh case.



progressivism, an explanation for that mixture must refer to these parts of his core philosophical beliefs.

This examination also bears upon questions pertaining to the roles of practical reasoning, value pluralism and *modus vivendi* in the development of liberal freedoms. John Gray and Andrew Murphy have recently argued against the position that particular philosophical views are necessary to the development of such goods as religious freedom.<sup>88</sup> Instead they insist that value pluralism and a rational, practical *modus vivendi* are generally sufficient to create a free society. The conclusions drawn here are suggestive and preliminary, indicating only on which side of the debate over such issues we should place Gladstone's evidence. With that said, Gladstone's example not only tends to confirm the observation that practical reason itself is undirected, as Gutmann and Thompson argue in approving of Wertheimer's contention that we must 'point' reason to use it to reach liberal goals;<sup>89</sup> it also indicates that a person can use practical reason flexibly to justify quite different policies (on establishment, for example) given a dualistic anthropology. Second, Gladstone's example suggests that practical judgments tend to justify liberal freedoms only when they are informed by a philosophical principle (here equal protection) that points beyond *modus vivendi*. We see this illustrated by Gladstone's changing views on toleration. Early in his career he clung to an understanding typical of *modus vivendi* — toleration means sufferance, not equality. Only when he explicitly embraced the tenet of equal protection did his practical judgments lead to the vigorous protection of religious dissenters' political rights. Thus while practical judgments in a *modus vivendi* situation may be useful to the justification of isolated liberal freedoms, in Gladstone's case they were not sufficient for that purpose even given his initial recognition in *SRC* of the existence of diverse religious groups.

One may also infer from Gladstone's example that the presence of one or a few philosophical principles may likewise be insufficient to the development of a comprehensive set of liberal freedoms. While equal protection appears necessary to that development, without the support of other liberal views describing the self and the world its reach appears limited. In this example the absence of such views led to Gladstone's later use of historicism and the institutionalist side of his religious anthropology to trump equal protection concerns in the matter of the Anglican establishment. So while it appears

<sup>88</sup> John Gray, *The Two Faces of Liberalism* (New York, 2000), and Andrew Murphy, *Conscience and Community: Revisiting Toleration and Religious Dissent in Early Modern England and America* (University Park, PA, 2001). On the other side of the debate, see Stephen Macedo, *Liberal Virtues: Citizenship, Virtue and Community in Liberal Constitutionalism* (Oxford, 1990).

<sup>89</sup> A. Gutmann and D. Thompson, 'Moral Conflict and Political Consensus', *Ethics*, CI (1990), p. 73, and Gutmann, 'How Limited is Liberal Government', in *Liberalism Without Illusions: Essays on Liberal Theory and the Political Vision of Judith N. Shklar*, ed. B. Yack (Chicago, 1996), p. 67.



unlikely that Gladstone would have supported the abolition of religious oaths or Irish disestablishment without embracing equal protection, even when he did embrace it he took ambivalent positions on other issues. From this we may draw the broad but tentative conclusion that for Gladstone consistently to have defended a political order characterized by religious freedom and equal protection, he would have needed to accept a wider array of philosophical views. In other words, he would have been required to modify the institutional side of his spiritual anthropology and to change his historical conception of the English community. If this is the case it again suggests that Murphy and Gray are mistaken to hold that value pluralism plus practical judgments in a *modus vivendi* situation will produce a full set of freedoms.

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