

Voice from the Vault

By Gregory Sanford, State Archivist

Of Digitization, Dogs and Deities

Do you ever wonder why we do the things we do? This thought occurs to me regularly as I try to balance ancient responsibilities (preserving original acts, for example, dates back to 1782; with current statutes requiring the preservation of paper copies) with new (such as the 2004 mandate to digitize audio tapes of legislative committee hearings).

These thoughts were unleashed by dogs. In 1862 town listers had to enter dogs upon the list at the sum of one dollar; the same act allowed the killing of dogs running at large without a collar identifying the owner. An 1876 law removed dogs from the grand list, gave town clerks responsibility for licensing dogs, and allowed damages against the owners of dogs caught "worrying, maiming, or killing...sheep, lambs, fowls or other domestic animals."

Clerks still license dogs but the rationale for such licenses has expanded to other concerns from rabies to doubts about the domesticity of wolf-hybrids. This, in turn, encapsulates changes to Vermont as we move from the concerns of a sparsely settled agricultural landscape to one that is more densely populated and residential.

All of which leads, of course, to thoughts on the role of religion in government. From litigation over use of "under God" in the Pledge of Allegiance to the possible embedding of the Sharia (the law system of Muslims) in the constitutions of Afghanistan and Iraq, we contemplate the balance of religious and civil commandments.

Strict segregation of religious and civic belief would have surprised Vermont's founders. The preamble to the 1777 Constitution often seems to conflate religion and civics with its references to "the Great Governor of the Universe."

Some early Vermont statutes were derived from biblical law. The punishment of inflicting 39 stripes upon the naked back of various criminal offenders, for example, is drawn from Deuteronomy 25:2-3, which states that "when a guilty man deserves to be beaten the judge shall make him lie down and have him flogged in his presence with the number of lashes he deserves, but he must not give him more than forty lashes. If he is flogged more than that, your brother will be degraded in your eyes."

Municipal records also give evidence of the commingling of religious and civic belief. Within towns different sects competed for the economic and religious benefits of having the first settled minister and

residents debated tax obligations to support a minister or church of a different sect (a 1783 law required a certificate from a minister of your denomination to gain an exemption from the tax).

Civil support of one denomination over another inspired hard fought battles. In a few cases irreconcilable differences led to divisions of a town; West Windsor, for example, broke away from Windsor along parish lines.

Discomfort with state and town support for religion found early expression within our public dialogues. In 1809 Samuel Williams of Rutland captured these tensions in his history of Vermont: "It is not barely *toleration*, but *equality*, which the people aim at. Toleration implies either a power or a right of one party, to bear with the other; and seems to suppose, that the governing party are in possession of the truth, and that all others are full of errors. Such toleration is the most that can be obtained by the minority, in any nation, where the majority assume the right and the power to bind society, by established laws and forms of religion. The body of people in this commonwealth, carry their ideas of religious liberty much further than this...all denominations shall enjoy equal liberty, without any legal distinction or preeminence whatever."

Williams, of course, did not have the last word and every generation of Vermonters has sought that elusive balance between toleration and equality.

All this may seem a bit much for an *Opinions* piece, but over the years I have tried to convince Vermont educators to use their state and municipal archives to teach the larger issues of society. To me there is a value in letting students understand that such issues can be traced through the history of their own communities; that history is not something that happened somewhere else to someone else.

But there is another, more personal reason for such contemplations. I think it important to occasionally step back from the unending parade of deadlines and expanding responsibilities. Yes, there are dogs to license, an upcoming election to run, and tapes to digitize. But sometimes if you stand in the stillness of your vault you may be fortunate to hear the faint strains, some joyful, some cacophonous, of two centuries of self-government.