

The American Sentinel 6 (1891)

January 1, 1891

"The Situation as It Is To-day" *The American Sentinel* 6, 1 , pp. 1, 2.

WITH the issue of this number, THE AMERICAN SENTINEL enters upon the sixth year of its publication. When THE SENTINEL was started there was but one organization—the National Reform Association—working to secure what THE SENTINEL was established to oppose. Now there are four such organizations wholly pledged to it. These four are the National Reform Association, the Woman's Christian Temperance Union, the American Sabbath Union, and the National League for the Protection of American Institutions, besides the Presbyterian General Assembly, and the Methodist Conference of New York. Then, the one organization, though not very large, except in its head, was active and influential. Now, all of these organizations are much larger, very active, and very influential, both in their heads and in their members. Then, the one organization had made no decided success in securing religious legislation, now, all of these organizations have had most decided, and, to the careful student of public affairs, startling success in this bad direction.

At this the beginning of this new year in an everlasting campaign, it will be well to take a glance at the field as it at this moment appears as related to religious legislation. How many measures are pending in Congress which propose to commit the Government to the guardianship and the teaching of religion?

1. The Blair Sunday Bill, which proposes to secure the "due observance" of Sunday as a day of "rest and *worship*."

2. The Breckinridge Sunday Bill, which, like the Blair Sunday Bill, proposes to enforce a "conscientious belief in, and observance of," a day of rest.

These bills both propose by law to require everybody to conscientiously believe in and observe some day as a day of rest. But everybody has both the natural and constitutional right to observe or not to observe a day of rest, just as he pleases, whether he conscientiously believes in it or not. He has just as much right not to do it as he has to do it. The Legislature invades the freedom of religious worship when it assumes the power to compel a man conscientiously to do anything. The principle is the same whether the

law compels us to do that which we wish to do, or whether it compels us to do that which we do *not* wish to do. The compulsory power does not exist in either case. In either case the State assumes control of the rights of conscience; and the freedom of every man to worship according to the dictates of his own conscience is gone, and thenceforth all are required to worship according to the dictates of the State, *that is*, according to the caprice of the majorities. But the American Constitution has forbidden the Federal Government to invade "the home of reason, *the citadel of conscience*, the sanctuary of the soul." Therefore these two Sunday bills do distinctly invade both the constitutional and the natural rights of the American people.

3. The Blair Educational Amendment. This measure proposes to amend the national Constitution so that it shall empower Congress to enforce upon all, the teaching of the Christian religion.

4. The Blair Educational Bill, the intent of which is to open the way for the easier adoption of the proposed amendment, and for the fuller exercise of the power of Congress in enforcing its provisions.

5. The Edmunds University Bill, which proposes to establish a national university, and provides for the teaching of "Christian theology" in said university. Theol-

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ogy is the science concerning God. To establish a national theology is to create a national god; and the enforced service and worship of that god will logically and certainly follow. For as soon as that bill should become a law, then a contention would arise among all the leading sects in the land, to decide which of them should teach and represent the "Christian theology" required.

6. Several bills greatly enlarging the number of chaplains in the Army. It is true that, in defiance of the Constitution and of the principles of the Government, chaplains have been employed all these years. Yet in connection with all the other efforts to make religion an essential element in the Government, this is significant enough to deserve mention in this list. It is difficult to conceive how the Constitution could be more openly disregarded than it is and always has been in the appointment of chaplains. The Constitution declares that "no religious test shall ever be required as a qualification to any office or public trust under the Government," while for the office of chaplain religion is the very qualification that is required, and specifically the Christian religion at that.

.7. Appropriations of public money for religious uses. We have given in full the facts and the items which show that more than \$600,000 is given annually by the Government to certain churches, to be used by those churches in teaching their own church doctrines to their own church members and adherents. We have given the items which show that these appropriations, beginning with the fiscal year of 1885-86, with only a little more than \$227,000, grew so rapidly that for the fiscal year of 1890-91, the sum was more than \$604,000. Thus in five years, increasing by two and two-third times the amount with which the appropriations started. We have given the facts which show that by this means the church power has already secured such a hold upon the Government that it is found impossible to shake it off.

These are the measures that are now actually framed in legislative proposals, and are to-day pending in Congress-the last two of them actually in force. There is another measure, which, although not yet introduced in Congress, is so far on the way that it is proper to mention it in this list. That is, the Constitutional Amendment proposed by the National League for the Protection of American Institutions. This measure in its intent means all that any one of the others does; but it is so framed as to convey the impression that it is not only a safe but a necessary measure.

Now any one of these taken alone, in itself and in the intent with which it is proposed, means only a union of Church and State. How much more then do they mean this when they are all taken together. And yet how much more do they mean it, when they must not only be all taken together, but in addition must be taken with the solid support of the National Reform Association, the Woman's Christian Temperance Union, the American Sabbath Union, the National League for the Protection of American Institutions, and the great majority of the churches as such.

All these are measure of *national* interest and import, to say nothing at all of the different movements in different States, in the same line. We have not space for more than the mere mention of the persecutions being carried on in Tennessee and Missouri; and of the anxious hope in other States that the like opportunity may soon be enjoyed there.

These are facts that ought to arouse to the most active opposition every one in the Nation who has any regard for the rights of conscience, or respect for the genuine principles of our Government. But will they? That is the question. Many times have we asked

whether the American people will awake before it is too late; but we have now about come to the conclusion that will not awake either before or after it is too late. This however is a matter of their own free choice. We would not compel them to awake if we could. Their freedom of choice is forever and sacredly their own. If they chance to see danger in any or all of these things, that is their right. THE AMERICAN SENTINEL, however, will continue to warn all of the danger there is in these things which have already arisen, and faithfully call attention to others as they arise. This is what THE SENTINEL lives for. This is what it was established for. It has had plenty of it to do so far, and will never have less.

Therefore, with implicit confidence in the justice, the righteousness, *and the necessity* of our cause, we enter with renewed courage upon the larger work that is before us in the year which begins with this New Year's number.

A. T. J.

"Sunday-Law Doctrine" *The American Sentinel* 6, 1 , p. 2.

IF Col. Elliot F. Shepard were but himself alone, what he says would amount to no more than so much thin air, but when he speaks as President of the American Sabbath Union, an organization which is doing all within its power, and that is much, to secure the enactment and enforcement not only of Sunday laws but of all laws upon a religious basis, then his words mean a good deal and are worth having in mind, for in such a case words which in themselves might be counted as the height of absurdity, become the expression of most dangerous doctrine. Backed by the power which this organization is reaching the theory which is advocated, would create nothing short of a reign of terror. Some time ago, Mr. Shepard made a speech in Williamsburgh, Long Island, as President of the American Sabbath Union, and in advocacy of Sunday laws. He denounced "the soul-destroying practice of riding to church on Sunday," and declared that worshipers ought to move to a place within walking distance rather than ride, and if they could not move near enough to the church to which they belong then they ought to walk to the church that is nearest to where they do live. But the worst part of his speech was the following:—

All our Legislatures should be instructed to base the law upon the ten commandments. Idolatry as well as stealing should be made a crime. That would make the Chinese go. The injunction,

'Thou shalt not kill; should be applicable to people who slowly kill themselves by not resting upon the Sabbath.

According to this theory, which is thoroughly believed by Mr. Shepard and the other workers for Sunday laws, whoever works on Sunday is guilty of the crime of murder, and should be punished as a murderer. According to the same theory, the enforcement of the commandment against idolatry would not only make the Chinese go but would punish the covetous man; for, he says the Scripture, "covetousness is idolatry." But to detect covetousness it would be necessary to have an investigation of the condition of the mind and heart of the individual.

And all this is to be done by the State out of a fatherly wish to save the souls of the people. This, as everybody knows, is the very doctrine of the Inquisition; as we have often shown the Inquisition is inseparable from the theory of Sunday laws and of religious legislation.

A. T. J.

January 8, 1891

"Sunday Laws Invade the Realm of Conscience" *The American Sentinel* 6, 2 , pp. 9, 10.

MR. CRAFTS'S second article is entitled "Is the Sabbath Imperilled?" Of course he means to ask whether the Sunday is imperilled; and to this inquiry he answers, "Yes." And he declares that "Sunday's worst foes are of its own household." We here present quite a lengthy extract on this point, as it gives an excellent view of the Sunday-law question; and coming, as it does, officially, is of particular value. He says:—

But I believe the chief difficulty is that in the Christian descendants of the Puritans on both sides of the sea conscience is no longer regnant, but indulgence reigns in its stead. Christians break the Sabbath chiefly because it seems pleasanter or more profitable to do so than to do right. Even church committees receive men into church membership who are doing needless work on the Sabbath, and intend to continue so doing, sanctioning the excuse that otherwise a salary will have to be sacrificed. That is, a man ought to do right except when it will cost him something. With such a fountain the subsequent Christian life cannot be expected to rise above the idea that the Sabbath is to be kept only when it is perfectly convenient to do so. [The preachers ought not to blame

the people for that, for it is the preachers who have taught the people so.—ED.] Thus convenience has displaced conscience in thousands of Christians.

"What shall we do with our Presbyterian elders?" said a pastor to me recently. "One of my elders owns the motor line, and another the electric cars that carry the people to Sunday picnics and baseball." Half the railroads of the country, I believe, after abundant opportunity to inquire, are owned by men who are devoutly singing, "O day of rest and gladness," in the churches, while their employes are toiling and cursing on their Sunday trains. The General Assembly of the Presbyterian Church is itself a stockholder in a liquor-selling, Sabbath-breaking, railroad. Some commissioner should raise the question whether it ought not to follow the example of its illustrious adherent, Hon. Wm. E. Dodge, and refuse to share the "wages of unrighteousness." Sunday camp-meetings, which the New England Conference calls "the scandal of Methodism," are not yet wholly abolished, nor that other scandal, the use of Sunday trains by some presiding elders.

In one of our great cities a leading officer of a Congregationalist Church devoutly worships every Sabbath morning, while his employes indevoutly work, driving all over the city to furnish the people that necessity of life, ice-cream. One Easter Sabbath I looked into a post-office and saw those who had been learning of the spiritual resurrection in flowers and songs and sermons, with prayer-books and hymn-books in hand, and one in a Quaker bonnet, getting their letters and bills and newspapers, as to bury the risen Lord again.

Taking a swift run from city to city, let us see who are the owners or controllers of the Sunday papers. In this first city a Baptist trustee, in this next a Methodist steward, in this next a Presbyterian elder, in this next the editors of both Sunday papers are Methodists, and so following.

Who owns that little store that sells candies and cigarettes and fire-crackers to little embezzlers on their way to Sabbath-school? A Covenanter, who is very particular that no one should call the Sabbath Sunday, but allows it to be heathenized in her own buildings rather than risk the rent.

"Judgment must indeed begin at the house of God," which means *discipline*. Candidates for the ministry and for membership should be examined as to their Sabbath observance, that they may start right, and then be admonished at the first open violation of their vows in this line. "I commanded the Levites," said Nehemiah, "that they should purify themselves, and that they should come and keep the gates to sanctify the Sabbath day."

From this it appears that the churches are filled with people who have little respect for the rules or discipline of the churches to which

they belong, and less respect for Sunday. And this extract fully justifies the statement which we have often made, that the main object of Sunday-laws is the enforcement of church discipline not only upon the church members but upon the people who do not belong to the church at all. That is the secret of all the Sunday laws that ever have been. It was the ob-

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ject of the first Sunday-law that ever was made. This lengthy extract from the chief worker for Sunday-laws, shows that the logic of Sunday-laws is that there are hosts of people in the church who profess to be what they are not, and therefore these laws are demanded in order that they may compel everybody else to be just what they are.

Of course we do not blame anybody for not observing Sunday, nor do we blame anybody for observing it. Any person has a perfect right to observe Sunday if he chooses, as also a person has a right not to observe it at all if he does not wish to. But when men who profess to be observers of the day attach themselves to a church whose rules require its observance, then we do insist that they ought to be honest enough to stand by their professions. But if they are not honest enough to be indeed what they profess to be, then if they obtain laws compelling other people to act as they do, the only possible fruit of the enforcement of such laws can be but to multiply hypocrites.

If all those who profess to observe Sunday were to put their hearts in it, and observe it consistently with their profession, they would do ten thousand times as much toward securing its required observance as all the Sunday laws can do in a thousand years. But if they have not conscience enough nor honesty enough to respect the rules of the church to which they belong, or obey the laws which are already on the statute books of nine-tenths of the States and Territories, then what in the world is the use of multiplying laws? If they will not obey the laws already enacted, how can they be expected to obey others that may be enacted?

From the first sentence of the foregoing extract it appears that Mr. Crafts's object is, by means of Sunday laws, to create in the church members sufficient conscience to lead them to do what their church obligations already require that they shall do. Because, he says, "In the Christian descendants of the Puritans conscience is no longer regnant, but indulgence reigns instead." This, in fact, is the tone of the article all the way through. He complains against the Sunday

newspaper because that by it "families are solicited all the week to violate conscience by announcements that the best articles are being held back for Sunday readers."

But whether or not he expects Sunday laws to cultivate conscience where there is little, and create it where there is none, this much is certain: this statement shows as plainly as words can, that the intent of Sunday laws is that they shall have to do with the consciences of men. This is another fact that annihilates every vestige of the authority of the civil Sabbath. Civil statutes have to do only with man's actions as relating to their fellow-men. But there is no such thing as conscience toward man. There is no such thing as conscientious relationship between men. Conscience pertains wholly to man's relationship to God. Conscience has to do with God and with the things of God. Conscience pertains wholly to the realm of religion, and whenever it is admitted that Sunday laws have anything to do with conscience, either directly or indirectly, in that it is admitted and claimed that such laws have to do with religion.

In this statement, therefore, it is formally admitted by Mr. Crafts that Sunday laws do invade, and are intended to invade, the realm of conscience.

A. T. J.

January 15, 1891

"Is There Nothing Selfish in This?" *The American Sentinel* 6, 3 , pp. 17, 18.

THE third article published by Mr. Crafts in his series in the *Christian Statesman* is under the inquiry, "Are Sabbath laws consistent with liberty?" and he claims that they are not only consistent with it but essential to it; to civil liberty, religious liberty, and personal liberty. He says that centuries ago the Dark Ages were suddenly lighted up with the watchword "Religious Liberty," and that this meant to those that raised it, liberty to die that others might have liberty to pray, and that "there is nothing selfish in that." Then he says that this sent along another watchword, "Civil Liberty," and that this meant "liberty to die in resisting tyrants, that succeeding generations might have the liberty of self-government," and "there's nothing selfish in that." And now, Mr. Crafts in his Sunday-law campaign,

professes to be sounding forth the true notes of the other watchword "Personal Liberty."

But where has there been in all his Sunday-law career any manifestation of the liberty to die that others might have any benefit from anything that he does or proposes? Why, he does not even exercise the liberty to talk an hour, not even on Sunday, without a previous guarantee of ten dollars in cash, and it must be spot cash, too! And "there is nothing selfish in that," oh, no! That is a personal liberty. But if a poor man should work all day on Sunday for \$1.50 or \$2.00 to obtain the necessary means to support his needy family, that is such a heinous crime that he must be visited by a penalty of a hundred dollars' fine, the half of it with his earnings to go to the spying loafer who will prosecute him. And "there is nothing selfish in that." No, no; all that is personal liberty!

Next, he criticises the *New York World* for saying that "the State has nothing to do with the sanctity of Sunday except to protect every citizen equally in his rights to use the holiday as seems best to him," and says that such a principle "brings pleasure to the theatre-goers and toil to the actors who have repeatedly pleaded for their rest-day." Yes, and the "Pearl of Days" says that the saloon-keepers also have pleaded for their rest-day. Now, it is one of the fundamental principles in the argument of the Sunday-law advocates that the object of the Sabbath is to give physical rest in order that the individual might be better prepared for work on the other six days of the week. This argues that all occupations are equally meritorious, and that it is proper that the actors, the saloon-keepers, the gamblers and all such should be granted a day of rest to recuperate their wasted energies in order that they may be better fitted for their several occupations through the other days or nights of the week.

Next he says:—

Plucky Mayor Rankin of Elizabeth, New Jersey, enunciated a great principle in connection with his recent enforcement of the Sabbath law, when he said that the persons who keep their places closed on Sabbath are done an injustice by those who are permitted to remain open. The personal liberty of one man often means Sunday slavery of a dozen competitors who would prefer to close.

That is to say: That a man who wants to close his place of business and keep Sunday, cannot do it because he is afraid he will lose a chance on a few cents. And therefore this chance must be

secured to him by compelling everybody else to do as he wants to do. And "there is nothing selfish in that," of course.

Again, this argues that the man who wants to keep Sunday and be religious, is willing to enjoy his religion if he can be assured by the Nation that it shall not cost him anything. And "there is nothing selfish in that." No, no.

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Yes, it is true, Mayor Rankin did enunciate a great principle—the great principle of selfishness—which is the basis of all Sunday laws.

Again says Mr. Crafts:—

An advocate of the Sunday opening of the World's Fair says that "the Mohammedan ought to be at liberty to make himself at home on Sunday in this non-religious Fair."

And to this he replies:—

But why not let the thousands of Christians who work six days in the week about the Fair have "liberty" to be at home on that home day?

Why, they can have that liberty easy enough. What is to hinder the managers of the Fair from employing people on Sunday who have not worked the other six days of the week about the Fair? That would be easy enough. We know a street-car company which does that very thing. It would be perfectly easy for the managers of the Fair to let all the people who work six days in the week about the Fair have liberty to stay at home on Sunday. But that would never satisfy Mr. Crafts and his fellow-workers. That is not the kind of personal liberty they want to see established. The only kind of personal liberty that they know anything about is that in which everybody is compelled to do as *they* want to do. And "there is nothing selfish in that." No, indeed.

Next he says:—

The Republic cannot endure without morals, nor morals without religion, nor religion without the Sabbath, nor the Sabbath without law.

Well, then, if religion cannot endure with the Sabbath, nor the Sabbath without law, then what is it but *religion*, that they want the Sunday laws for? This is another of his statements that annihilates his theory of the civil Sabbath. And this statement he supports with the following "simon pure" National Reform doctrine:—

The right of the Sabbath to be protected by law is strengthened when we remember that this is unquestionably a Christian Nation. Certainly a nation as well as a person, has religious liberty, liberty to have a religion. . . . But Christian morality is recognized as common law, and the Sabbath is protected as the reservoir of that morality.

To repudiate the union of Church and State does not necessitate a "secular" union of the State to the devil. . . . In the words of Dr. Lyman Abbott: "We run up the Puritan flag, and emblazon on it the motto of a modern and modified Puritanism; a State Christian, but not ecclesiastical; with faith, but no creed; reverence, but no ritual; a recognized religion, but no established church.

This is a batch of statements that is just about as full of nonsense and self-contradiction as anything can possibly be.

1. This is not a Christian Nation. There is not a State, nor a city, nor a town, nor a village in the Union that is Christian. And this the National Reformers and all other people know.

2. A nation, in the sense here used, has not liberty to have religion. Such a thing is impossible. The only way that a nation, in the sense here used, can have a religion, is to have some sect get control of the civil power, and force upon everybody else the religion of that sect.

3. A flag of Puritanism as a religion, ought never to be seen again; not even with the motto of modern and modified Puritanism. The modern and modified form of it is just as wicked as the original and unmodified form. In the original, they hung placards on the breasts of people who did not choose to conform to the religious views of the majority; and in the modern, as represented in Mr. Crafts's own words, they propose to do the same thing. In his book on the Civil Sabbath he has a placard printed in big black letters, which reads: "To be hung on the breast of every one who buys postage stamps, cigars, provisions, or whatnot on the Sabbath." And it is for sale by the hundred, for the "modern and modified" Puritans to hang on the breasts of their neighbors.

4. A State cannot be Christian. Whenever it has been attempted to make it so, it never could be done without making it ecclesiastical, and it will be so till the end of time. It has been tried often enough to demonstrate this to the observant mind. That is the very proposition that was made to Constantine when he suffered the bishops to palm off on him the theory of a Christian State. It should be Christine but not ecclesiastical; but it became ecclesiastical, and when they made the proposition they intended it should be so. It is singular how men who can read can hide their eyes to this the most important lesson that history can possibly teach.

5. With faith but no creed. Now the word "creed" comes from *credo*, which means "I believe," and faith is belief. Belief is faith. This statement of Dr. Abbott's simply says that he will have belief with no faith. Perhaps he will.

.6. The idea of a recognized religion without an established church is the same as a "State Christian but not ecclesiastical." It means in fact a recognized religion *with* an established church. Because just as certainly as any religion is recognized by the State and made the favorite of the State, just so certainly will the hypocrite and the political demagogue join themselves to the church in which that religion is recognized, to such an extent as to give it control of the civil power and that power will be used in the interests of that church, and will inevitably create an established church.

Again Mr. Crafts says:—

If a law is for the "general welfare" it ought to be no objection even to a secularist that it is also favorable to religion.

But no law that is favorable to religion can ever be for the general welfare. Every such law that ever was made has been against the general welfare, a curse to society and to the State.

Once more, in speaking of the several reasons which justify Sunday laws he declares that "the religious obligation is the basis of them all in the public conscience." Isn't it singular that these men will persistently hold forth their pretensions to a civil Sabbath when they can hardly write a complete sentence in reference to it without showing it to be religious and nothing else? And it is yet more singular that there are so many people who think so little as not to be able to detect the hypocrisy betrayed in such blundering pretensions.

A. T. J.

January 22, 1891

"The 'World' and the Constitution" *The American Sentinel* 6, 4 , pp. 25, 26.

NOT long since the *World* mentioned the appeal of the United States Court. "The appeal being taken," says the *World*, "upon the plea that such a statute is an infringement of the Fourteenth Amendment in that it abridges the privileges or immunities of citizens of the United States," and then presents the following curious piece of political and constitutional wisdom:—

If this proposition can be maintained it may be addressed to a State Court as well as to the United States Court, and it comes within the provisions of the State as well as of the Federal Constitution. There is, in fact, no doubt that the State has power to prohibit labor on Sunday. It may even put silly and unjust

restrictions on personal liberty. Such Sunday laws are bad, but the establishment of the right of the Federal Government to overturn State statutes would be worse. The "original package" decision carried us a good way in the wrong direction. We certainly should go no further. The more a citizen depends upon his State and the less the Federal Government touches him, the better for every individual and for our form of government.

How this proposition could be addressed to the State Court, it would be well for the *World* to explain—or rather it might be well for the *World* to explain how it thinks it could be addressed to the State Court at all. That provision of the United States Constitution is itself addressed to the States. It says, "No *State* shall make or enforce any law abridging the privileges or immunities of citizens of the United States." The question of such a proposition can never arise except as between a State and a citizen of the United States.

These are the parties to the controversy; and yet the *World* presents the singular idea that the citizen of the United States is to appeal to the other party in the controversy for decision in his case. That is, one of the parties in this controversy is to be judge in its own case, and to decide for itself and for the other party the constitutionality of the question in dispute! The *World* would introduce a queer element into jurisprudence.

Again, by the statement that the establishment of the right of the Federal Government to overturn State statutes would be worse than Sunday laws, it seems that the *World* has not yet learned that this right has been established by a constitutional amendment for the last twenty-five years. In 1865 there was adopted an amendment to the Constitution of the United States. It is the Fourteenth Amendment. It declares that "no State shall make or *enforce* any law abridging the privileges or immunities of citizens of the United States." That Amendment prohibits any State in this Nation from making any law having the effect named. More than this, it distinctly prohibits any State from enforcing any laws *already made*, having the effect named.

In a considerable number of the States when this Amendment was adopted there were laws of long standing which did abridge the privileges and immunities of persons who were by this Amendment made citizens of the United States, but from that time forth no one of these laws, no matter of how long standing, could be enforced. Therefore, by this Amendment it has been declared and established that the Federal Government has the right to overturn State statutes;

and that the *World* at this late date should make such a remark as that, would imply that, in the matter of the Constitution of

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the United States, that journal is not as well up with the times as its management in other directions demands that it should be.

It is true that the "original package" decision carried us a long way in the wrong direction, but that direction is not the one suggested by the *World*. Nor was it in one way only, that the "original [*sic.*] package" decision carried us a long way in the wrong.

It is likewise true that the "less the Federal Government touches him the better for every individual and for the Government." But when the State, which ought to protect him, opposes him in the dearest rights that belong to men, that is, his religious convictions, then the Federal Government must touch him in the exercise of the supreme protective power which it must possess over its own citizens.

We can only say again that in the above argument the *World* sets forth a queer piece of political and constitutional wisdom. We wish it would try again.

A. T. J.

"A Serious Question" *The American Sentinel* 6, 4 , pp. 26, 27.

A GOOD deal has been said throughout this country the past year upon the subject of compulsory education, even to the extent of compulsory religious education. In a good many instances Germany has been cited as a model Government in this respect; but the Emperor of Germany has lately shown a disposition to take heroic measures, to a certain extent, with this thing in his dominions, declaring that, the system of "eternal cramming" which has been worked, "has already made the nation suffer from the overproduction of learned and so-called educated people, the number of whom is now more than the nation can bear, and who constitute a distinct danger to society."

England also has a system of compulsory education; and in her speech from the throne at the late opening of Parliament, the Queen of Great Britain called the attention of that body to another evil which is found there. She said: "Your attention will be called to the expediency of alleviating the burden which the law of compulsory education has within recent years imposed upon the poorer portions of the people."

In view of these two official statements from the heads of two of the strongest Governments of earth, and the two which have enforced the system of compulsory education, those in this country who are so strongly urging the adoption of such a system here, ought to be led more carefully to consider that question. Attention has been called several times by THE SENTINEL to the fact stated by Emperor William, that education without character instead of being a benefit either to the individual or to the State, is a detriment to both. Instead of its being for the safety of the State it is dangerous to the State. It is so when it is voluntarily done, but when the State itself compels the people by an eternal cramming to be educated without character, it is only destroying itself; and as the State cannot give character, this raises a serious question whether compul-

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sory education is for the safety of the State, and therefore whether it is right.

The statement of the Queen of Great Britain raises another question in connection with this. That statement shows that heavy, if not unbearable burdens, have been laid upon the poor by the compulsory system of education, which it becomes necessary for the State to relieve. Why then should the State burden the poor, or in fact any portion of its citizens, in order to create a condition of society which the Emperor of Germany declares is more than the nation can bear, and which constitutes a distinct danger to society itself? It would be well for the American people to consider these things before they give themselves too much to the principle of compulsory education.

A. T. J.

"Sunday Closing Justifies the Saloon" *The American Sentinel* 6, 4 , p. 27.

QUITE an active canvass was conducted in California on the Sunday question during most of the past year. In Oakland there was a strong Sunday-closing campaign. During the political struggle the Sunday-law workers did their best to get the candidates of the regular parties to pledge themselves to favor Sunday laws in the Legislature in return for votes. A Sunday-closing crusade was also conducted in Los Angeles. Some items upon the methods employed in the latter place will be given later. Here we wish to call attention to the memorial which a National Reformer, with the aid of the Central

Woman's Christian Temperance Union, circulated for signatures, and presented to the City Council of Oakland. It was as follows:—

We, citizens of Oakland, respectfully ask you to pass an ordinance requiring all the saloons to be closed from six o'clock Saturday evening until six o'clock Monday morning. Because,

1. Open saloons are not needed on the weekly rest-day.
2. Saloon-keepers as well as others need the rest and the opportunities which the day affords.
3. Open Sunday saloons are schools of vice and temptation to young men.
4. They are disturbers of the peace, and they lead to debauchery and crime. If closed on Sunday our Monday morning police courts would not be so crowded with drunkards and criminals.
5. Many industrious laborers, husbands and fathers, spend in these Sunday saloons much of their earnings of the previous week. Thus, such saloons are robbers of poor families.
6. As it is now lawful and practicable to close the saloons on election days, much more should it be done on our weekly rest-day.
7. It would do wrong to none, but good to all classes; and multitudes of the best citizens would be grateful to the Council.

Every argument in that memorial justifies the saloon on every day of the week but Sunday. The first proposition, that open saloons are "not needed" on the weekly rest-day, grants that they may be, if they are not actually, needed on other days of the week. The second one, that saloon-keepers as well as others need the rest and opportunities which the day affords, argues that saloon-keeping is a worthy business,—so entirely worthy, in fact, that saloon-keepers should have a regularly recurring rest-day to recuperate their wasted energies, so that they can carry on their work the other six days with more vigor and to the very best purpose. No stronger argument could be made in favor of the saloons business on every day of the week but Sunday than is made in this statement by that portion of the National Reform Association, and the Woman's Christian Temperance Union.

Number 3, in saying that Sunday saloons are schools of vice and temptation to young men, argues that the saloons at other times are not such. Number 4 is to the same effect, and Number 5 emphasizes this argument. Note, it says that many industrious laborers, husbands and fathers, spend in these Sunday saloons much of their earnings of the previous week, and then declares that "*such* saloons are robbers of poor families." By this they distinctly and emphatically single out

the Sunday saloon from every other kind of saloon, and then say that such saloons as that are robbers of poor families.

Without an open and positive defense of the saloon and all that it implies, it would be impossible to present a stronger justification of it at all times except Sunday than is presented in this memorial.

The non-partisan Woman's Christian Temperance Union not only did wisely, but showed itself loyal to the principle of temperance, when it refused to take any part in the question of Sunday closing. Because the real issue, as they stated it, is not in the interests of temperance, but in behalf of Sunday only.

A. T. J.

January 29, 1891

"It Is a Union of Church and State" *The American Sentinel* 6, 5 , p. 34.

IN its late annual convention, the National Woman's Christian Temperance Union thought it again necessary to disclaim any wish to unite Church and State. It is necessary for the Union to make this disclaimer periodically, because its work all the time leads directly to a union of Church and State. Therefore they must say that they do not intend it, for fear the people will find it out. And yet this seems to be a work of supererogation; because in the very claim they make that they are not doing it, they show that they do intend it. Why is it not necessary for the Democratic and Republican parties, when they assemble in annual convention, to disclaim any wish to unite Church and State? Why do they not draw up resolutions on that subject after the manner of the Woman's Christian Temperance Union?—For the simple reason that nothing in the platforms of the parties nor in their work in any way is suggestive of any such thing. But the platform, the organization, and the whole work, bodily, of the Woman's Christian Temperance Union is suggestive of such a union in every respect. That is why it is necessary for them in annual convention to disclaim it. The following is the first resolution adopted at the late annual convention held at Atlanta:—

While discountenancing a union of Church and State, we do affirm our belief that God in Christ is the King of nations, and as such, should be acknowledged in our Government and his word made the basis of our laws.

Well, now, suppose that God in Christ should be made King of this country, and his word made the basis of our laws, it is not supposed

for an instant, even by those who passed that resolution, that God, either out of Christ or in Christ, is going to come here personally, and sit on a throne as king. It is intended by those who passed that resolution that somebody here shall sit at the head of the Government as his representative; and whether a man or a woman, whoever it be that shall sit there as God's representative, will simply be another Pope, and the Government will then be but another Papacy. But where, essentially a union of Church and State, and everybody knows it, and that is what this would be, and they know it; and they are so afraid that people will find it out that they have to tell them it is not so.

Again: Suppose "his word" were made the basis of our laws, who would interpret the word? Some person, or some council, would have to be the interpreter. But whether a single person, or an assembly of persons, should interpret that word authoritatively in the affairs of the Government, and were the Government conducted accordingly, this would be nothing else than a union of Church and State, because that word, especially the Christian part of it, is addressed directly to the Church; and just as certainly as that word were interpreted officially for Government, and the Government conducted accordingly, so certainly is the Government turned into a Church, and a direct and positive union of Church and State is established.

Therefore, it would be impossible more fully or certainly to create a union of Church and State than would be created by carrying into effect that resolution. And their plea of discountenancing a union of those two bodies is nothing less than a confession that the National Woman's Christian Temperance Union is conscious that such a thing lies concealed in what they propose. If they really mean to discountenance it, let them manifest it in their works. But so long as everything that they do, tends directly to such a union, all such disclaimers as this, that they may heap together, will be nothing more nor less than a confession that they are conscious that their actions all the time are contradicting their words.

A. T. J.

February 19, 1891

"Self-Preservation and Enforced Loafing" *The American Sentinel* 6, 8 , pp. 57, 58.

ON account of traveling from the Pacific to the Atlantic, and one third of the way back again, we lost the connection in the numbers of the *Christian Statesman* by which Mr. Crafts is communicating to the public his wisdom in relation to Sunday laws. Now, however, we have gathered up the copies of the Statesman, have made the connection, and are again ready to notice the points which are of interest to the public, regarding the Sunday-law campaign.

In number three, of his contributions, Mr. Crafts declares that

Our Republic is bound by the laws of self-preservation to protect the Sabbath as a weekly opportunity for moral culture.

There is not a particle of truth in this statement. And for two reasons: one is, that our Republic has nothing to do with moral culture. This Republic is not a moral institution; it is a civil Government. The Republic has no question to ask whether the people are moral or not. All it wants to know is whether they are civil, and its offices are rightly exerted to that purpose and no other. The church and the family are the instrumentalities, and the only ones in this world, that can have to do with moral culture. And when any plea is made that the State shall enact Sunday laws, or enforce those already enacted, or do anything else in the interests of moral culture, or when the State is *asked* to do any of these things, it only works, or is asked to work, in the interests of the Church, and the union of Church and State is the result. So certainly does a union of Church and State inhere in every phase of Sunday laws, and in every plea in their behalf.

The other reason is, that this plea for self-preservation, *in the way in which it is used*, is a fraud. Mr. Crafts, however, is not the only one who is guilty of playing this fraudulent trick with words. It is impossible for the State to preserve itself from supposed dangers which threaten from the delinquencies of a majority of the people. The State is composed of the people. When the majority of the people are doing what they think or even what they know, to be wrong, laws against such actions are a nullity. The State, practically, is simply the majority of the people. If the majority of the people are doing wrong, and laws are enacted prohibiting the wrong things which they are doing, they being the majority, can disregard the law without fear. And that is what is invariably done in such cases. Such a law, therefore, is not only a nullity, but the general disregard of that law insiduously [*sic.*] cultivates a disregard of all laws; so that such attempts of the State at self-preservation only carry it farther toward the destruction which it

endeavors to escape. It is the same old story of the man endeavoring to pull himself out of the quicksands by the straps of his boots.

Another evil in all such cases, is that the only use made of the laws so enacted, is by bigots, who use them as a convenient means of venting their spite upon their neighbors.

This is precisely the situation in the case of Sunday laws. In a previous article we have given abundant and strong testimony in Mr. Crafts's own words that the majority, even of church members, do not observe Sunday as they profess to believe it ought to be observed. Counting these with the people in this country who are not church members, and care even less than the church members do for Sunday observance; and it is found that the

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vast majority of the people of the United States care very little or nothing at all for Sunday observance. And this is true in the face of the fact that in all the States except three or four there are strict Sunday laws. Now what is the use of making more Sunday laws when there is such a universal disregard of those already made? And especially what is the use of making more Sunday laws when even the church members who profess to believe Sunday observance to be right, so generally disregard both their own profession and the Sunday laws which are already made? How is it possible that there can be any self-preservation on the part of the State in the enactment of additional Sunday laws whether State or national? In the existing condition of things every additional Sunday law will not only be disregarded, but the general disregard of such laws, silently but surely, permeates all society with the spirit of disregard of all laws, even those which are sound and wholesome in themselves.

There is such a thing as not only the right, but the necessity of self-preservation on the part of the State; but it is self-preservation against insurrection, or armed invasion. And it is literally impossible for the State to exercise this prerogative against the moral delinquencies which inhere in the individuals who compose the State. More than this, it is impossible for the State to exercise this prerogative against even the civil delinquencies of those who compose the State if those delinquencies control a majority of the people. In such cases it is simply the endeavor of each man to compel himself by a law to do what he will not do.

All this is but the statement in other words of the familiar observation that laws, to be of any force, or any value whatever, must

be sustained by public character. If public character does not sustain the law, then that law is nothing more than a legal farce, and the more laws that are made under such circumstances, the worse it is for the State. There is a true doctrine of the right of the self-preservation of the State, but this doctrine set forth by Mr. Crafts in his plea for Sunday laws, and by others upon other subjects, is just as false as false can be.

THE SENTINEL has constantly charged that this Sunday-law movement is a religious movement, and one of the reasons we have given, for so charging, is that the prime movers, the organizers, and the real workers in it everywhere are invariably strict religionists, led by preachers. This same charge, and the same reasons given for the charge, has been made against the movement by some of the workingmen. Mr. Crafts attempts to answer in the following manner:—

What, then, is the object of ministers in establishing hospitals for incurables and foundlings and magdalens?

In this as in the justification of Sunday law always, he misses the point entirely. The object of ministers and religious people in establishing such institutions as these is entirely benevolent, and we wish them God-speed everywhere. But if these same ministers and religious people who have established these institutions should now start a movement to get either the State governments, or the national Government, to support them from the public treasury, or enforce their rules as public laws, then we should charge, and the charge would be just, that that was a religious movement to get the State enlisted in the interests of religionists and their institutions.

Let the religious people and the preachers establish the observance of Sunday or whatever other church days they please, and just as strictly as they please. Let them do so of themselves and keep it confined to themselves, without any call upon the State governments, or the national Government to support or enforce it, and THE SENTINEL will never have a word to say against them or their movements. If they had done so, there would never have been THE AMERICAN SENTINEL. But as it is, we do charge, and the charge is just, and fully sustained by proofs, that the Sunday-law movement carried on as it is, by religious people, led by preachers, is wholly a religious movement to secure the control of the civil power, to enforce upon all the observance of their own peculiar religious institutions.

Again, Mr. Crafts puts himself in a box, by the following words:—

God gave unfallen man both labor and rest. To loaf on other days is as much a violation of God's law as it is to labor on the Sabbath. The man who does not habitually obey the commandment, "Six days shalt thou labor," be he lord or tramp, breaks the fourth commandment as surely as the man who does not rest, and let rest, on the rest day.

Now in his book, "The Sabbath for Man," he says of those people who observe the seventh day and work on Sunday, that

The tendency of Legislatures and executive officers toward those who claim to keep a Saturday-Sabbath is to over-leniency rather than to over-strictness. . . . Infinitely less harm is done by the usual policy, *the only constitutional or sensible one*, to let the insignificantly small minority of less than one in a hundred, whose religious convictions require them to rest on Saturday . . . suffer the loss of one day's wages.—Page 262.

By this it is evident that were his will in Sunday-law matters performed, he would compel those people "to loaf" every Sunday, and *thereby prohibit their obeying the commandment*, "Six days shalt thou labor." Therefore by his own words it is demonstrated that he proposes by his system of Sunday laws to compel people to break what he himself knows and declares to be the fourth commandment of God; and that he would do it if he had the power. Yes, "self-preservation" and enforced loafing go well together.

There is another point in this too. Suppose a man does voluntarily break the fourth commandment, what has the State to do with that, if it be true that the State has nothing to do with religious questions and observances? The fourth commandment is wholly religious. The institution guarded by that commandment is religious only. Then as certainly as any State attempts to take cognizance of the actions of any man with reference to that commandment, so certainly does that State assume to deal with religious questions.

This is also shown again by Mr. Crafts's own words in the article now under consideration. He proposes Sunday and its enforced observance as the day enjoined by the commandment. It is true, that it is not by any means the day there mentioned but that is neither here nor there so far as this particular argument is concerned. He argues that it is so, and we here simply answer his argument as it is given. He then counts the fifty-two Sundays as fifty-two "sacred vessels," and in his Sunday-school-boy-Jack-the-Giant-Killer fashion draws a parallel between the act of Belshazzar polluting the sacred vessels of the house of God, and the action of our Government in

desecrating these "fifty-two sacred vessels we call 'Sabbaths,'" and then he says,

Let these cups be rather the weekly sacrament by which we keep in memory the God of our fathers and renew the Nation's loyalty to God, our King.

And that is how he would have the *civil* Sabbath observed, and its *civil* observance enforced by the Government.

A. T. J.

February 26, 1891

"The Present Standing of the Sunday-Law Movement" *The American Sentinel* 6, 9 , pp. 65, 66.

IN number four, of his contributions to the Sunday-law question, Mr. Crafts furnishes some more valuable items to the literature and the facts of this question. The article is an inquiry,—*"What about Sunday Trains, Sunday Mails, and Sunday Newspapers?"* and in the article he makes this confession:—

About all we have gained in the last five years in our fight with Sunday trains, Sunday mails, and Sunday newspapers, is in the way of confession to their wrongness.

How general this confession is, he does not tell us, but whether it be limited or general, such a confession is vastly more of a gain than the Sunday-law cause is entitled to, not only in five years, but in all time, because such things are not wrong. There is no more wrongness in Sunday trains, Sunday mails, and Sunday newspapers, than in trains, mails, and newspaper at any other time, and a confession of any such wrongness is, in itself wrong.

As to the value of the indorsements in that great petition which he calls, "the greatest petition the world ever saw," he bears important testimony as follows:—it is not to be supposed that all those represented [in the petition] have acted accordingly. The Brotherhood of Locomotive Engineers, for instance, indorsed the petition at the International Convention in Richmond, *and then went home on a Sunday train*. The recent International Sabbath-school Convention, at Pittsburg, spoke strongly against Sabbath breaking, but many of its members *arrived on Sunday trains*.

And the italics are all his own; they are worthily placed too. This simply shows that the indorsement, even where it is genuine, of those organizations and associations, is merely for the purpose of maintaining popularity with those who are demanding religious legislation and offering political influence, without a particle of

principle in it. It also conclusively shows that when the Sunday laws which they demand shall have been secured, they will not be obeyed even by those who have made them and profess to believe them; and that the only use that will ever be made of them, will be for those who have the power to vent their religious spite and bigotry upon those who choose to differ with them in regard to the observance of a day of rest. That is the only use that is now made of Sunday laws where they are of force. It is the only use that will be made of the Sunday laws that are further demanded.

And this is the answer to that statement which is so often made when this subject is spoken of, "Pshaw! there is no danger in all that; even though they get a Sunday law, it will not be obeyed." That is true, and THE SENTINEL, in all its work, has never suppose that the Sunday laws which are demanded will be obeyed when they are secured. But such laws will put power into the hands of the religious Sunday-law leaders, and that power will be used in enforcing the laws upon the few people who choose to observe another day rather than Sunday, and refuse to observe Sunday. We repeat, that is the only use that is made of Sunday laws now, and the only use that ever will be made of them. But that is the worst possible use, because it is simply to prostitute the civil power to the place of a tool in the hands of the irregular passions of religious bigots. For as Bancroft has justly observed, "the humane ever shrink from enforcing the

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laws dictated by bigotry, and their enforcement, therefore, falls to the fanatics or the men of savage disposition. Hence, the execution of such laws is always much more harsh than the makers of the laws intend."

It will be remembered that the "Pearl of Days," the official organ of the American Sabbath Union, and Mr. Crafts himself, heralded through the land the blessed fact that the Erie, and Pennsylvania railroads had largely reduced the Sunday traffic, especially in the matter of freight trains, but now Mr. Crafts deposeth as follows:—

I am informed that the so-called reductions on the Erie were a sham, and that even the Pennsylvania's reductions lasted, in most cases, only a few months.

He shows that it is the same way also with the Delaware, Lackawana, and Western, and New York Central railroads.

Again, it will be remembered how much was made of President Harrison's order in respect to the Sunday parade of United States

troops, and how that both the order and the offer were extolled. But now Mr. Crafts declares that

what the President has done in regard to the soldier's Sabbath, like the other half reforms I have referred to, is valuable only as a confession. His proclamation lacks the ring of right. He does not discontinue Sunday parades of United States troops, nor Sunday concerts by Government bands, and only cuts off half the morning inspection. He has not bettered, but worsened, the situation making two inspections instead of one, at which the soldiers are universally displeased.

All their high hopes which were engendered by the accession of Mr. Wanamaker, the Sunday-school teacher, to the office of Postmaster General, have also been turned into a *via dolorosa*, as witnesseth the following:—

I fear it was the same compromiser, disposed to please both bad and good, who stayed the hands of our Postmaster General in his Sabbath reforms, which also have proved nothing but a confession. We who value the Sabbath, were generous in praise of the few trifling reductions of Sunday work in the mail service, not so much for what they were as for what they promised. But they proved only spring blossoms, and in the autumn we find instead of fruit only faded leaves. Think of John Wanamaker being superintendent of a national Sunday school, with 75,000 class rooms, that is teaching the whole Nation not to keep, but to break, the Ten Commandments!

Yet in the midst of his lament he is able to raise a chirrup with which he attempts to inspire a buzz of a bee in Mr. Wanamaker's presidential bonnet. He announces that, in his judgment, "Mr. Wanamaker is the man of destiny, *if he will only be himself*," and the italics are again his own. He further declares that, "If Mr. Wanamaker will defend himself against political metamorphosis,"

He will soon be seen to be the man who alone can combine and lead the two elements, without either of which any man must soon be defeated, the prohibitionists on the one hand and the labor reformers on the other. Our Presidents thus far have all been lawyers and generals. It is now the merchants' turn. Nationalism and Civil Service Reform demand that the Government shall be administered like a great business. No public man is so capable as he of taking under Government control the telegraph, and express business, and postal savings banks, in all of which Mr. Wanamaker is understood to believe; and the Government control of railroads, of which his opinion is known, would certainly find in him, when the people shall decree it—and I believe they are nearly ready to write

the decree on their ballots—the man most suitable for such a responsibility.

Thus it appears that the American Sabbath Union with the Sunday-law movement, has attained the position where it can presume to hold out, as a reward for service, the chief office in the national Government. It is perfectly consistent, therefore, that Mr. Crafts should adopt, as his view, the recommendation of Dr. Arthur Little, who advocates "agitation, illumination, legislation, litigation, *combination*." The Sunday-law managers propose to form a combination of every element that they can secure, and then trade off with whatever political aspirant they can win, the offices in the State and Nation even to the presidency.

And then when they have succeeded in securing the power for which they are so zealously laboring, the following quotation from number five, of Mr. Crafts's article, shows what they propose to do "for the improvement of Sabbath observance":—

A minister's little daughter who had been naughty, as he took her in hand, exclaimed earnestly: "Don't whip me, don't whip me; take me and pray with me." The liquor dealers also want the parsons to stick to their praying. "Don't whip me—pray for me." The minister in the story *did both*. Let ministers in "tending" to the larger offenders do likewise. But we shall not ship them if our only lash is not longer than our tongues. Nor will they be terrified by a tract.

So by the Sunday-law movement, which is led by the preachers, they propose to secure power by which they can whip as well as pray, and it is to be clearly understood that they do not propose to do the whipping with their tongues nor with tracts. Jesus Christ never sent preachers to whip offenders, and when it is proposed to whip the people into Sunday observance, then it is high time that the people themselves should see to it that such characters as these shall not secure the power to whip. It is certain that their prayers without the power to whip can do neither good nor harm to any one. But when a preacher obtains the power of the civil law to whip offenders, then his prayers always deepened the devilry in the whipping.

It will be remembered, that a few weeks ago we printed words which Mr. Crafts had adopted from Lyman Abbott, to the effect that they purpose to "run up the Puritan flag, and emblazon on it the motto of a modern and modified Puritanism." The ancient and unmodified Puritanism likewise chose to ship offenders into the kingdom of God, as the following record shows:—

Mary Tompkins and Alice Ambrose came to Massachusetts in 1662; landing at Dover, they began preaching at the inn, to which a number of people resorted. Mr. Rayner, hearing the news, hurried to the spot, and in much irritation asked them what they were doing there? This led to an argument about the Trinity, and the authority of ministers, and at last the clergyman "in a rage flung away, calling to his people, at the window, to go from amongst them." Nothing was done at the moment, but toward winter the two came back from Maine, whither they had gone, and then Mr. Rayner saw his opportunity. He caused Richard Walden to prosecute them, and as the magistrate was ignorant of the technicalities of the law, the elder acted as clerk, and drew up for him the following warrant—

To the constables of Dover, Hampton, Newberry, Lynn, Boston, Roxbury, and Dedham: Until the vagabond Quakers are carried out of this jurisdiction you are to give them sound whippings; you and every one of you are required in the King's Majesty's name to take these vagabond Quakers, Anne Coleman, Mary Tompkins and Alice Ambrose, and make them fast to the cart's tail, and to whip them upon their naked backs. Convey them from constable to constable until they are out of this jurisdiction, as you will answer at your peril; and this shall be your warrant.

At Dover, December 22, 1662.

Per me, RICHARD WALDEN.

The Rev. John Rayner pronounced judgment of death by flogging, for the weather was bitter, the distance to be walked was eighty miles, and the lashes were given with a whip, whose three twisted knotted thongs cut to the bone.

So in a very cloudy day, your deputy, Walden, caused these women to be stripp'd naked from the middle upward, and tyed to a cart, and after a while cruelly whipp'd them, whilst the priest stood and looked, and laughed at it. . . . They went to the executioner to Hampton, and through dirt and snow at Salisbury, half way the leg deep, the constable forced them after the cart's tail at which he whipp'd them.

Had the Rev. John Rayner followed the cart to see that his three hundred and thirty lashes were all given with the same ferocity which warmed his heart to mirth at Dover, before his journey's end he would certainly have joyed in giving thanks to God over the women's gory corpses, freezing amid the snow. His negligence saved their lives, for when the ghastly pilgrims passed through Salisbury, the people, to their eternal honor, set the captives free.—

Emancipation of Massachusetts, pages 155, 156.

Whether the whipping of the "modern and modified Puritanism," would be any less severe, or any less amusing to the preachers, than was the ancient and unmodified, is a question the American people

ought to consider while there is yet time.

A. T. J.

"Morality in the Public Schools" *The American Sentinel* 6, 9 , pp. 66, 67.

UPON the question as to whether morality should be taught in the public schools, we would suggest that it would be well for those who demand it, to agree upon what morality really is, what is its basis, and what are its sanctions. If this should not be clearly discerned and taught, even granting that it is the province of the State to teach morality, it is certain that the teaching would be no better than that which is now given in the public schools, and the probabilities are, that it would be much worse. It is also certain that those who favor the teaching of morality in the public schools cannot agree upon what morality is, nor upon what are the grounds of moral responsibility.

This question was studied "thoroughly and practically" for four years by the Evangelical Ministers' Association of Boston.

In 1882 an able committee of that body, composed of representative men of all

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denominations, was appointed for the purpose of preparing "a book of morals for the public schools." Two of that committee were Drs. Joseph T. Duryea and Edward Everett Hale. The result of the four years' study of the question by this committee was expressed by Dr. Duryea in 1885, in a letter to the chairman of a committee in New York, appointed to consider the same subject. The following is the material part of that letter:—

32 Union Park, Boston, Dec. 5, 1885.

MY DEAR SIR: The committee appointed to consider the matter of a book of morals for the public schools, have been trying faithfully to find out what can be done. Difficulties have been met and not overcome. We are trying to evade them. . . . The desire was for a graded series. This would involve a book worthy to go into the high schools. This could hardly omit reference to the grounds of moral responsibility. The committee have seriously doubted the wisdom of debating the basis of moral choice and action before youth. To show them that apparently good men differ concerning the very foundation of morality, might be harmful before they are developed and informed sufficiently to understand how there can be differences as to theories, and yet substantial agreement as to practical morality.

I think, now, the tendency is to admit that it is better to address the moral intuitions, and not to theorize about them; also to treat moral matters as they come up in the life of the pupils, and their associations in the school and on the play-ground.

But it has been deemed practicable to prepare a book, or a series of books, after the pattern of the "Book of Golden Deeds," prepared for youth in England.

The moral affections and sentiments might be exhibited in expression, and moral principles might be embodied in characters, and concretely presented in deeds. An outline including all the virtues, and incidents under each of them, might be selected. Also deeds might be presented involving all the moral rules drawn out of the root principles of morality.

This is as far as we have been able to go, with expectation of meeting with general approval, and securing the admission of the book or books.

Yours truly, JOSEPH T. DURYEYEA.

This is an interesting letter, and coming as it does as the result of years of special study on the subject by such men, its statements are of more than common importance.

First, difficulties have been met and not overcome, and they are difficulties of such a nature as, from the circumstances of the case, to seem insurmountable, because instead of battling with them with a real endeavor to overcome them the committee tried to evade them. But upon such a question, to evade the difficulty is not to escape it, for it is still there and there it remains. This statement simply reveals in a more forcible way than is usually done, the fact that upon the question of the Bible, or religion, or morality, in the public schools, there are difficulties which cannot be overcome with justice to all. Of course we use the word morality as meaning much more than civility.

Second, the committee could not insert in a book for the public school any reference to "the grounds of moral responsibility," because that is an unsettled question even among those who were to compile the book; and because the wisdom of debating before youth the question of what is the basis of moral choice and action, is seriously to be doubted; and, further, because it might be harmful for the youth in school to discover that the very reason why they should choose, and act, a certain way in a given case, was an unsettled question amongst college graduates and doctors of divinity.

These reasons certainly ought to be sufficient to put a check upon the efforts of any such committee. They ought also to be sufficient to put a damper upon the zeal of very many who are now so ardently in

favor of forcing this question to an issue in the management of the public school. Because when men of mature and trained minds, graduates of the best colleges and the highest universities, and of theological seminaries, and who, of all men, are most intimately and constantly associated with the consideration of this very question in all its phases,—when these can not agree upon what is the ground of moral responsibility, or the basis of moral choice and action, it certainly would be perfect folly to demand that school-children should decide the question. The committee did well to say it might be harmful; the committee might have gone farther and said not only that it might be harmful, but that it could not be anything else than harmful.

Yet it was not exactly this phase of the question that the committee referred to when it said it might be harmful. It was the fact that the children would discover "that apparently good men differ concerning the very foundation of morality," and would thus be led to doubt whether there is any real foundation for morality, and consequently would be landed plumply into skepticism. Of this the committee might well be afraid, because it would be the inevitable result of every attempt of the State to inculcate morality.

A. T. J.

March 5, 1891

"What Does the Bible Teach about the Sabbath?" *The American Sentinel* 6, 10 , pp. 73, 74.

IN article number seven, of his productions on the Sunday-law question, Mr. Crafts inquires, "What does the Bible teach about the Sabbath?" Well, if it be only the civil Sabbath that they want enforced by law, what is the difference what the Bible says about the Sabbath? The Bible is not a code of civil laws. It is a body of religious doctrines, all finding their beginning and their end in Jesus Christ and the salvation which he wrought for men. Therefore, this inquiry is but another evidence which demonstrates that the Sunday-law advocates contradict themselves when they say that it is a civil Sabbath law that they want enacted, and that it is only the civil Sabbath they want enforced. Nor is this all; not only do they contradict themselves, but they know that they contradict themselves. They know that the

Sabbath is not in any sense civil, and they know that the plea which they make for a civil Sabbath is a fraud.

There is another singular thing about this inquiry. In 1888, the American Sabbath Union was organized. It did its very best in that year and all through 1889, and the greater part of 1890, to have a national law enacted to compel everybody to keep Sunday as the Sabbath, when, lo, late in 1890, that association begins to inquire *whether or not Sunday is the Sabbath!* One of the vice-presidents of that association—Rev. George S. Mott, D. D.—wrote, and the association printed and circulates a tract, entitled, "Saturday or Sunday—Which? That is, this tract is an inquiry as to whether Saturday or Sunday is the Sabbath? And now Mr. Crafts comes out with an inquiry, "What does the Bible teach about the Sabbath?"

From these facts it appears that this association has gone on its way fully two years, trying to get a national Sunday law enacted to compel everybody to keep Sunday as the Sabbath, and then they find it necessary to set on foot an inquiry as to whether Sunday is the Sabbath or not? It would seem that they should have made themselves sure of that before going so far. Why do they want to compel men to keep a day as the Sabbath when they themselves are not sure that it is the Sabbath? If it be a matter that is so fully open to inquiry that they themselves must needs inquire, does not that imply a reasonable doubt upon the question? Does it not imply a doubt, so reasonable in fact, as to demand that fair and reasonable men should pause in their career of compulsory observance of the day, until it shall have been settled beyond a reasonable doubt that the day to be enforced is the proper one? Again, as these facts show that the question is open to inquiry, have not others as much right as the Sunday-law workers have to push the inquiry? And if others in pushing the inquiry as to which day is the Sabbath, or, "What does the Bible teach about the Sabbath?" should find to their satisfaction that Sunday is not the Sabbath, then have not such persons the right to act according to the conviction reached by this inquiry?

Suppose all the people should diligently follow the inquiry thus raised by the American Sabbath Union, and that a majority of them should become convinced that another day than Sunday is the Sabbath; then suppose this majority should form an association to secure laws, both

now observe Sunday, to observe this other day, would the Sunday-law workers agree to the propriety of such proceedings? Everybody knows they would not. Therefore, even though the American Sabbath Union should pursue this inquiry and come to the conclusion already decided upon, that Sunday is the Sabbath, there is beyond this still, that other question upon which THE SENTINEL has always insisted, and always shall insist,—Has the State or a majority of any kind the right to enforce upon anybody the observance of a day of rest?

The foundation and obligation of a day of rest being wholly religious, the answer is, and always must be, that there is no authority upon earth that has any right whatever to enforce such observance upon anybody. Therefore, though the American Sabbath Union should find out to its own satisfaction which day is the Sabbath, and what the Bible says about the Sabbath, it would have no right whatever, to compel others by law to conform to its view upon the question.

So far, therefore, as the principle involved in the question is concerned, it makes no material difference whether they ever find out whether Sunday is the Sabbath or not, or whether or not they ever find out what the Bible says about the Sabbath. Yet, under the circumstances, and in view of the fact that they propose to compel everybody to observe Sunday, whether right or wrong, it is proper that THE AMERICAN SENTINEL should inform the people what the American Sabbath Union discovers by its inquiry. It is proper for us to tell our readers what Mr. Crafts finds the Bible teaches about the Sabbath. He says:—

The Bible presents the Sabbath, first, as God's day, then, as man's day.

This is partly true and partly false. It is true that the Bible presents the Sabbath, first, last, and all the time, as God's day. Sabbath means *rest*; Sabbath *day* means rest day. The rest which made the day, the rest day, was God's rest. The rest day, therefore, can never by any possibility be anything else than God's rest day. It can never cease to be a fact that God rested. He himself can not change that fact. Therefore, the Sabbath, the rest day, can never cease to be God's day. The Bible all the way through calls it God's day. The fourth commandment calls it "the Sabbath of the Lord thy God." Over and over again lie calls it "my Sabbath." In Isa. 58:13 he calls it, "my holy day," and the "holy of the Lord." And in the last mention of it in the Bible he calls it the "Lord's day." The Sabbath therefore is the Lord's,

and not man's. As it can never cease to be God's day, it can never become man's day. It is true, that the Sabbath, the rest, was made *for* man. But it was made for him *to use as the Lord's*, never as his own. It was made for man to use in the worship of the Creator, and as Mr. Crafts himself says,

We are to rest as God did, not by idleness, but by rising from work among vegetables and animals to work for the souls of men.

All these statements, even to this one, from Mr. Crafts, go to show that for which THE SENTINEL has always contended--that the Sabbath is religious only. The occupations which become it are religious only, and its observance is religious only, therefore, no civil government on earth can ever of right, have anything whatever to do with it. This is further admitted in the same article now under notice. Mr. Crafts adopts as his, a quotation in which there is this statement made:--

The week expresses religious authority and religious loyalty. . . .
We, in fact, know the week only as it is marked by a religious day.

The week is terminated and marked only by the Sabbath. That day, according to this confession and every other consideration, is a "religious day." It is the mark, therefore, of religious authority and religious loyalty. And when the American Sabbath Union or anybody else endeavors to enforce the observance of that day by law, they thereby endeavor to enforce the observance of a religious day, to compel the recognition of a religious authority, and the profession of religious loyalty. This is further admitted, in the same article now under notice, where Mr. Crafts makes his own another quotation in which there is argued the impracticability if not the impossibility of enforcing a rest day as anything else than "the holy day." This argument is as follows:--

The "studies" I have already quoted ably discuss the question whether a weekly holiday could be maintained *after the elimination of the holy day*. "There would certainly be some in England and America, if not elsewhere, who would advocate on grounds of public expediency, wholly apart from religious considerations, a legal holiday as frequent as the present Sunday. But it would, of course, be necessary to create this holiday by statute. Moreover, to protect those for whose benefit it was intended, employers (other than those whose business is presumably indispensable) must be compelled to suspend work. Wherever such a law should be proposed it is absolutely certain that it would be vehemently opposed by two classes. One would urge, reasonably enough from their point of view, that to enact a weekly holiday would be

substantially to reinstate the discarded sacred day; so that they would plead for a day unmistakably distinct, the eighth or tenth day or some particular day or days of the month. To them the week could not be other than a reminder of God. It should go with his day. Another class, larger probably and more influential, would argue in the interest of commerce and industry, against frequent holidays. They would show that a day of dissipation and pleasure-seeking unfitted men for the next day's work. *The restraints of religion having been removed* the proposed holiday would infallibly (judging from experience) be much more a day of reckless indulgence and debauchery than the worst kept Sunday is now. . . . Probably it would be shifted about from time to time by successive legislatures. . . . It may be true that, in the long run, more wealth could be gained in six days, followed by a regular Sabbath *spent religiously*, than in uninterrupted devotion to business. But herein is involved the consideration of physical, mental, and moral benefits accruing from *religious observance*."

This is exactly what THE SENTINEL, has always argued, and so far, this is what Mr. Crafts finds that the Bible teaches about the Sabbath. We shall say more on this same subject next week, but for the present we shall close with the observation that in the face of all this, their own evidence, these men will say that the Sabbath is civil, and that it is only its civil observance that they would enforce by law. Could anything possibly be more disingenuous or more sophistical? Do we not say well when we say plainly that they know the Sabbath is religious and not civil, and that they know that their plea for a "civil" Sabbath is a fraud? A. T. J.

March 19, 1891

"Some 'Reasons' for Some Virtues" *The American Sentinel* 6, 12 , pp. 89, 90.

THE subject of the public schools, is one of deep concern to every American citizen, and the question, What shall be taught therein? is of the greatest interest.

The churches are demanding that religion shall be taught in the public schools; and although the influence and support of this demand are great, the majority of the people are as yet opposed to it; because anybody who has taken the time to think of the matter to any extent, knows that such a system of teaching would destroy the public schools. There is another demand for a system of instruction in

the public schools which is no less dangerous in itself, and much more dangerous on account of the more general support that it has; that is, the teaching of what is called *morality*, without religion. Such a system might not destroy the public schools so quickly as the religious, but it would more quickly destroy the State. This point has been discussed considerably through all the history of THE SENTINEL. Lately it has been necessary to notice it quite fully again. We now propose to recur to it in a way in which we have not discussed it before.

Although there is much demand made that instruction in morals, without religion, shall be given in the public schools, very few of those who make the demand have ever attempted to define what shall be taught As Morals, and why it shall be taught; and fewer yet have attempted to formulate a system or manual of morality which should be a part of the public school curriculum. About a year ago the American Secular Union offered a prize for such a manual; but it has not yet been published. There is, however, a book already in existence, issued in 1888, which sets forth "a system of ethics for society and schools." It has been highly recommended. It is entitled, "The Virtues and Their Reasons." It was written by Austin Bierbower, and is issued by George Sherwood & Co., Chicago. The preface states the object of the book, and, in view of what the book contains, is worthy to be quoted in full. Here it is:—

This treatise, while intended for the general reader, and emphasizing those virtues which have a particular interest at this time, is especially adapted for moral training in the public schools and higher institutions of learning. Moral instruction is often excluded from public schools on account of the different religions represented, and the want of text books acceptable to them all. This exclusion has led to serious attacks on our public-school system, threatening its existence. In presenting systematically that morality which is common to all civilized peoples, the author has had no occasion to take notice of religious differences. Catholics, Protestants, Jews, and unbelievers may use this book with equal approval.

As this subject is one of much interest just now we shall notice it quite fully. In this article, we shall notice the reasons which are given for the virtues which are recommended.

The virtues which are discussed are: kindness (in its several forms and manifestations, and its antagonistic vices), truth, honesty, family duties, public duties, self-development, industry, self-support, self-control, temperance, self-respect, purity, and conscientiousness.

The "reason" for the virtue of deference, is that

one who neglects such courtesies is disliked as mean; few get more respect than those who yield in trifles. . . . One who can make more by giving up than by retaining, is foolish not to give up.—Page 44.

Now according to THE SENTINEL'S idea of morality, that is not a sufficient reason for virtue, nor a sufficient incentive to keep

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men virtuous, because, on the other hand, it might be said with equal reason that one who can make more by retaining than by giving up, is foolish not to retain.

The reason for the virtue of politeness is this:—

To wear a smile is to have a great power in society, making often all the difference between the popular and unpopular person. . . . The polite man only is considered a gentleman. . . . To be polite is to appear elegant and dignified.—Page 45.

Now the query is, if a person practices politeness, in order to have great power in society, to be popular, to be considered a gentleman, and to appear elegant and dignified, then in that case is politeness entirely a virtue?

The reasons for the virtue of cheerfulness, are as follows:—

The cheerful man has a great power in society. As an orator he gets attention by his quick sympathy; his good fellowship makes him desired as a companion; men like to trade with him, and *women are more apt to love him.*—Page 74.

Again, we ask, If a person is cheerful for such reasons as that, then in that case is such cheerfulness a virtue? Is it not rather a vice?

Next, the author discusses the vices which are antagonistic to the virtue of kindness; the first of which is hate. The reason why hate "is not the proper feeling to have for anything," is because hate has no utility. It gives no pleasure, furnishes no protection, reforms no depravity . . . So that if one has simply his own happiness in view, he should avoid hate as unprofitable. . . . Nor is there any corresponding action for hate that is at all useful.—Page 82.

This is to argue if hate had utility, or if it gave great pleasure, or were profitable or useful, then it would be perfectly proper to exercise it for all it is worth. This is utilitarianism with a vengeance. As for us, indeed, we should not want our children to be taught that kind of morality in the public schools or anywhere else. His reasons for not indulging anger are to the same purpose. Merely, it is "useless" and gets little respect from either friend or foe.—Page 86.

One of the chief reasons for the virtue of veracity is this:—

No trait has more commercial value than veracity. When one is known to be unflinchingly true, so that in every circumstance he can be relied on, and especially in the greatest temptation, he becomes a man much sought after. . . . To be true and to have a reputation for truth is thus a large capital for the average man. . . . He who would lie much, and preserve a reputation for truth, will find his task harder than to tell the truth uniformly, and in the end less successful. The disadvantages of lying are obvious.—Pages 102, 103, 104.

Now from the "commercial" point of view, everybody knows that there are very often times when the advantage of lying is the most obvious thing in the world. Does anybody suppose that to all the millionaires in this country, the disadvantages of lying have always been obvious? But whether anybody supposes this or not, the questions still recur, Is that a sufficient reason for the virtue of veracity? are such reasons as this sufficient proof that veracity is a virtue? In other words, if lying had more commercial value than telling the truth, and was a larger capital to the average man, and if the advantage of it were obvious, then, according to this system of morality, would not lying be a virtue?

The reason for honesty, is the same precisely as that for veracity, as logically, it ought to be. Here it is:—

Honesty like truthfulness has much commercial value.—Pages 119.

And again, we may merely inquire, If it should be found that dishonesty has greater commercial value than honesty, that is, if a man can make more by being dishonest than by being honest, then is not dishonesty a virtue? These reasons throughout, it will be seen, are a large improvement upon that which we have so often heard that "honesty is the best policy." By this system of morality, honesty is the best policy—if you can make it pay.

It is evident that if all these virtues should be exercised, for the reasons that are given in this book, the result in every case would be nothing else than a supreme selfishness clothed with a perfect self-satisfaction. This is not only the logic of the subject; it is the teaching of the book.

The reasons for the "virtue" of pride, are these:—

To take satisfaction in keeping within the virtues, and not merely within the fashions, is a worthy gratification, as also to take a lively interest in your abilities and not in your superficial accomplishments. —Page 258.

Yes, that is so. We remember having read somewhere, in an old book, a description of an individual who took satisfaction in just that kind of gratification, because of that kind of virtue. The description reads thus: "The Pharisee stood and prayed thus with himself, God, I thank thee, that I am not as other men are, extortioners, unjust, adulterers, or even as this publican. I fast twice in the week, I give tithes of all that I possess." Luke 18:11, 12. This is a genuine and authentic description of the character that would be developed by conformity to the teachings of the book now under consideration. Every reason that is there given for every virtue that is there described, is summed up in one word, *selfishness*. To such an extent is this so, that by the teaching of the book, unselfishness itself is turned into selfishness; for it said:—

Selfishness is not necessarily self-sacrifice, but, as *it is to our advantage* to be unselfish, the unselfish man enjoys his own life more than does the selfish.—Page 32.

Thus the logic of this system of morality is *supreme selfishness*. And *that* is proposed as a system of ethics for society and schools. There is enough selfishness in society already, without making it the chief element in the instruction of all the children in the country in the public schools.

This is also the logic of that every system proposed to teach morals without religion; but we shall have more of the same in subsequent articles.

A. T. J.

"The Religious Oath" *The American Sentinel* 6, 12 , pp. 91, 92.

A SHORT time ago, in noticing the Nine Demands of Liberalism, we made some remarks upon the religious oath; and now comes the *Christian Statesman* and confirms all that we then said on that question. It says:—

The efficacy of the oath which is simply an appeal to God, as witness and Judge, depends on the fear of God in the hearts of men.

This is true. What is the worth, therefore, of such an oath taken by men who have no fear of God in their hearts? To oblige a man who has no fear of God in his heart, to take an oath, the sole efficacy of which depends on the fear of God in his heart, to take an oath, the sole efficacy of which depends on the fear of God in

his heart, in order that he may be a competent witness, is to destroy all the value of his testimony. Because when such a man takes such an oath, he publicly professes that he has the fear of God in his heart, when he and all who are acquainted with him know full well that it is not so. He therefore publicly professes a lie as a pledge to society that he is going to tell the truth! And any State which compels men to take such an oath in order to be competent witnesses, adopts the surest means of undermining both public and private integrity, and of destroying the value of judicial testimony.

The *Statesman* knows of course that there is not as much of the fear of God in the hearts of men in the United States as there should be to lend the religious oath its necessary efficacy; and therefore it proposes in the regular National Reform way, to put the fear of God in the hearts of all of the people in Pennsylvania by strictly enforcing the Pennsylvanian statute, which declares that

If any person shall willfully, premeditatedly and despitefully blaspheme, or speak loosely or profanely of Almighty God, Christ Jesus, the Holy Spirit, or the Scriptures of truth, such person shall be liable to a fine of one hundred dollars, and an imprisonment of three months.

The *Statesman* therefore declares that "a crusade against profanity would be an incalculable blessing;" and calls upon the "religious newspapers" to summon "Christian citizens to undertake it." Now we are not in favor of either blasphemy or profanity; but at the same time we are not in favor of any effort to put the fear of God into the hearts of men by penalties upon their bodies and goods. The fact of the matter is, that State laws on the subject of blasphemy are themselves blasphemous.

A. T. J.

March 26, 1891

"The Grounds of Right" *The American Sentinel* 6, 13 , pp. 97-99.

IN further notice of Mr. Bierbower's system of "Ethics for Schools," we are brought to the discussion of the grounds of morality or right. Last week we found that the only "reasons" which he gives for the virtues, are all summed up in the one word, "selfishness." So entirely is this so that unselfishness itself is by this system turned into selfishness; thus every virtue is transformed into a vice, because selfishness is the root of all vice and of all sin. Now in examining the

grounds of morality or right which this author propounds it is found that this also ends at the same place— in supreme selfishness. Thus says the book:—

As to what constitutes right, thinkers differ; some maintaining it to be a course in harmony with the necessary order of things; others, the will of God, as revealed in Revelation or nature; others, utility, happiness, or the general good of mankind. This question leads into speculative philosophy, which we shall not here enter. It is enough now to observe that, whatever men's opinions touching the ground of right, they all deem those things right which are thought best for men, and consider that morality which will bring them most happiness.

They all deem those things right which are "thought" best for them. Thought by whom? Who is to do the thinking? Men themselves of course. Well then, if they themselves are to do the thinking, and by that decide what is best for men, then it follows that whatever men think best for themselves, that is right. This is, in fact, the statement of the book. The very next paragraph after the one just quoted, begins with these words:—

Accordingly when people are asked to do right, they are asked to do simply what is best for themselves.

Now it is a fact that multitudes of men often do what they *know to be wrong* simply because they do think it best for themselves. Yet, according to this system, whatever men may think best for themselves, that is right, and there is an end of it. In other words, that which a person knows to be wrong, becomes right if only he thinks it best for himself. And *that is* to be considered the ground of morality or right! But it is written: "There is a way that seemeth right unto a man, but the end thereof are the ways of death."

This latter quotation from his book suggests another thought; it says, "When people are *asked* to do right," etc. This suggests that some people are not doing right, and that they are to be asked by others to do right. But the rule has been already established that men do right when they do that which they think to be best for themselves. Now when it is suggested that any one shall be *asked* to do right, it is thereby argued that somebody else has taken it upon himself to think and decide what is best for the other man; and to decide for the other man what is right. Thus one man's views of right are allowed to be the standard of action for another man, when that other has just as much right to think for himself as has anybody else on earth. In such a system of morality as this propounded by Mr. Bierbower, there is no

morality at all. It is either selfishness on one hand, or man-worship on the other, and in either case is only naturalism.

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The truth of the matter is that, as respects real virtue and right, this whole book is but a series of platitudes. As regards virtue, it simply mentions as that which ought to be done, what everybody already knows ought to be done. Every person knows that he ought to be kind, cheerful, honest, truthful, deferential, and all the other things in the catalogue. The difficulty is not that men do not know that they ought to do these things : the difficulty is to do that which they know they ought to do, and which they know to be right.

Having noticed the "reasons" which Mr. Bierbower gives as to why these things ought to be done; and the reason why it is *right* to do them; it is of interest next to inquire the means by which he proposes that they may be done.

That men do not always do what they ought to do, is admitted by the book. For instance, one of the virtues inculcated is "thinking kindly of others," yet, it is admitted that some do think badly of others. Thus says the book:—

If we think badly of others, it is more the result of a bad heart than of a good judgment.

Family love is one of the virtues inculcated, yet it is admitted that in some families love is not manifested. Thus says the book:—

If one does not think highly of his parents, it is not because they are unworthy, but because he is. . . . One who does not love his parents can not well take on any virtue.

Another virtue inculcated, is love for all mankind; yet, it is admitted that this is not manifested by all. Yet another virtue inculcated is kindness, which it is likewise admitted, is not always shown by all. Thus we might go through all the book, naming the virtues and finding the constant admission that those virtues are not always manifested by all. These which we have named, however, are sufficient to show that such a condition of things amongst mankind, is clearly recognized in this proposed system of morality.

Now, what help does the book give, or what source of help does it suggest, to enable men to do the good which is required? When it is admitted that to think badly of men is evidence of a bad heart rather than a good judgment, what remedy is proposed for the bad heart? Here it is:—

We should make it a habit of judgment to think well of everybody until we learn the contrary.

Can a bad heart be made good by "a habit of judgment"? More than this, where is the habit of judgment to come from? As he thinketh in his heart, so is he. Then, as to think badly of another is more the result of a bad heart, than of a good judgment, this is to say the judgment is bad also. In other words, the bad judgment is the result of the bad heart. Then if the heart is bad, how can it possibly be that the judgment may form a habit to think well. This is to say that the heart can reform itself, that the bad heart can make itself good. "Can the Ethiopian change his skin, or the leopard his spots? Then may ye also do good, that are accustomed to do evil." But the Ethiopian can not change his skin, neither the leopard his spots. The heart being bad, it never can make itself good, nor can it ever create a habit of judgment that will think well of everybody.

Yet, we are reminded that the book does not say *without qualification* that the habit must be to think well of everybody. You are only to think well of everybody "until you learn the contrary." Then, we suppose this system of morality and virtue would allow it to be virtuous to think ill of men. But "charity," and that is morality, "thinketh no evil," at any time.

Again, the book says, that if one does not think highly of his parents, it is because "he is unworthy," and such an one can not well take on any virtue. In this case, therefore, the key of the whole situation lies in that unworthiness being turned into worthiness. Lack of love for his parents is evidence of a fault in himself, and until this fault is remedied, he can not well take on *any* virtue. How, then, shall the fault be remedied? Well, only nine pages before this statement, under the heading of "Love for all," are these words:—

Nobody can be unkind to one whom he well knows. . . . It is our duty, therefore, to know men well enough to love them.

But if a man does not know his parents, who in the world can he know? And if he does not know them well enough to love them, how can he ever find anybody whom he can know well enough to love? Especially when the reason that he does not love his parents is not in them but in himself. The lack of love for his parents is admitted not to be in his lack of knowledge of them, but *in his own unworthiness*. This brings us to the same point as before, that the fault is not primarily in the judgment, nor in outward circumstances but in the heart. And if the condition of the heart is such that he does not love the very ones whom he knows best and to whom he owes the most of all on earth, then how is that heart to be brought to a condition in which it will love

anybody? The book says that it shall be "by thinking of them more and understanding them better." But his heart is already impure, unloving, and bad, how, then, can thoughts of love come from it? The Ethiopian can not change his skin. The heart can not change itself. If love is not in the heart, it can not appear in the thoughts, nor in the life.

Again, when an individual does not find kindness manifesting itself in his conduct toward others how shall this lack be remedied? This book says it is "the object of ethics to *engender this kindly feeling* as the most general *guarantee of morality*." How then is it proposed that this system of ethics shall engender kindly feeling? Here is the "how":—

This may be done by concentrating the will unswervingly upon it and keeping the resolution to be continually kind.

Yes, that is quite a nice prescription if it was worth anything; but everybody knows by a lifelong experience, that it is utterly worthless. Every person knows for himself that he has attempted many a time to concentrate his will unswervingly upon such things as that, and he knows that his will has swerved man a time. Everybody knows that he has made resolutions of this sort an infinite number of times—New Year's days, birthdays, and many other anniversaries—and he knows that the difficulty is not in making the resolutions, but in *keeping them*. It is written, and it is the living experience of every man on earth, that "that which I do, I allow not: for what I would, that do I not; but what I hate, that do I. If then I do that which I would not, I consent unto the law that it is good. Now then it is no more I that do it, but sin that dwelleth in me. For I know that in me (that is, in my flesh), dwelleth no good thing: for to will is present with me; but how to perform that which is good I find not. For the good that I would, I do not: but the evil which I would not, that do I. . . . I find then a law, that, when I would do good, evil is present with me."

There is over every man a *law* which prevents him from doing the good that he knows, and that he wills to do—a law which causes evil to appear in the very best efforts of men to do strictly and continually what is right. That law is as fixed as the law of the seasons or of gravitation: and it will hold every man in the bondage of an everlasting and wretched captivity unless he will be delivered by Him who is above that law, that is by Jesus Christ. Jesus Christ has power and grace to deliver men from this law of sin and death, and to clothe them with the power to do the good, not only which they already

know, but all additional good that may be made known by the Spirit of God. Professed philosophers, eminent teachers, and would-be saviours, in large numbers, have set forth systems of morality and rules of life; but they not only failed to bestow the power to perform, but they themselves failed to perform the duties which they enjoined. The excellency of the knowledge of Christ Jesus, the Lord, is in that he not only set forth the grandest system of right known to the universe, but he imparts *the power to perform it*. Therefore no man need ever be ashamed of "the gospel of Christ, for it is the power of God, unto salvation to every one that believeth." And the power of God, working in him who is of faith, enables him "both to will and to do" of God's good pleasure.

Without this power no man can ever do

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the good that he knows. Not to do the good that he knows if immorality. To tell him that he ought to do the good that he already knows, without telling of the power by which alone he can do it, does not help him a particle. To tell him of the power by which alone he can do it, is to point him to Jesus Christ. To point him to Christ, to obtain this power, is to inculcate faith in Christ, because the power is manifested only to those who believe in him. This is to teach distinctively a religious and even a sectarian doctrine. Therefore the culmination of the logic of the whole matter is that upon which THE SENTINEL has always insisted, that aside from a living faith in Jesus Christ, there is no morality in this world; and that, as the State can not teach faith in Christ, by which alone morality can be attained, the State can not teach morality.

This work was committed by Christ to the Church. To the Church, and not to the State, he said, "Go and teach all Nations whatsoever I have commanded you, and lo, *I am with you*." Upon the Church, not upon the State, he bestowed the gift of the Spirit of God, by which is manifested the power of God to men, enabling them to will and to do the good which every one may know. Instruction in morality, therefore, can be given only by the Church of Christ through the power of God. If the professed church of Christ has lost the power and Spirit of God, that is her fault. But when this loss is discovered, let not the State, either by the professed church, or by any, other consideration, suffer itself to be drawn into any attempt to do the work of the Church, and supply her lack. Let the civil Government keep its place, and attend to that which is civil. Let the State inculcate the

principle of civil rights, not moral right. This the State can always do with profit. But the State can never touch the ground of moral right, without obtruding its clumsy form into the realm of faith and conscience, and working only irreparable wrong.

We have yet another article to present upon the system of ethics propounded in this book; therefore we shall close this one with the single observation that the grounds of morality or right presented by Mr. Bierbower—are only *sinking sand*, and will swallow up in both civil and moral perdition, all who put their trust in them.

A. T. J.

April 2, 1891

"What Is the Guide to Morality?" *The American Sentinel* 6, 14 , pp. 105, 106.

AT the end of his discussion of the subject of "Ethics for Schools," Mr. Bierbower come to "conscientiousness." In fact this point is touched upon in the very beginning of the introduction of the book, so that the beginning and the end, the first and the last, deals with the question of conscience. In stating "the ground of right," the second paragraph in the book says:—

We recognize right by our judgment of what is best, and by a feeling—conscience—which indicates, as the result of many impressions, what we ought to do, and impels us thereto.

And the last chapter of the book begins with the following paragraph:—

The most general rule of morality is to do what you believe believe right and good, and to preserve the perpetual consciousness of this by instantly performing your duty, when seen. Goodness is simple when thus reduced to one rule. For *you have but to look at your conscience to see your duty*, conscience being the sense of what we ought to do, which results from all our thought and information on the subject.—Page 283.

This ground of right is just as treacherous as that which was discovered in the previous article on this subject; in fact, it is the same thing only stated in other words; yet as it enters the realm of conscience it touches the real ground of supreme right, and ultimate good. If conscience were a true guide, then this rule would be good enough; but conscience is not a true guide. Conscience as a guide is as erratic as any other faculty in man. The truth is that conscience

itself must be guided. This is admitted by the book now under notice. One statement to this effect is as follows:—

It is important then in taking conscience as a guide, *to have it in working order.*—Page 284.

Yes, we should naturally suppose so. Any kind of an instrument that is not in working order is not of much use; and especially in questions of conscience and of ultimate right. And in this case even to think of taking as a guide an instrument that could ever by any possibility get out of working order, seems a most singular suggestion. Another statement to the same purpose is as follows:—

We can not do right to-day on yesterday's wrongs; so that men should often *straighten out their conscience* to get its legitimate indications.—Page 284.

And again:—

Inspect your conscience as well as your observance of it, or, rather, look after your views of right as well as your conformity thereto.—Page 290.

Of what use is a rule of right which goes so much awry and becomes so easily kinked that it needs "*often*" to be straightened out? And, of what use is a guide that has to be held up for inspection every little while?

Again we read:—

Though conscience may err, it is the best judgment we have—the pointing of the compass after all the conflicting forces which would diversely impel us, and so coming of our knowledge to a head in the will.—Page 283.

With how much certainty can a compass be depended upon which not only may, but confessedly does, often point the wrong way? What insurance company or ship-owner would send a ship to sea with such a compass as that? What captain or sailor would think of starting to sea with such a compass? The strangest part of this whole system of ethics, is that conscience would be recommended as a guide, when it is stated repeatedly not only that it *may* err, but that it *does* err, often.

There is another question which arises here. How is conscience to be inspected? Who is to conduct the inspection? Who

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shall straighten it out? By what standard shall it be compared when it is straightened, to know whether it is straight or not?

As to *who* shall do this, the directions are plain enough. *Inspect your own conscience.* "*Men* should often straighten out *their* conscience." That is, each individual is to be the judge of his own conscience, as to whether it is in working order, or as to whether it is

straight or not. This being so, then who is really to guide the individual, or the conscience of the individual? Clearly the individual; but this directly reverses the order of the book. The proposition of the book, is that conscience is the guide to right, and the indicator of what we ought to do. And when the one who is to be guided must needs inspect and straighten out, and put in working order, that which is to guide him; then the one who is to be guided becomes in fact the guide. In other words the one who is guided, must guide his guide. This brings us once more round the circle to the starting point, that whatever each individual thinks to be right, in his own case, that is right.

As to the standard with which the conscience is to be compared when straightened, to know whether it is straight or not; to know whether it is in working order; and to know whether it fitly passes inspection,—this is the same as that discovered in our examination of the grounds of right, namely, whatever each one thinks best for himself. So says the book, as follows:—

Nothing is duty which can not be clearly done. Duty being that course which, in view of all the circumstances, is best. . . . Duty *is indicated* by the preponderance of *interests*, which *when learned* makes *conscience* clear. It is sometimes difficult, indeed, to learn this and so to determine duty, so that the knowledge of right is not always without effort. We must *work hard* to know our duty, as well as to do it, which labor then becomes part of our duty. But *when we once decide* what is best, *conscience* takes it up.—Page 292.

Thus it appears that the individual by "working hard" must discover where the preponderance of interest lies, in order to find out what is best, and so determine duty and attain to the knowledge of right. And this "makes conscience clear"! Without this effort of the individual, conscience is cloudy, it is not in working order, it will not pass inspection. But when all this is done, so that the individual knows just what is right, then conscience becomes clear. Conscience takes it up and says, "Very good, I agree to that." But in such a system, conscience is not only not a guide, it is not even a helper; for all the work must be done and the knowledge of right attained, before conscience is clear, and before conscience takes it up.

Then, according to this system, of what earthly use is conscience? None whatever. In fact, this statement demonstrates that in this system of ethics, conscience really has no intelligent place at all. It is virtually destroyed. And again we are brought round the circle to the original starting point, that whatever each individual may think best for

himself, that is right, and ending in supreme selfishness. By the evidences already given, it will be seen that in the final analysis, this system of ethics comes dangerously near to the fatalistic doctrine that "Whatever is, is right." This would be bad enough if it stopped with going dangerously near, but it does not stop there, it goes all the way, as logically every system of morals without religion must do; and here is the evidence:—

Though conscience may err, it is the best judgment we have—the pointing of the compass after all the conflicting forces which would diversely impel us, and so the coming of our knowledge to a head in the will. *If we go wrong by following it, then wrong is inevitable and any other course would still more likely be wrong.* If the result is not good, *it is the best we can have.* For, going by conscience, we simply go on our best information.—Page 283.

This is in very substance the doctrine that "Whatever is, is right." It is fatalism, and fatalism only. In fact it can not be anything else, proceeding upon the theory which it does. It proposes to leave religion out of the question and to teach morality without religion. But when man is separated from religion, he is left wholly to himself. Himself is his only resource, and in searching for the supreme right and ultimate good, he starts for himself and whatever course he follows, he is inevitably brought back to himself. This is precisely what this book has done three times. And when men do this, over and over again, groping round and round in the narrow circle of self and finding only "apples of Sodom" at the end of every circle, they are driven to the precise point to which, by this system of ethics, they are driven, that is, to the despairing sink of fatalism.

Another name for it is *paganism*, for it is the identical conclusion to which paganism came in its supremest day. Compare with the foregoing the following from Marcus Aurelius:—

What then is that about which we ought to employ our serious pains? This one thing, thoughts just, and acts social, and words that never lie, and a disposition which gladly accepts all that happens, *as necessary*, as usual as flowing from the principle and source of the same kind. *Willingly give thyself up to Clotho* [one of the Fates], allowing her to spin thy thread into whatever things she pleases.

The final conclusion of Mr. Bierbower's proposed system of ethics for society and schools in the United States, in this nineteenth century, is identical with that of the pagan, Marcus Aurelius, in the second century. And this open and sheer paganism, it is seriously proposed, shall be taught to the children and practiced by society in the United States! And Mr. Bierbower actually seems to have so

much confidence in his proposed system, that he thinks that "Catholics, Protestants, Jews, and unbelievers may use this book with equal approval." For our part we should like very much to see a single Catholic, or Protestant, or Jew, or unbeliever who, having examined the book, would use it with any manner of approval whatever.

Again, we say that which is so often admitted by this book, conscience itself be seen must needs have a guide. *And faith is the guide* and the *only* guide of conscience. Whatever a man believes to be right, to that his conscience will freely assent. Therefore a right faith is essential to a good conscience. Now the only right faith in this world, is the faith of Jesus Christ. Without faith in Jesus Christ, there can be no right conscience; without a right conscience there can be no genuine morality.

This is the logic of the question and it never can be escaped; and it only demonstrates once more by proofs that can not be refuted, the position which THE SENTINEL has always occupied, that *morality without religion is a misnomer*. And more than this, that *morality without the religion of Jesus Christ, is a misnomer*. Jesus Christ is the author of the right faith through which he leads men to the right morality. The teaching of this faith, by which alone right morality can be attained, he committed to the Church. The Church he endowed with the Spirit of God by which the teaching may be performed with power. If the Church or the family does not teach it, it never can be taught. The teaching of it was never committed to the State; the power by which alone it can be inculcated has never been bestowed upon the State.

Therefore as genuine morality can come only from a right conscience, and a right conscience can come only from a right faith, and a right faith can come only by Jesus Christ, it is demonstrated that there is no genuine morality outside of a genuine faith in Jesus Christ. And as the State can not teach faith in Jesus Christ, as the State can not teach the religion of Jesus Christ, the position of THE SENTINEL is impregnable, that *the State can not teach morality*. Civility is the realm, and the conservation of it the prerogative, of the State. Morality is the realm, and the conservation of it the prerogative, of God. "Render therefore unto Cesar the things that are Cesar's; and unto God the things which are God's."

A. T. J.

April 9, 1891

"The American Sabbath" *The American Sentinel* 6, 15 , pp. 113-115.

MUCH inquiry has been made lately, as to what is "the American Sabbath." It seems to have been found out at last what it is. It seems to be the official organ of the American Sabbath Union, for there has just come to our table, Number 1, of Volume 1, of a twenty-four page publication, entitled the *American Sabbath*, which is declared to be "the official organ of the American Sabbath Union." We are rather of the opinion that this is as definite an idea of what the "American Sabbath" is as can ever be attained. Yet, in several places through the paper, we find reference made to "the American Sabbath, or Lord's day."

Now, the Lord's day certainly belongs to the Lord. The expression being in the possessive case, the day must be possessed by the Lord. He is the possessor of the Lord's day. Therefore if the Lord's day is the American Sabbath, it follows inevitably that the Lord must be an American.

The National Reformers have been a long while trying to make him an American citizen. The Woman's Christian Temperance Union, several years ago, joined the National Reformers in this project; and the two organizations have since been working diligently together to that end.

They propose to have the Lord made the chief executive in this Nation; but as the Constitution declares that "no person except a natural-born citizen, or a citizen, of the United States at the time of the adoption of this Constitution, shall be eligible to this office," it inevitably follows that they must suppose the Lord to be a citizen of the United States. Such, however, is a very grave error into which these organizations have fallen; yet, to it they seem to be wedded.

Now, we suppose that the members of these organizations who may read this, will cry out that we are very irreverent in thus writing; but this is a mistake also. With sincere reverence toward the Lord, we simply set forth the blasphemous irreverence of the pretensions and the demands of the American Sabbath Union, the National Reform Association, and the Woman's Christian Temperance Union.

According to the *American Sabbath*, and the Constitution of the American Sabbath Union, "the object of the American Sabbath Union is to preserve the Christian Sabbath as a day of rest and worship."

The means by which it is proposed to accomplish this object, is by looking after "national and local legislation, for the protection of public peace and order, and for the rights of all classes of people to their weekly rest day." Every piece of legislation that we have yet seen that this Union favors, in behalf of the day of rest, has been to compel the observance of the day as such, under penalties all the way from \$2.00 to \$1,000. Now according to the declared objects of the Union, all this is in behalf of the *Christian* Sabbath; therefore this Union does distinctively propose to preserve and extend the observance of Christian institutions, by law, that is, by the power of the State.

More than this, these laws are intended to act alike upon all—Christians, and non-Christians, Jews, infidels, and atheists. This is, in short, an attempt to compel all who are not Christians to recognize and observe a Christian ordinance. It is to compel those who are not Christian to act

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as though they were; it is to compel every man who is not a Christian either to become a hypocrite or a violator of the law. And every man who has the real manliness of a freeman will violate the law rather than to act the hypocrite by obeying the law. Every man in violating such a law, only exercises his inalienable and God-given right.

Let us make this plain. It is the inalienable right of every man in this world, to worship whom he pleases and when he pleases. It is every man's right to be a Christian or not, as he chooses. He is responsible to God alone for the exercise of this right. Every man in this world has the inalienable right to dissent from any church doctrine, and to refuse to conform to any church discipline. Every man has the right utterly to disregard every church ordinance, rite, and institution. Church ordinances, church rites, and church institutions, are of obligation only upon those who voluntarily assume the place of membership in the church.

Now, when the State attempts to enforce the observance of church ordinances, rites, or institutions, it simply proposes to rob men of their inalienable right to think and to choose for themselves in matters of religion, and of church order. Men, are therefore, compelled either to submit to be robbed of their inalienable right of freedom of thought in religious things, or to disregard the authority of the State. The State by thus stepping out of its place and becoming the supporter of the Church, attempts to rob men of their inalienable right of dissent, and forces them, in the exercise of their inalienable right, to be rebels.

Now, Sunday is acknowledged to be a *church institution* only. As we have lately shown in THE SENTINEL, the American Sabbath Union itself says so. But the Union is not alone in this; all the authorities on the subject of Sunday observance agree that the custom was adopted by the *early Church* without a divine command. That the observance belongs only to the Church is admitted in this very statement of the object of the American Sabbath Union: that is, that it is to preserve the *Christian Sabbath*.

Now Christian institutions and Christian observance belong only to confessed Christians. And not only has neither Church nor State any right to require any others to observe them, but no others have any right to observe them. Baptism is a Christian ordinance; none but believers in Christ have any right to celebrate it or conform to it. The Lord's supper is a Christian ordinance; none but Christians have any right to approach the Lord's table, or partake of the Lord's supper is a Christian ordinance; none but Christians have any right to approach the Lord's table, or partake of the Lord's supper. Not only every preacher, but every Christian in the American Sabbath Union, the National Reform Association, and the Woman's Christian Temperance Union, will acknowledge that this is correct, and would refuse to allow any one, who is not a professed believer in Christ, to partake of this ordinance. If any such non-professor, while still holding his unbelief, should presume to celebrate this ordinance, there is not a Christian in any one of these organizations, who would not count such a thing as gross sacrilege.

Now, these same people insist that Sunday is the Christian Sabbath, and the Lord's day; and at the same time demand that the civil power shall compel men to observe it who are not Christians, and have no respect whatever for the Lord. Thus in their arrogance, they stultify themselves by compelling men to observe in one instance, what they count these same men only as blasphemers for observing in other similar instances.

To be consistent, nay, to deal even in common fairness, the people and the organizations who demand Sunday laws, should confess that the observance of the Christian Sabbath, or the Lord's day belongs only to Christians, to those who respect the Lord; or else demand laws that shall compel all alike to observe baptism and celebrate the Lord's supper. Upon what principles of right or of common fairness can men be refused Christian baptism, and compelled to observe the Christian Sabbath? Upon what principles of right or common fairness

can men be shut away from the observance of the Lord's supper, and be compelled to observe the Lord's day? Oh, the depths of the hypocrisy and the meanness of the whole Sunday-law system are unfathomable!

The utter baselessness of the claims of the American Sabbath Union is further expressed in the statement of its declared basis. Here it is:—

The basis of the American Sabbath Union is the divine authority and universal and perpetual obligation of the Sabbath, as manifested in the order and constitution of nature, declared in the revealed will of God, formulated in the fourth commandment of the moral law, interpreted and applied by our Lord and Saviour Jesus Christ, transferred to the Christian Sabbath, or Lord's day, by Christ and his apostles, and approved by its beneficent influence upon personal and national life.

Neither the divine authority nor the obligation, either universal or perpetual, of the Sabbath, is manifested at all in the order and constitution of nature. There is nothing whatever in nature that marks the Sabbath. The week is not a natural division of time. The day, the month, and the year, are all natural, but in nature there is nothing to mark the week. This they themselves well know. Herrick Johnson, D. D., is one of the vice-presidents of the American Sabbath Union. He spoke for the Union before the Senate committee in 1888, and in his speech he said:—

This appointment of one day in seven is arbitrary. There is nothing in nature to indicate that division of time. There is the day of twenty-four hours, there is the month, there is the year, all these are natural divisions; but there is nothing in nature to indicate the weekly division; the observance of one day in seven. It is arbitrary, and we regard that as an evidence of its divine origin.

Thus again the American Sabbath Union knowingly contradicts itself.

The second element in this basis is as knowingly self-contradictory as the one already shown. "The Sabbath as declared in the revealed will of God, formulated in the fourth commandment of the moral law, interpreted and applied by our Lord and Saviour Jesus Christ," is the seventh day and not Sunday. In the revealed will of God, in the fourth commandment, and in the teaching of Christ—from the beginning to the end of revelation—the only day that is ever referred to as the weekly Sabbath, is the seventh day, and not the first day of the week.

This is admitted in the publications of the American Sabbath Union, and even in this basis itself, for the very next element in the basis of the Union, is, that the Sabbath of the revealed will of the fourth commandment, and of our Lord and Saviour Jesus Christ, "*was transferred* to the Christian Sabbath or Lord's a day." What the Union means by the Christian Sabbath, or Lord's day is the first day of the week; and for the Sabbath to be transferred *to* this, necessarily it had to be transferred *from* something else. That is from another day to this. That other day, the only one from which it could possibly have been transferred, according to the fourth comamandment and all the rest of the Scriptures, is the seventh day.

More than this, the first day of the week is not the Lord's day according to the Scriptures. This is as plain and logical as anything needs to be. The Lord himself said: "The Son of man is Lord also of the Sabbath." Mark 2:28. The same Lord said "The seventh day is the Sabbath." Here are two plain Scripture statements which put in logical formula, stand thus:—

Major: The Son of man is Lord of the Sabbath.

Minor: The seventh day is the Sabbath.

The only conclusion that can ever be drawn from these premises is,—

Therefore, the Son of man is Lord of the seventh day.

That conclusion is just as sound as these two statements of Scripture are; and the two statements of Scripture are as plain and positive on that subject as any two statements ever can be made. Forming from this another syllogism, we have this:—

Major: Whatever day it is of which the Son of man is Lord, that is the Lord's day.

Minor: The Son of man is Lord of the seventh day.

Therefore, the Lord's day is the seventh day.

This logic is unquestionable; and the conclusion is just as true as the Scripture itself.

Another element in this basis is that this transfer was made "by Christ and his apostles," and this the Union knows is not true. Only four weeks ago we printed an official statement of the Union itself, that there is no divine command for the observance of the first day of the week; and here we print another statement from the same document then quoted. It says, that the observance of the first day of the week

grew up spontaneously in the apostolic age, and out of the heart of believers, and so became the Sabbath of the Christian era.—*Saturday or Sunday—which? Page 5.*

And this with a number of other things is said to be the same document to

furnish a reliable presumption that, during those years following the resurrection, the first day of the week was observed in a religious way.—*Page 6, 7.*

And as to the authority for Sunday observance, Herrick Johnson on the occasion and in the speech before referred to, argued with the chairman of the Senate committee in the following words:—

MR. JOHNSON.—I think that no one who accepts the Bible doubts that there is one day in seven to be observed as a day of rest.

THE CHAIRMAN.—Will you just state the authority?

MR. JOHNSON.—Remember the Sabbath day to keep it holy. . . . Six days shalt thou labor and do all thy work.

THE CHAIRMAN.—Is there any other?

MR. JOHNSON.—There are references to this law all through the Bible.

THE CHAIRMAN.—Now you come and change that Sabbath day to which the Lord refers.

MR. JOHNSON.—That we hold was changed by the Lord himself.

THE CHAIRMAN.—When did he do that, and by what language?

MR. JOHNSON.—There was a meeting for worship on the first day of the week, the day the Lord arose, and seven days after there was another meeting for the same purpose, and then it is referred to as the Lord's day.

THE CHAIRMAN.—After the change?

MR. JOHNSON.—Yes, sir; after the change.

THE CHAIRMAN.—It is based then upon two or three days being observed as days of religious worship after the resurrection.

MR. JOHNSON.—Yes, Sir.

These statements show that the members of the Union know, that when called upon for any statement that the Lord or his apostles did transfer the day of rest from the seventh to the first day of the week, they can not furnish any such statement. And this, for the simple reason that there is no such statement. They are driven therefore to "presumptions," and "probabilities," and "spontaneous growths" from the "hearts of believers." And *such* is the basis of the American Sabbath Union, for the last element in the basis is as intangible as all the others.

And the result which these men and association's have reached by their presumptuous presumptions, probabilities, and spontaneous growths—this they will have enforced upon all the people of this Nation and even of the world, by the power of the State and national authority. The arrogance of the Sunday-law scheme is as colossal as its hypocrisy and meanness are unfathomable.

This is our candid opinion of the Sunday-law movement from beginning to end.

A. T. J.

April 16, 1891

"An 'Easy Lesson' for the American People" *The American Sentinel* 6, 16 , pp. 121-123.

IN reading the literature department of the *Independent*, of March 12, 1891, we found the following book notice which, in view of the teaching of the book which it notices, we print in full:—

Easy Lessons in Christian Doctrine. Prepared for the Use of Mixed Schools. (Stevenson and Foster, Pittsburg, Penn.) With the approval of the managers of the Pennsylvania Reform School, at Morganza, near Pittsburg, the chaplain of the institution and the vice-president of lime Board pre-pared this little manual of fifty pages, which has now been in use long enough to justify the high expectations entertained of its usefulness. It is not a colorless, emasculated system of doctrine, which might be accepted by all simply because it contained nothing positive. It follows a broad and truly Christian path, teaching nothing militating against the doctrines of any church that retains faith in the gospel of Jesus Christ. It is simple in language, convenient in arrangement, clear, concise, positive in the general treatment of the essential truths of the Christian religion, and neither goes beyond the Scripture nor brings up the mooted points of Scripture. As the Pennsylvania school contains many Catholic youth, a copy of the catechism was sent to Bishop Phelan, of the diocese of Western Pennsylvania, who, after examination, wrote as follows to Mr. J. A. Quay, Superintendent:—

The book, "Easy Lessons in Christian Doctrine," is the only book of religious instruction that has come under my notice which claims to keep within the lines of belief common to all who profess faith in Jesus Christ. It is, therefore, well suited for a text-book in public institutions where Catholics and Protestants at all times receive instruction. *Catholics can accept all that the book contains*, and the important truths of the Catholic religion which it does not contain

can readily be supplied by the priest who conducts special services for the Catholic inmates of the institution in which the book is used.

The Bishop here suggests an important point. The manual, while teaching the fundamental truths of Christianity, can for the rest be supplemented by pastors of any church. Methodists, Baptists, Episcopalians, or Presbyterians will find in the minds of the students a scriptural basis of truth, upon which, if they please, they may build up the distinctive dogmas of their various creeds. The Rev. James Allison, D. D., of Pittsburg, a "pillar of orthodoxy," a hearty believer in, and a staunch defender of, Calvinistic doctrine, connected with the Morganza Board for many years, and much experienced in this difficult field of labor, writes to the Superintendent:—

As you know, I am a Presbyterian minister and editor of the *Presbyterian Banner*, as well as Chairman of the Committee of Instruction and Discipline of the Pennsylvania Reform School, After careful examination of "Easy Lessons in Christian Doctrine," I am happy to say that I believe this little work to be admirably adapted to be useful in reform schools and similar institutions, and, also, that it *contains nothing to which any one can reasonably object*.

In these days of Church unity and plans for reuniting the separated fragments of the Church universal, there is the earnest desire to remove the practical barriers existing between churches which hold much in common. The use of the little book, "Easy Lessons in Christian Doctrine," is evidence that there is, and that there may always be, a comprehension and acceptance of the fundamental truth of pure Christianity, separate and apart from the denominational theories and practices which have divided the Church catholic. We bespeak for the collection careful examination on the part of teachers, and considerate judgment on *the* part of ministers and prelates.

As soon as we had read this notice, we sent for a copy of these "easy lessons." It will be noticed that the title is "Easy Lessons in Christian Doctrine," and that these lessons have been prepared for the use of mixed schools. As it has been so long in use in the Pennsylvania Reform School, the claim seems about to be made, and is strongly hinted at in the foregoing notice of the *Independent*, that it may also be used with propriety in the public schools. And, indeed, why not? Is not the Pennsylvania Reform School a public institution? Is it not supported by taxation of all the people? and if these lessons can be taught there, why not in every other public institution? Why not, therefore, in public schools?

But by what right do the managers of this public institution teach *Christian* doctrine at public expense? And if these managers may do

this then if they were succeeded by a Board of atheistic managers why might not that Board teach a series of easy lessons in atheistic doctrine? They would have the same right to do

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that, that this Board of Managers have to do this.

The equity of the case, however, has been largely discussed in past numbers of THE SENTINEL. It is not that point that we now wish to notice, but rather the *character* of these "easy lessons" which are so highly recommended by the *Independent*, Bishop Phelan, and the editor of the *Presbyterian Banner*.

The book itself is a little pamphlet of fifty-three pages, four by five and one-half inches in size, and is put together in two parts. Part I, thirty-two pages, is made up of twenty-three lessons in Roman Catholic doctrine, concerning creation, the trinity, the fall, the redemption, the commandments, and the judgment. Part II is a short history of the Christian religion reaching from creation to the day of Pentecost when the Holy Spirit fell upon the disciples of Christ.

Of course, we can not notice each lesson in detail. We have said that the lessons are lessons in Roman Catholic doctrine, and this is precisely what they are; and to show to our readers that this is so, is the object of this article. The phraseology throughout betrays a Roman Catholic writer, one who has been instructed in Roman Catholic religious books. The phraseology never would have come from any one who has been instructed from the King James version of the Bible or in Protestant lines of thought. For instance the word "justice" is used where the King James version, and Protestantism, always use "righteousness;" "Sem" where these use "Shem;" "Pasch" where these always use "Passover."

This will be observed also, as we note the doctrines that are inculcated. The following passage upon the subject of sins, distinctly sets forth the Roman Catholic doctrine of mortal and venial sins, but here the thing is made "easy" by calling them "grievous offenses" and "small offenses":—

Question.—Are all actual sins equally great?

Answer.—No; all sins are not equally great; there are grievous offenses against the law of God, and there are also small offenses against the law of God.

Ques.—What are the effects of grievous offenses against the law of God?

Ans.—Grievous offenses against the law of God kill the soul, by depriving it of the true spiritual life of grace, and make it liable to eternal punishment in hell.

Ques.—What are the effects of small offenses against the law of God?

Ans.—Small offenses against the law of God do not rob the soul of the true spiritual life of grace; but they hurt the soul by lessening its love for God, and by disposing to great sins.

Ques.—Is it a great misfortune to fall into grievous sin?

Ans.—It is the greatest of all misfortunes.

The next thing after this piece of papal doctrine is to find a purgatory for those souls who are hurt by the small misfortune of "small offenses" against the law of God; and this done in the following "easy" lesson:—

Ques.—Did Christ's soul descend into the hell of the damned?

Ans.—The hell into which Christ's soul descended was not the hell of the damned, but a place or state of rest.

Ques.—Who were in this place of rest?

Ans.—The souls of the just who died before Christ.

Ques.—Why did Christ descend into this place?

Ans.—To announce to those spirits that were in prison the joyful tidings of their redemption.

Ques.—When did the souls of the just who died before Christ go to heaven?

Ans.—When Christ ascended into heaven.

Ques.—Where was Christ's body while his soul was in limbo, or the place of rest?

Ans.—In the sepulcher, or grave.

This limbo is an "easy" word for the latin, *limbus patrum*, and is essentially the Roman Catholic purgatory. This indeed is evident from the doctrine of the whole lesson. Query: How can the *Independent* endorse this "easy lesson," and oppose the Andover New Theology as it does? It does not seem to us that it can consistently do both.

Lesson three of part II, sets forth the Roman Catholic doctrine of Gen. 3:15, which, according to the Catholic Bible, reads as follows:—

I will put enmities between thee and the woman and thy seed and her seed. *She shall crush thy head and thou shalt lie in wait for her heel.*

Now this "easy lesson" easily insinuates this Roman Catholic doctrine in the following words:—

Ques.—How was a Redeemer promised?

Ans.—To show how hateful sin was to him, God cursed the serpent which had deceived Eve, condemning him to crawl upon

the ground and to eat the dust; besides, he said enmity should exist between the serpent and the woman, but in the end *the* woman would *crush* his head.

Lesson five, of part II, easily inculcates the "easy lesson" of the Papal *unbloody sacrifice* of the Mass, as follows.

Ques.—What were the principal religious rites and festivals of the Mosaic law?

Ans.—The principal religious rites of the law given to Moses were sacrifices offered to God; they were either *bloody*, in which were offered heifers, and sheep, and goats, and doves; or *unbloody*, in which were offered *cakes*, and *unleavened bread*, and *wine*.

It is not surprising that Bishop Phelan should say that Catholics can accept all that this book contains for it is essentially Catholic in every intent and purpose; and that the *Independent* and "a pillar of orthodoxy" the editor of *the Presbyterian Banner*, should endorse it as being adapted to general use only shows how far the so-called Protestant profession has become like the Roman Catholic. Yes, it is true; Catholics and Protestants are uniting, but it is the same way that the lion and the lamb unite. It is true they are all becoming one, but the Roman Catholic is the one. Roman Catholicism has not abated one jot of her claims nor modified in one tittle her doctrine; and the only way it is possible for the Roman Catholic and the Protestant churches ever to unite is by the Protestant churches becoming Roman Catholic. This is what they are doing. Roman Catholic forms and institutions are adopted, observed, and enforced, by those who boast of their Protestantism. Roman Catholic doctrines are held and inculcated by churches calling themselves Protestant. And the statement of the *Independent* that these "easy lesson" teach nothing militating against the doctrines of any church that retains faith in the gospel of Jesus Christ, shows how far this Protestant apostasy has gone toward the great general apostasy.

Yet, upon this THE AMERICAN SENTINEL would have no criticism to make were that all that it is. Any man has the right to be a Roman Catholic and to believe all that the Roman Catholic Church teaches; and every Protestant has the right to apostatize from Protestantism and become a Roman Catholic. Any person, Protestant or otherwise, has the right to adopt any form, institution, or rite of the Roman Catholic Church, and observe it. Protestants have the right to adopt as many "easy lessons" in Roman Catholic doctrine as they choose, and teach them in their churches and in their homes as they please.

Therefore we say that if this were all there is of this question THE SENTINEL would have no criticism to make.

This book itself is now being used in public institutions in the State of Pennsylvania. It is recommended for use in mixed schools everywhere. The union of Protestants and Catholics, in this thing is only a union for the bad purpose of forcing religious doctrines upon all the people and that at the expense of all the people. It is a proposition to force the religious views of certain ones upon others who have just as much right to believe in themselves as these have. This principle itself distinctly attacks the religious . . . ing of certain classes of citizens who have just as much right to stand where they as the believers in these "easy lessons" have to stand as they do. Lesson nineteen of part I, is on the first of the ten commandments, and a part of that . . . is as follows:—

Ques.—Mention some of the sins against this commandment?

Ans.—Idolatry, infidelity, indifference to . . . witchcraft, superstition, and spiritism.

Ques.—What is infidelity?

Ans.—Idolatry is to pay to any creature that which belongs to God alone.

Ques.—What is infidelity?

Ans.—Infidelity is the want of faith in . . . of God.

Ques.—What is spiritism, or spiritualism?

Ans.—Spiritism, or spiritualism is to believe the souls of the dead communicate with . . . rapping and moving furniture, or by writing and speaking to mediums.

Now, against this in itself we . . . say that we have any particular objective. But we want to know what right the

has to set up as the judge of the religious standing of its citizens? We want to know what right the State has to adopt the views of one class of religionists and set itself up as the judge upon, and condemn as idolaters, other classes of its citizens? We want to know what right the managers of any public institution, or the instructors therein have, to use their position and authority to favor the religious views of one class of people and to condemn, as idolaters, other classes? We want to know by what right these managers or instructors use the money that is raised by taxation upon all the people, in teaching the religious views of a part of the people as against, and in distinct condemnation of, the religious position and views of another part of the people. We want to know by what right certain citizens shall thus

be compelled to pay money for undermining and denouncing their own religious principles.

The editors of THE AMERICAN SENTINEL are neither infidels nor Spiritualists. We are just as far from both infidelity and spiritualism as it is possible for Christians to be; and THE SENTINEL is the same. Nevertheless, any man has as much right to be an infidel, or a Spiritualist, or both together if he chooses, as we have to be Christians or as the believers in these "easy lessons" have to be Roman Catholics. Infidels and Spiritualists have just as much right to hold their beliefs *unmolested and free from attacks by the State or by any public authority* as have Christians or Catholics or Catholicized Protestants. The money which is raised by taxation upon infidels and Spiritualists alike, the State has no more right to use in denouncing, through its officials, the beliefs of those classes, than it has to do the same thing with Christians.

Yet all this is precisely what is done by the public officials in the State Reform at Morganza, Pennsylvania; and this is precisely what is proposed by the *Independent* and other believers in these "easy lessons," shall be done in public institutions everywhere. And it is wickedness. Let the State and public officials keep their meddlesome, clumsy, and bungling forms out of the field of conscience. Let them attend to the public business, the business that belongs alike to all the people, without distinction, and leave entirely alone the religious belief or unbelief of the citizens.

A. T. J.

April 23, 1891

"That Symposium on Sunday and 'Civil' Sunday Laws" *The American Sentinel* 6, 17 , pp. 129-131.

IT was the General Conference of the Methodist Episcopal Church that took the first official step toward the organization of the American Sabbath Union. The general Secretary of the Union is first in the list of "representative members" appointed by the General Conference, for the four years, from 1888 to 1892. Besides him there are twenty other representative members appointed from the Methodist Episcopal Church. This gives the Methodist Episcopal Church an important connection with Sunday legislation; because the sole purpose of existence of the American Sabbath Union, is to secure

and control Sunday legislation. For this reason, therefore, what comes from official Methodist sources on this subject is worthy of note, and for this reason we notice some articles in the *Methodist Review* for March and April, 1891.

In this number of the *Review* there is a symposium on "The Christian Sabbath." The symposium is composed of an article, by Rev. L. R. Fiske, D. D., President of the Albion College, Detroit, Michigan; another by Rev. J. M. Durrell, D. D., Manchester, New Hampshire; and a third by Rev. J. W. Coxe, D. D., agent Sunday School Union, Washington, Iowa.

Dr. Fish's article is upon "The Divine Origin of the Christian Sabbath." He makes some excellent statements in regard to the purpose of the Sabbath which in themselves show the utter futility of legislation upon the subject. He says:—

The supreme purpose of the Sabbath is spiritual. Something more than rest—physical or mental—was sought. It was to be a rest in which the less valuable should be supplanted by the more valuable, in which the higher activities should take the place of those that were lower. The great question in the divine government over man was this: How can the human race be brought into the nearest likeness to God, practically live the most perfect moral life, appreciate that which is highest, and love that which is best, and in this sensuous world become more spiritual? It is very plain to every thoughtful mind that the Sabbath was ordained as a condition for this final result.

This is in harmony with the scriptural idea of the Sabbath, that is, that it is for worship and moral and spiritual elevation; and that it is the connecting link between God and men, by which he is held in remembrance. It shows that the Sabbath is wholly religious; and therefore that whenever the State presumes to legislate upon the question it is simply interfering with man's relationship to God where the State never can rightly have any place. "Every one of us shall give account of himself to God." As to how a man observes the Sabbath, or whether he observes it at all, or not, are questions for himself to decide before God, and for the decision of which he is responsible alone to God. Therefore, the State never can touch upon this question without entering the field of religion and conscience.

Another most excellent statement by Dr. Fiske, and one which knocks higher than the proverbial kite, the "civil Sabbath" theory of the American Sabbath Union, is the following:—

If the Sabbath were only a holiday, consisting simply of a period of relaxation from physical and mental toil, it would provide an occasion for a multitude of evil influences to undermine the moral life. A day is not made sacred by indolence, but by a prevalence of spiritual activities. It is apparent to every discriminating observer that those who discard the spiritual purpose of the Sabbath lamely fall into social vices far more harmful than would be practiced were the hours given to labor. The office of the Sabbath is spiritual, and practically to make it less, or other than this, into convert it into an agency of terrible demoralization.

This has been the position of THE SEN-

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TINEL always. It is absolute truth, and by it the additional truth is manifested that Sunday laws must enforce the religious observance of the day or else stand condemned as the agency of a terrible demoralization. But for the State to attempt to enforce the religious observance of the day is to work a yet more terrible demoralization, as history proves. Therefore, this truth demonstrates the fact, that Sunday laws are in themselves essential evil, and tend only to the demoralization of society and the State. Such is the work in which the American Sabbath Union is engaged, and in which, from its connection with that Union, the Methodist Church is in no small part engaged.

Dr. Fiske closes his article with the following excellent statement to the same effect as the two already quoted:—

In ordaining this day God legislated for man with the purpose of making human history, through spiritual forces, grand and more and more perfect as the years go by, and of procuring the largest benefits of the atonement in the blessedness of the world to come. In harmony with all our other interests the supreme end was the perfection of man's spiritual nature.

Dr. Durrell's article is upon "The Dangers that Threaten the Christian Sabbath," and is an argument to prove that this is a Christian Nation, that we have a national religion, that the observance of the Sabbath is a part of that national religion, and that, therefore, there should be laws to enforce the religious observance of Sunday. He seeks to prove that this is a Christian Nation by saying that "the mother country was, in form at least, Christian," and then inquiring whether the daughter was trained to be less so. Whether she was or not matters nothing, because the form of Christianity without the power, is worse than no pretension at all to Christianity. The

Scriptures distinctly denounce the form of godliness without the power, and from such iniquity all Christians are commended to turn away. Yet all that any State can ever do in any such connection, is to make the religion which is professed only a mere form, increasing hypocrisy, and multiplying evil.

From the fact that the Declaration of Independence refers to "nature's God," to the "Creator," the "supreme Judge of the world," and "divine Providence;" because, the concluding resolution of the original articles of confederation recognizes "the great Governor of the world," and because the Constitution requires that all executive and judicial officers of the United States, and of the several States, shall be bound by oath or confirmation to so support the Constitution, he gathers the conclusion that "we have by the fundamental law of the land a national religion, and that religion is Christian."

That is a very large conclusion from small premises. In not one of the things which he has mentioned is anything said about Christ or the Christian religion, any more than about the religion of the Deist or the Jew. And so far as the oath which is required by the Constitution of the United States is concerned, any atheist can take that just as well as any Christian. To deduce from these statements a national religion for the United States is a large contract. But when this is not only done but that religion is declared to be Christian, then the depth of the genius that could discover it, is something marvelous. In fact, any mind which can deduce such a conclusion from such premises, is perfectly able to create conclusions without any premises at all.

Next, and upon all that has been said before, he declares that the observance of the Sabbath is a part of our religious system recognized by law. And this is how he make the observance of the Sabbath a part of the national religion of the United States. Having thus established his national religion, and the observance of the Sabbath as a part of it, he notes some of the dangers that threaten it. He mentions the mail service, the Sunday paper, Sunday trains, frivolity, irreverence, and indifference on the part of the Church. In order to do away with these perils, he says, "the members of the evangelical churches of the country, constitute at least twenty per cent. of the population, and church-goers number more than half of the people of the United States;" and upon this he declares:—

We are strong enough to effect a reform if we only awake and let our voices be heard. If we all do so, and follow up our public protests by conscientious work at the caucus and ballot-box, politicians will treat us in a very becoming and respectful manner. It

is time that God's people should be making themselves felt in American politics.

Yes, religious reform is a fine thing to carry on at the caucus and the ballot-box. And such work by the clergy always has been very conscientious—and so has the work of the Inquisition. When the churches put their dependence in politics, then worse corruption will follow than ever could be without it. Have they no faith in God, that they must appeal to politics?

Another danger which he mentions and which he calls a "grave mistake," is "trying to make the Sabbath a day of rest on purely secular grounds." This is another stroke that hits hard a goodly number of the leaders of the American Sabbath Union, at least in their public speeches. But the greatest danger *is in this danger*, and is, as he says, that

the assertion, by the enemies of the Christian religion, that the sanctity of the Sabbath rests on no religious obligation, and that rest should be "enforced by the State, on the grounds of public and general utility," has made some Christians doubtful as to the wisdom of placing the observance of the day on religious grounds at all.

It is worth while for the "civil" Sunday law workers to study these passages. They do not realize that their compromising, sophistical, "civil Sabbath" argument is a sword that cuts both ways. They had better stop that method of working and stand with Dr. Durrell openly for the enforcement of Sunday observance upon religious grounds. The Doctor closes his article with this sentence:—

The State and the Church are separate in our polity, and can never come into organic union; but the State and Christianity were married in 1776, and "What, therefore, God hath joined together let not man put asunder."

Yes, it is a very nicely planned scheme, that the State and the Church are separate, but the State and Christianity are united. It is precisely the showing that was made by the bishops to Constantine in A.D. 311 and 312. It was represented that Christianity was a distinct thing from the Church; and as a matter of fact this was true, but not in the sense in which they meant it. And upon this showing Constantine formed a union between the State and Christianity as it was represented to him. But as soon as the union had been formed then it was made to appear that the Catholic Church was the one in which that Christianity was represented. And what Constantine and the bishops had joined together has been forbidden, in every nation but this, to be put asunder.

Dr. Coxe's article proposes "Remedies for Sabbath Decline." The first remedy which he suggests is to "define the issue," and "draw the lines accurately," that is, that there should be made a clear "distinction between the obligation of the Sabbath under civil law and that which is due under religious enactment." The way he does it is thus:—

The obligation to observe the Christian Sabbath is rooted primarily in the divine revelation of duty in the Old Testament; that of the civil Sabbath in the equally divine revelation of need in human nature. We aim to secure the integrity of the civil Sabbath; we seek to promote the sanctity of the Christian Sabbath.

Yes, and it is the same "we" who aim to do both. It is the Church and the Church alone, which seeks, and has always sought to promote the sanctity of the Christian Sabbath by aiming to secure the integrity of the "civil Sabbath." There never has been a Sunday law made or enforced except in behalf of the Church.

The clear cut distinction upon which Dr. Coxe insists is further illustrated by his next paragraph, in which the second remedy is proposed which is, that they "must begin in the right place" and immediately upon this says, that "Nehemiah gave us a good example." Then in telling how Nehemiah worked out that good example, he says:—

He began with the nobles of Judea. He began with the nobles of Judea. He first rebuked them for profaning the Sabbath day. He appealed to the religious motive.

Of course he appealed to the religious motive. There was no other to which he could appeal. And as Dr. Durrell and Dr. Fiske in their articles plainly show, there is no other motive to

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which appeal can ever rightly be made. The government in which Nehemiah was an officer was a theocracy, a religious government. The Church and the State were one. And whenever Nehemiah's example is urged, it can be done only upon the theory of a religious government, a union of Church and State. It is logical enough, therefore, that Dr. Coxe should urge, as the next remedy, "the vigorous enforcement of righteous laws," because of the fact that this is a Christian Nation," and should exhort the pulpit to "lead in this new crusade for the recovery of the holy day."

He closes with a long exhortation in which he strongly urges the enforcement of "civil enactment" upon the basis of the word of God because "the Bible is the common law of England," because the

"statutes of King Alfred" enforced the "ten commandments and sundry other laws from Moses, of a moral character;" because "these laws have never been repealed;" because "America is the child of England, the inheritor of her laws, usages, and spirit;" and finally because "the roots of our national life run back to good Alfred's realm [reign ?], and our laws through his to Sinai."

And such is the substance of the symposium of the *Methodist Review* on "The Christian Sabbath." The *Methodist Review* is the magazine of the Methodist Episcopal Church. The Methodist Episcopal Church started the American Sabbath Union. The American Sabbath Union exists solely to secure the enactment and enforcement of Sunday laws, both State and national. Therefore this all proves again that which THE SENTINEL has shown time and again, that the Sunday-law movement is, religious altogether, with not only not a single civil element about it, but no place for any. The whole thing is but a scheme to make the ecclesiastical superior to the civil power in this country, and to make the State the servant of the Church to execute her decrees.

A. T. J.

April 30, 1891

"American Principles" *The American Sentinel* 6, 18 , pp. 137, 138.

MUCH has been said on the proposed national Sunday legislation, and religious amendment to the Constitution, as being subversive of the principles of our Government. None too much has been said on this, and none too much can be said. But the Sunday-law workers, and the religious workers generally, are not the only ones whose aims and workings are subversive of the principles of the United States Government. All those who look to the Government as being the great general parent of the people, which must feed, and clothe, and nurse, and coddle the people, are engaged in the same business.

The Sunday-law workers proceed upon the theory that the people are so completely babyish that they are incapable of deciding for themselves when they are tired or when they should rest, and that therefore the Government must take the place of a parent and decide for them, and compel them to conform to the decision whether they are tired or not, or whether they want to rest or not. The great governmental parent says you are tired, and that is enough, if you are

not tired you ought to be and, therefore, must invariably rest on Sunday.

More than this, the Sunday-law workers and the religious legislationists generally proceed upon the theory, that the people are incapable of deciding for themselves whether they ought to be religious, and to what extent, and after what manner; and therefore the great governmental parent must decide this for them, and compel them to be religious, to whatever extent she chooses, and after the manner of heathen.

The Farmers' Alliance movement, which is just now causing more trepidation than any other one thing, proceeds upon the theory that the farmers are incapable of, conducting their business in such a way as to make sufficient money out of it, and therefore the Government, as a good and indulgent parent, must furnish them money in such quantities as they need.

There are other quotations of the same thing, but the nationalist movement sums up all of them, by proceeding upon the theory that the people are incapable of doing anything at all for themselves, and therefore the Government, as the universal parent, must do absolutely everything for them, even to choosing the very tunes that they shall hear.

Of course all who are engaged in these different movements, do not put their respective cases just in this way, that would be rather too raw, but this is precisely what these things amount to from beginning to end. The secret of the whole matter is in the two elements—the incapability or rather the babyishness of the people, and the personality or rather the deity of the Government. Either of these things lies in the other, and both alike are antagonistic to the principles which are the basis of American institutions.

The first of all American principles, and the grandest of all governmental principles, is *the manliness* and in that *the entire capability of the people*. And the second is like unto it, namely; *the absolute subordination*, and in that the total *impersonality of the Government*.

Both of these things are plainly asserted by the Declaration of Independence. That reads as follows:—

We hold these truths to be self-evident, that all

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men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness. That to secure these rights, governments are

instituted among men, deriving their just powers *from the consent of the governed*; that whenever any form of government becomes destructive of these ends, it is *the right of the people* to *alter* or *abolish* it, and *to institute a new government*, laying its foundations on such principles, and organizing its powers in such form, as *to them* shall seem most likely to effect their safety and happiness.

This presupposes that men are men indeed, and as such are fully capable of taking care of themselves; and that instead of needing to be taken care of by the Government, the Government is to be taken care of by them. It presupposes that the people are capable of deciding for themselves as to what is best for their happiness and how they shall pursue it, without the Government's being set up as their guardian to tell them when or how they shall rest, or be religious, or anything else that may pertain to their personal affairs.

This statement clearly shows also, that the Government is but a piece of political machinery, which is created by the people to secure their rights and to assure their safety in the exercise of their rights. This is the doctrine of the national Constitution also, for says the preamble:—

We the people of the United States, in order to form a more perfect union to establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

And Article IX, of Amendments says:—

The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others *retained by the people*.

And Article X, of Amendments says:—

The powers not delegated to the United States by this Constitution, nor prohibited by it to the States, are reserved to the States respectively, *or to the people*.

Thus, is clearly announced by both the Declaration and the Constitution, the doctrine, that the people are supreme, as the source of power and authority; that the Government is but a piece of political machinery set up by the people, by which they would make themselves secure in the enjoyment of the inalienable rights already possessed by them in full measure; and that whenever this piece of machinery fails to accomplish the purpose for which the people made it, it is their "*right*" to smash it and make another one. Nothing could more plainly show the utter subordination and impersonality of the

Government, than do these statements of the Declaration and the Constitution.

Then, these are the American principles, the fundamental American principles of Government. This, as long as it shall continue, is genuine civil freedom and the conservation of the rights of the people. Thus and for this reason was this established, "a Government of the people, by the people, and for the people."

Any doctrine, therefore, that tends to set the Government above the people, to make it the parent of the people, or to give it a personality, is directly contrary to American principles as announced in the Declaration and in the Constitution; is subversive of Republican government; and is a step toward monarchism. In short it is to renounce the principle of freedom and to advocate that of despotism.

This is precisely what is done in the movement referred to at the beginning of this article, and *in a still more dangerous place* which we shall notice in our next. Let the reader preserve this copy of THE SENTINEL until he receives one of the next number.

A. T. J.

NOTE.—By a legal fiction Government is given a kind of personality for legal purposes; but such personality only exists in the legal fiction and is the same as that of a steamboat, or joint stock company.

May 7, 1891

"The New American Revolution" *The American Sentinel* 6, 19 , pp. 145-148.

LAMST week we showed that which is open and clear to every reader of the Declaration of Independence, namely, that the American principle of government is that the Government is simply a piece of machinery which the people set up in order more fully to make themselves secure in the enjoyment of their rights. This principle of the Declaration is carried out in the Constitutions of all the States of the American Union, and of the national Constitution of this Union. These Constitutions, State and national, are simply the expression of the people as to the form of government which they will have, defining the powers and limitations upon the Government which they have thus established. This doctrine of the complete subordination and impersonality of the Government, is one of the two grand elements that formed the American Revolution.

As long as this principle shall be maintained in its integrity, so long the beneficent fruits of the Revolution may remain to bless the American people, and through them other nations; but if this principle shall be lost sight of and it shall come to, that place where the Government shall be personified and exalted above the people, then the design of the Revolution will be frustrated or indeed undone. There will, in fact, be a revolution *backwards* and the re-establishment of the principle of European Governments and of the despotism which it was the design of the revolutionary fathers for themselves and their posterity forever to escape. It may be news to the American people when we state that this revolution backwards has already been accomplished for the Government of the United States. It may be news to the American people to be informed that the American principle and system of government has been supplanted by the British and the Roman. Such, however, is the fact. All this has already been done. This reversal of the American Revolution has been already accomplished. Now to the proofs, and we sincerely ask the reader's careful attention.

May 19, 1890, the Supreme Court of the United States rendered its decision in the case of the confiscation of the Mormon Church property appealed from the Supreme Court of the Territory of Utah, The case arose in consequence of the enforcement of what is known as the "Edmunds Law or Act of Congress, February 19, 1887," forfeiting and escheating "to the United States the property of corporations obtained or held in violation of section three, of the Act of Congress, approved the first day of July, eighteen hundred and sixty-two." By the Act of 1862 "any corporation for religious *or* charitable purposes was forbidden to acquire or hold real estate in any Territory, during the existence of the territorial government, of greater value than \$50,000." By the year 1887, the Mormon Church corporation had become possessed of real estate to the amount of about two millions of dollars, and personal property to the value of about one million. All of this property, above \$50,000 worth of real estate, was declared forfeited to the United States.

The Mormon Church claimed that this property was held in trust by the corporation for the individual members of the

church who by donations, bequests, etc., had placed their property in the hands of the corporation to be held in trust. The United States disputed this claim. The case was tried in the territorial court, and the

whole sum was declared confiscated to the United States. The case was appealed to the Supreme Court of the United States, and the decision of the territorial Court, confiscating the property, was confirmed.

It is not necessary here to enter upon any discussion as to whether the Mormon Church had violated the law of 1862, first, because the Supreme Court of the United States decided that it was not necessary that that law should be violated in order that the corporation might be dissolved, but that "Congress for good and sufficient reasons of its own, independent of that limitation, and of any violation of it, had a full and perfect right to repeal its charter and abrogate its corporate existence, which of course depended upon its charter;" and second, because the merit of the question as between the Mormon Church and the United States is not material for the purpose of this article. The principle upon which the Supreme Court acted is all that is necessary to be discussed here; and that principle is discernible without any examination or discussion as to the merit of the controversy.

The argument of the Court proceeds as follows:—

When a business corporation, instituted for the purpose of gain or private interest, is dissolved, the modern doctrine is that its property, after the payment of its debts, equitably belongs to its stock-holders. But this doctrine has never been extended to public corporations. As to this, the *ancient* and established rule prevails, that when a corporation is dissolved; its personal property, like that of a man dying without heirs, becomes subject to the disposal of the sovereign authority.

Now with all due respect to the honorable Court, it may be inquired, why should not the modern doctrine be applied to public corporations as well as to private? Why should the ancient doctrine be adopted in such cases, when, to do it, it is necessary to proceed in the face of the principles and institutions of the Government of which the court is but a part. When the ancient doctrine is adopted the principles of the ancient governments must likewise be adopted, because the ancient doctrine is but the expression of the principles of the ancient governments. And the principles of all those governments were directly the reverse of the principles of this Government. This will be seen more fully as we proceed. It is in fact seen in the above expression that personal property, in such cases as this under consideration, becomes subject to "the sovereign authority."

Upon this the question at once arises, Who or what is the sovereign authority in this Government? And to this question we have an answer that is certainly plainly expressed, and certainly true, if not absolutely authoritative. Bancroft is the historian of the *Constitution* not less than of the country, and upon this very point he has the following plain statement. "Is it asked who is the sovereign of the United States? The words sovereign and subjects are unknown to the Constitution."—*History of Constitution, Book V, chap. 1, par. 20.*

By this it is evident that the Supreme Court steps upon foreign ground when it suggests the existence, in this country, of a sovereign authority. It is true that the people are sovereign; but the people do not exercise their sovereignty authoritatively as such directly, nor of themselves. "The people of the United States have declared in their Constitution that *the law alone is supreme*; and have defined that supreme law. *Id. par. 21.* In the foregoing quotation from the opinion of the Court it is made manifest that the existence of a sovereign authority was necessary to sustain a decision confirming the judgment already pronounced by the territorial Court. And as, according to the quotations given from Bancroft, there is no such thing known to American principles or institutions, the Court was necessarily driven beyond this Government and its institutions to find a basis for this sovereign authority. Accordingly the decision proceeds:—

The principles of the law of charities are not confined to a particular people or nation, but prevail in all civilized countries pervaded by the spirit of Christianity. They are found imbedded in the civil law of Rome, in the laws of the European nations, and especially in the laws of that nation, from which our institutions are derived.

But the principle of the government of Rome and all the European nations, and especially that nation from which the Court says our institutions are derived—the British—have always been directly the reverse of this. In those governments there were sovereign authorities. They were not governments of the people, but governments of the sovereign, and the people were subjects. That of Rome was absolutism solely. The Emperor was supreme in everything. He was *parens patriae*, that is, father of the country, and father of the people in the complete and fullest sense. He fed the people; he gave them money and whatever else they demanded, or whatever some political demagogue demanded, and took from them whatever he himself was pleased to demand. It was so also in

England, at the period of the Revolution, though there the sovereign had not the absolute character that attached to the Roman; yet, what the king lacked in this respect, Parliament possessed, so that the system of absolutism and of paternalism prevailed there, as formerly in the Roman Government.

Nor is it correct to say, as did the Court, that our institutions are derived from England. Our governmental institutions are as far as possible the opposite of those of England and were intended to be so when they were established. The Government itself, as we have seen, is directly the reverse of that which existed in England when this Government was established. When the institutions of the United States Government were established the governments of Europe ruled by sovereigns who held their powers by "divine right." In the Government of the United States that system was revolutionized and governments were declared to derive their just powers from the consent of the governed.

At that time the governments of Europe were all paternal. The Government the United States is of, and from, *the individual*. For "the distinctive character of the new people as a whole, *their nationality*, so to say, was *the principle of individuality* which prevailed among them *as it had nowhere* done before. . . . The Constitution establishes nothing that interferes with equality and individuality. . . . It leaves the individual alongside of the individual. No nationality of character could take form except on the principle of individuality, so that the mind might be free, and every faculty have the unlimited opportunity for its development and culture. . . . The *institutions and laws* of the country rise out of the masses of individual thought, which, like the waters of the ocean, are rolling evermore!—*Bancroft, Id. par. 7, 9.*

In England, and all other European Governments, religion was held to be an essential element of civil government; but when this Government was formed it was entirely separate from religion, and disavowed not only any connection, but any right to any connection with religion.

The Supreme Court itself is an institution which so far from having been derived from any of the institutions of England or any other European nation, was a new creation entirely. The very form of government, that is, the distribution of its power into legislative, executive, and judicial, so far from being from England or any other European nation, was also a creation. "The tripartite division of government into legislative, executive, and judicial, enforced in theory

by the illustrious Montesquieu, and practiced in the home government of every one of the American States, became a part of the Constitution of the United States, which *derived their mode of instituting it from their own happy experience*. It was established by the Federal convention with a rigid consistency that *went beyond the example of Britain* where one branch of the Legislature still remains a court of appeal. Each one of the three departments *proceeded from the people*.—*Bancroft, Id. par. 18*.

The decision of the Court proceeds:—

The manner in which the due administration and application of charitable estates is secured, depends upon the judicial institution and machinery of the particular government to which they are subject.

This statement is certainly clear enough:

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and in view of it, it is proper to inquire, Why then should the Court find it necessary to go to the judicial institutions and machinery of the governments of Europe, and even to that of Rome which has been dead more than twelve hundred years? However, instead of adhering to the judicial institutions and machinery of our own Government, the Court in the very same paragraph proceeds as follows:—

In England, the Court of Chancery is the ordinary tribunal to which this class of cases is delegated, and there are comparatively few which it is not competent to administer. . . . There are some cases, however, which are beyond its jurisdiction; as where, by statute, a gift to certain *uses* is declared void, and the property *goes to the king*. . . . In such case the king as *parens patrie* [parent of the country or father of the people], under his sign manual, disposes of the fund to such uses, analogous to those intended, as seems to him expedient and wise.

Now in this country there is no king; nor is there anything anywhere, among the institutions of this country that can fill the place, or exercise the office; of *parens patrie*. Here, instead of the Government or any part of it being the parent of the country or father of the people, the case stands just the reverse. The *people* are *the parent of the Government* and everything in connection with it. To secure the inalienable rights of men this Government was established, deriving its just power from the consent of the governed, and whenever the form of Government which was established by the revolutionary fathers becomes destructive of the ends for which it was created, "it is the right of *the people* to alter or abolish it and to institute a new government, laying its foundation on such principles

and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness." So that in this Government, and according to American doctrine, there is no such thing as *parens patrie* and there is no place for such a thing even if the thing should be proposed.

Therefore, as there is in this Government, neither king nor *parens patrie* to which the property in this case might go, it follows logically from the previous statement of the Court (that the administration and application of the estate involved, depends upon the judicial institution and machinery of the particular government to which they are subject), that the decision of the territorial Court should have been reversed and the money involved restored to the individuals to whom it belonged. Such is the logic of the case, according to the principles and institutions of the Government of the United States. But this logic was not followed. Instead of it, the Court proceeded to create and establish a sovereign power, and clothe it with the office of the parent of the country and the father of the people.

The Court first quoted a number of decisions, Roman, Spanish, and English, to sustain the principles which it had adopted from Rome and England, every one of which is of course strictly in accord with the character of sovereignty and paternal-ism which is part and parcel of all those governments; but not one of which is applicable under American institutions, nor can be sustained according to American principles. Then the decision says:—

The authority thus exercised, arises in part from the ordinary power of the Court of Chancery over trusts, and in part from the right of the government or sovereign as *parens patrie*. . . . If it should be conceded that a case like the present transcends the ordinary jurisdiction of the Court of Chancery, and requires for its determination the interposition of the *parens patrie* of the State, it may then be contended that, in this country, there is no royal person to act as *parens patrie*, and to give direction for the application of charities which can not be administered by the court. It is true we have no such chief magistrate. But here *the Legislature* is the *parens patrie*, and unless restrained by constitutional limitations, the Legislature possesses all the powers in this regard which the sovereign possesses in England.

This at once creates a sovereign power and clothes it with paternal authority. And if this doctrine shall be maintained, so that it becomes a principle of American law, and shall become established as a principle of Government here, then the revolution backwards is complete; government of the people is gone; and that of a sovereign

parent of the people is put in its place. Then the doctrine of the Declaration [*sic.*] of Independence and of the Constitution of the United States is subverted and the doctrine of sovereignty, absolutism, and paternalism, is established in its stead. Then also Bancroft's history in the place above cited, will need to be revised so that it shall read as follows: "Is it asked who is the sovereign of the United States? *The Legislature* is the sovereign and *the people* are subjects."

To prove the correctness of its position the Court quoted from Chief Justice Marshall, in the Dartmouth College cases, the statement that "By the Revolution, the duties, as well as the powers of government devolved upon the people." This is true enough, but it is particularly to be noticed that the Court has made these devolve upon *the Legislature*. It is a singular piece of logic that would prove that certain powers devolve upon *the Legislature*, by citing a passage which declares that those powers have devolved upon *the people*. Again, the Court quoted a statement from Chancellor Kent, that "in this country *the Legislature* or *government of the State* as *parens patrie* has the right," etc., and further from Justice McLean, that "when this country achieved its independence, the prerogatives of the crown devolved upon *the people of the States*." Justice McLean's statement, like that of Chief Justice Marshall's is strictly correct in saying that these powers devolved upon the people. But that of Chancellor Kent, like some other legal expressions of his, is utterly false and contrary to American principles. Among American institutions there is no king, and aside from the people there is nothing that corresponds to a king. And even *in* the people all that corresponds to a king is in *the individual*; for each individual American citizen is sovereign and king in his own right.

Again, the Court says:—

This prerogative of *parens patrie* is inherent in the supreme power of every State, whether that power is lodged in a royal person or in the Legislature.

But in this country the supreme power is lodged neither in a royal person nor, in the Legislature; but as stated by Bancroft; in *the law alone*, and in the Constitution that supremacy is defined.

It is true that the decision of the Court is qualified by the expression, that "unless restrained by constitutional limitations, the Legislature possesses all the powers in this regard which the sovereign possesses in England." But this is another instance of the

reversal of the principles of our Government. This argues that the Legislature is already in possession of power, and can exercise that power to the full, unless it is *restrained by* constitution limitations. Whereas, the truth is that the Legislature has no power at all, is possessed of no authority at all, and can exercise none except as it is *granted*. The Constitution plainly declares "The powers *not delegated* to the United States by Constitution nor prohibited by it to the States, *are reserved* to the States respectively, or to the people." The express doctrine of the Constitution is, that the powers not delegated are reserved. The doctrine of this decision implied, if not expressed is, that the powers not prohibited are possessed. This in itself would be sufficient ground upon which seriously to question the correctness of the decision but there is laid against it, by the Chief Justice, additional evidence that the Legislature is restrained by the very constitutional limitations suggested by the Court.

The Chief Justice, with Justice, Field Lamar concurring, dissented from the decision. In his dissenting opinion he speaks as follows:—

In my opinion, Congress is restrained, not merely by the limitations expressed in the Constitution, but also by the absence of any grant of power, expressed or implied in that instrument. And no such power as that involved in the act of Congress under consideration is conferred by the Constitution, nor any clause pointed out as its legitimate source. *I regard it of vital consequence, that absolute power should never be conceded as belonging under our system of government to any one of its departments.* The legislative power of Congress is delegated and not inherent, and is therefore limited. I agree to the power to make needful rules and regulations for the Territories necessarily comprehends the power to suppress crime and it is immaterial even though that crime assumes the form of a religious belief or creed. Congress has the power to extirpate polygamy in any of the Territories, by the enactment of a criminal code directed to that end; *but it is not authorized* under the cover of that power *to seize and confiscate the property of persons, individuals, or corporation, without office found, because they may have been guilty of criminal practices.*

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The doctrine of *cy-pres* is one of construction and not of administration. By it a fund devoted to a particular charity is applied to a cognate purpose, and if the purpose for which this property was accumulated was such as has been depicted, it can not be brought within the rule of application to a purpose as nearly as possible resembling that denounced. *Nor is there here any counterpart in Congressional power to the exercise of the royal prerogative* in the disposition of a charity. If this property was

accumulated for purposes declared illegal, that does not justify its arbitrary disposition by judicial legislation. In my judgment its diversion under this act of Congress is in contravention of specific limitations in the Constitution; unauthorized, expressly or by implication, by any of its provisions; *and in disregard of the fundamental principle that the legislative power of the United States as exercised by the agents of the people of this Republic is delegated and not inherent.*

There can be no doubt whatever that the Chief Justice expressed the truth in this matter according to American principles. It therefore as certainly follows that the decision of the Supreme Court of the United States in this case, is not true American law; that it enunciates principles which, if they become established, do actually create a revolution backwards; and that such a thing has, in fact, been done so far as it is possible for the Supreme Court to go in the matter.

A. T. J.

May 14, 1891

"The Original Parens Patrie in its Practical Workings" *The American Sentinel* 6, 20 , pp. 153-155.

THE principles of sovereignty and paternalism announced for the United States Government by the Supreme Court in the decision which was discussed last week, are of more consequence to the American people at this time than appears in the mere enunciation of the principles; though in that, as we have seen, there is accomplished, as far as the Court can go, a total revolution in the principles of government which were established by the makers of the American Union. This can be more clearly illustrated by following the lead suggested by the Court. It will be remembered that the Court cited Rome as one of the authorities for the position which was taken in the decision; and by a brief examination of the Roman governmental system, in its principle and in its workings, in connection with certain claims and movements which are becoming quite popular in this country, the full meaning of that decision can be more clearly discerned.

In the Roman system the government was supreme, absolute, paternal, and divine. "The idea of the State was the highest idea of ethics; and within that was included all actual realization of the highest good; hence the development of all other goods pertaining to

humanity was made dependent on this."—*Neander*. Man with all that he had was subordinated to the State; he must have no higher aim than to be a servant of the State; he must seek no higher good than that which the State could bestow. "The first principles of their law was the paramount right of the State over the citizen. Whether as head of a family, or as proprietor he had no natural rights of his own; his privileges were created by the law as well as defined by it. The State, in the plenitude of her power, delegated a portion of her own irresponsibility to the citizen, who satisfied the conditions she required, in order to become the parent of her children; but at the same time she demanded of him the sacrifice of his free agency to her own rude idea of political expediency,"—*Merivale*.

It is very evident that in such a system there was no place for individuality. The individual was a part of the State. There was no such thing as the rights of the people. The right of the State only was to be considered and that was to be considered absolute. "The more distinguished a Roman became, the less was he a free man. The omnipotence of the law, the despotism of the rule drove him into a narrow circle of thought and action, and his credit and influence depended on the and austerity of his life. The whole duty of man, with the humblest and greatest of the Romans, was to keep his house in order, and be the obedient servant of the State."—*Mommsen*.

Thus every Roman citizen was a subject and every Roman subject was a slave. It would be difficult to conceive of a system of government whose principles were more radically opposed to those of the United States, than were these.

As the State was paternal the Emperor was father of the people; and as such he gave to the people land, he fed them he gave them money, in short he dealt with them as a father with his children. But even before there was an emperor this principle was the principle of the government. The only change from, the times *before* the emperors, to the times of the emperors, was that in the imperial authority there was merged in one man that which before pertained to *the government* composed of the senate, consulate, tribunate.

In the days of Tiberius Gracchus, B.C. 133, the public lands were leased by the government to capitalists. And though

there was a law which forbade any single holding of more than three hundred and thirty-three acres, the law was of ancient standing and had been gradually disregarded until practically it was forgotten, and

the capitalists had entirely monopolized the public land which they cultivated by slave labor, and the citizens without capital being unable to compete with capital in control of slave labor, were virtually crowded off the land. Tiberius determined that the monopolies should be broken and that the public lands should be restored to the citizens. It was done, and within two years the commissioners appointed to distribute, the land had settled forty thousand families upon public lands which the monopolists had been obliged to surrender. But the commissioners soon became unpopular. Those who were compelled to resign their lands were exasperated, of course. On the other hand, those to whom the land was given were not in all cases satisfied. It was certain that some would be given better pieces of land than others, and that of itself created jealousy and discontent.

But the greatest trouble was, that in the great majority of cases it was not land that they wanted, in fact it was *money* that they wanted first of all; and although the land was virtually given to them and well improved at that, they could not get money out of it without work. It had to be personal work, too, because to hire slaves was against the very law, by virtue of which they had received the land; and to hire freemen was impossible; (1) because no freeman would work for a slave's wages—that in his estimate would be to count himself no better than a slave—and (2) the new landed proprietor could not afford to pay the wages demanded by free labor, because he had to meet the competition of the wealthy land owners who worked their land with slave labor.

The only alternative was for the new landholders to work their land themselves, and do the best they could at it. But as the money did not come as fast as they wished, and as what did come was only by hard work and economical living, many of them heartily wished themselves back amid the stir and bustle of the busy towns working for daily wages, though the wages might be small. The discontented cries soon grew loud enough to give the Senate its desired excuse to suspend the commissioners and then quietly to repeal the law.

Ten years afterward the same thing had to be done over again. This time it was accomplished under the leadership of Caius Gracchus brother of Tiberius; but it was not enough that he should restore the land law that had been secured by his brother. That law, even while it was being worked at its best, was satisfactory to but few of its beneficiaries. The law was restored, it is true, but the prospect of leaving Rome, and going perhaps to some distant part of Italy to

engage in hard work, was not much of a temptation to men who had spent any length of time in Rome, involved in its political strifes, and whose principal desire was to obtain money and the means of subsistence with as little work as possible. It required something more than the restoration of the land law to satisfy these, and Caius granted it.

With the "enthusiastic-clapping" of every pair of poor hands in Rome, he secured the passage of a law decreeing that there should be established in Rome, public granaries to be filled and maintained at the cost of the State, and that from these the wheat should be sold to the poor citizens, at a merely nominal price. This law applied only to Rome, because in Rome the elections were held. "The effect was to gather into the city a mob of needy, unemployed voters, living on the charity of the State, to crowd the circus and to clamor at the elections, available no doubt immediately to strengthen the hands of the popular tribune, but certain in the long run to sell themselves to those who could bid highest for their voices."—*Froude*.

This same thing was repeated over and over before the government became merged in an emperor. In fact it became necessary to repeat it; because, although it was easy enough to distribute the land, it was not so easy to keep it distributed. Those to whom the land was given lived far beyond their means and as the public granaries were open and the poor citizen could get the main part of his living for nothing those who received the land for nothing were not likely to cultivate habits of economy. Their lands were soon mortgaged and at last forfeited, falling back into the hands of the capitalists who, in the nature of things, at each successive turn became monopolists.

Thus at last the distribution of the land became an old story, the distribution of grain still remained a fixture, and as money had to be paid by the government in order to give to the citizen either land or grain, there next naturally grew up the demand that the money should be given direct to the citizen, and in the eyes of demagogy, political necessity justified this step. Cesar gave to each soldier about one thousand dollars, and to each citizen about twenty dollars with house rent free for a year. In addition to this he provided a magnificent feast for the citizens who were supported by the public grants of grain. Twenty-two thousand tables were spread with the richest viands from which the two hundred thousand State paupers feasted, while from hogsheads the finest wine flowed freely.

Then came Augustus, the Emperor in whom was merged all that pertained to the State and the people. He was *parens patrie*. So long as Rome was in the full tide of conquest subduing populous and wealthy countries, levying upon them enormous tributes, robbing their treasuries, and rifling their temples, there was always money in the Roman treasury to furnish the lands, the grain, or even the ready money, which occasion might demand. But when the era of conquest ceased, as it did with Augustus, then also ceased the abundant supply of money. So far from the demands ceasing, however, they went on as before. As the demands were imperative, the money had to be secured from some source, and as now it could no longer be secured by conquest, it had to be secured by other means and other means were employed.

During the reign of Augustus there was need of money by many classes. The regular and legal system of taxation did not furnish enough, and logically enough *confiscation* was the next step. And why not? Was not the Emperor the father of the people? And may not the father divide up the patrimony amongst the children? If some of the children have abundance and others have little or none, may not the father see that there is an equable distribution? It is the father's office to care for the children. The Emperor in the exercise of his office of *parents patrie* did just this thing. Accordingly says Suetonius, "as often as large sums of money came into his possession, by means of *confiscations*, he would lend it free of interest, for a fixed term to such as could give security for double of what was borrowed." Tiberius continued the same practice, for says the same author, "after the example of Augustus and to satisfy the clamors of the people, he loaned money without interest for three years to all who wanted to borrow."

But the parens patrie had not enough money to supply all who wanted to borrow; accordingly, "he first compelled all money-lenders to advance two-thirds of their capital on land; and the debtors to pay off at once the same proportion of their debts. And still there were many who wanted to borrow. Five million dollars was yet required, and in order to obtain it he turned his mind to sheer robbery. It is certain that Cneius Lentulus, the augur, a man of vast estate, was so terrified by his threats and importunities that he was obliged to make him his heir. . . . Several persons, likewise, of the first distinction in Gaul, Spain, Syria, and Greece, had their estates confiscated upon such despicably trifling and Shameless pretensions, that against

some of them no other charge was preferred than that they held large sums of ready money as part of their property."

This was Rome. Such was the system of government to which the Supreme Court of the United States appealed for guidance in the decision which we have considered. And such was the exercise of the dignity of *parens patrie* by the government which originated it, and from which, through the British copy, the dignity has now

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been adopted as a distinct feature of the Government of the United States.

We have stated, however, that there is involved in this matter, that which is of greater importance than simply its adoption by the Supreme Court. These very principles are being advocated by certain classes in this country. Some there are who demand that all the land shall be possessed, or rather held in trust, by the Government for the people and distributed for their good. Senator Stanford has already introduced a bill in Congress which proposes to oblige the Government after the manner of Augustus, to lend money—not exactly free of interest but—at two per cent. for thirty years to all who can give security to double the amount borrowed. In the same line with this the Farmers' Alliance demands that the Government shall build granaries throughout the land and advance money upon the farmers' crops as well as to loan money upon their land, and upon what ever other kind of security may be offered.

In these schemes there is involved the whole Roman system in its practical workings. If these things were done the Government would inevitably become possessed of a vast amount of land and of grain; and with the Government in possession of such commodities and having obtained possession of means, the next thing, and according to those principles reasonable enough too, would be a demand that the Government should supply grain at a favorable if not a nominal price, to the poorer citizens. But back of all these enterprises, in which it is proposed the Government shall embark, there lies the important question, Where shall the Government obtain the money to lend to all who want to borrow, and to advance upon the crops of those who want to sell? This Government is not engaged in wars of conquest as Rome was, nor has it the opportunity to become so.

It is proposed, indeed, by those who advocate the scheme, that the Government shall issue treasury notes to supply all the demands. But the more of such notes that the Government issues, the less any

of them will be worth. A promise of the Government to pay is worth no more than that of a private individual, if it has nothing with which to make the promise good. The Government may print on a piece of paper the promise to pay a dollar or even one thousand dollars; but the only thing that makes that piece of paper worth a dollar, or whatever sum is promised, is the certainty that the Government has that sum of real money with which to make the promise good. But if, without any such certainty, the Government issues a sufficient amount of such notes to supply the demands of all who want to borrow and to all who want to sell, as they demand it, it would be but a little while till none of it was worth anything; and those who invented the scheme would discover this as soon as anybody else. Then they would be ready to demand real money and not mere promises to pay.

But the Government would not have real money sufficient to supply the demand, and even the Government can not make gold and silver. What then? Oh, the monopolists, the millionaires, the money-lenders, and the rich people generally, have vast sums of real money. The people need money, the Government is *parens patrie*, let this father of the people cause an equable division amongst the children. Will it be said that this would be confiscation? and that it can not be supposed that our Government would ever employ such means? It is a sufficient answer to say that the Government has already done it. The Edmunds law, by the decision of the Supreme Court of Utah, did confiscate three millions of dollars' worth of property belonging to the Mormons. The Supreme Court of the United States sustained the decision and confirmed the judgment.

And at the same time, the Court announced the doctrine, that it is not necessary for a corporation to violate its charter to justify the Legislature in dissolving the corporation; but that "Congress for good and sufficient reasons of its own independent of that limitation and of any violation of it, has a full, a perfect right to repeal its charter and abrogate its corporate existence, which of course depends upon its charter." Let that doctrine be adopted by the States as well as by the United States and what corporation can ever count itself secure? All that is necessary to its dissolution is that the Legislature may have good and sufficient reasons of its own, independent of limitations defined by law, to repeal any charter and abrogate the existence of any corporation. And if it be a public corporation the money is at once confiscated. By the very fact of the dissolution the property is forfeited and escheated to the Government as *parens patrie*. And as this is

accomplished by the application of the ancient instead of the modern doctrine, what is to hinder the adoption and the application likewise of the ancient doctrine in the case of private corporations? If it should be, then private property as well as public, would, upon the dissolution of the corporation, be confiscated to the Government as *parens patrie*. And, indeed why should not the ancient doctrine be applied in these instances as well as in the other? If Roman and English governmental principles shall be followed in one set of cases, why not in the other?

Everybody knows that these demands from first to last are already being loudly made by different classes in this country. So long as the American principles of government shall prevail all such wild schemes will amount to nothing; but let the European and the Roman principles of government supplant the American, then what is to hinder the carrying into full effect every item of the different schemes proposed and advocated? This is why we say that the Supreme Court decision, under consideration, means vastly more just at this time than the mere enunciation of the principle which it has adopted.

It is strange enough, indeed, that there should be any class of men who are capable of thinking to any purpose at all who would be so scatter-brained as to make such propositions as those of Senator Stanford, the Farmers' Alliance and others to the same purpose. But the strangest of all things is that the Supreme Court of the United States, should by decision rendered, announce and establish a principle of this Government, the very principle upon which alone any and all of these scheme could be made effective. And that the Supreme Court should cite in its decision that very government by which these things were done in the practical application of the doctrine of *parens patrie*, which the decision makes a distinctive; principle of this Government, is astonishing.

A. T. J.

"Army Chaplains" *The American Sentinel* 6, 20 , p. 157.

UPON the subject of chaplains in the army, General Schofield says:—

Under the conditions now existing a corps of chaplains belonging to many diverse denominations would be like a medical corps, or an engineer corps, composed of the adherents to as many diverse theories on the science of medicine or of engineering. In all other things the War Department prescribes an exact code by

which all in the army are to be instructed and governed; but in religion and in morals it must allow to all in the army the freedom guaranteed by the fundamental principles of our Government. There is, therefore, very little field for the performance of official religious services in the army, and great danger of doing more harm than good by any attempt to exercise military control or influence over religious matters. My impression is that the best policy would be to leave the various garrisons in the army free to select religious ministers of their choice, as other communities in this country do, the action of Congress to be limited to supplying the necessary money to pay for their services, and that of the War Department to regulating the mode of their election. In this manner a large proportion of the troops, if not all, could have the services of their own faith at least a part of the time, which they do not now.

From personal experience we know, not only that there is very little field for the performance of official religious services in the army, but that there is a good deal less performance in this than the size of the field allows; but the General's proposal to have Congress pay for the services of those whom the army might choose, and the War Department to regulate the mode of their election, would leave the question just about as it is now. It certainly would not better the matter any. The only right thing to do is for Congress to abolish all chaplaincies. If this were done the army and the navy would receive much better attention religiously than they possibly can under any system of chaplaincies. The chaplains there are there do the men no good, and they prevent others from doing them any good. If this system were abolished, as it ought to be, then the soldiers and the marines would be visited by those who are really interested in their welfare, and who would do this work because they were interested in it. In this way many times more good would come to the army and navy than can ever possibly come from any system of chaplaincies that could be arranged.

May 21, 1891

"Questions and Answers" *The American Sentinel* 6, 21 , pp. 161-164.

WE have received from a friend in Illinois, a series of questions called out seemingly by our discussion of Mr. Bierbower's book on "Ethics for Society and Schools," with the request that the questions be answered in THE SENTINEL for the benefit of the writer and others. We willingly comply:—

Question 1.—Tell us, please, is true morality based on the ten commandments? And if so on what was it based prior to the delivery of the law on Sinai?

Answer.—True morality is based on the ten commandments. Yet more properly speaking the ten commandments are the expression of the supreme moral rule. They are the summary of morality itself, because they are the expression of the will of God. For says Romans 2:18, thou "knowest his will being instructed out of the law;" and the law there referred to, as the context plainly shows, is the law which teaches that men should not steal, nor commit adultery, nor idolatry. Men delight to do the will of God only when his law is written in their hearts. Psalms 40:8. These texts, with many others which might be cited, show plainly that the law of God, the ten commandments, is the expression of the will of God in respect to character, and God's will is supreme morality, because it is the expression of the will of him who is supremely moral.

True morality was based upon the ten commandments before the delivery of the law on Sinai as well as afterward, because the ten commandments existed before Sinai as really as afterward. Abraham knew the will of God, and kept the commandments. Genesis 26:5. Sin is the transgression of the law of God, and by the law also is the knowledge of sin. 1 John 3:4., Romans 3:20. Sin is not imputed where there is no law, for where no law is, there is no transgression. Romans 5:13 and. 4:15. The law of God, therefore, was known to man before he sinned, and his sin was the transgression of that law.

"All unrighteousness is sin" (1 John 5:17), and as sin is the transgression of the law of God, it follows that that law is the expression of the righteousness of God, that is, it is the expression of the supreme idea of right. Accordingly, it is written, "My tongue shall speak of thy words for all thy commandments are righteousness." Psalms 119:172. And "hearken unto me ye that know righteousness; the people in whose heart is my law." Isaiah 51:7. Therefore, as the law of God, the ten commandments, is the expression of the will of God, in respect to character, and is the expression of the supreme idea of right doing, it stands demonstrated that the ten commandments are the basis and the expression of all true morality or ethics.

The delivery of the law at Sinai, therefore, was not by any means the beginning of the existence of that law. It was there given upon the tables of stone to perform its part in the work of the gospel which was

shadowed forth in the sanctuary and its services. For the tables of stone were placed in the Ark of the Covenant beneath the mercy seat in the most holy place; into which the high priest, as the representative of Christ in his priesthood, went alone once a year in the great day of atonement to make reconciliation for the sins of the people. Thus "the law entered that the offense might abound. But where sin abounded, grace did much more abound;

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that as sin hath reigned unto death, even so might grace reign through righteousness unto eternal life "by Jesus Christ our Lord."

The law of God, the ten commandments, existed before Sinai as really as afterward, for it is a truth well and eloquently expressed by Gibbon: "The God of nature, has written his existence in all his works and his law in the heart of man."—*Decline and Fall, chap. 50, 14.*

Question 2.—If the principles of the moral law are implanted by the Creator in every person's heart, does it not follow then that every person has morality within himself?

Answer.—It does not follow, because all have sinned, transgressed the law, and come short of the glory of God. Morality does not consist in a *knowledge* of the law of God, but in *the doing of it*. He has written his law in the heart of man, but by transgression man has made himself unrighteous. God has planted in the heart of man a knowledge of morality, a knowledge of right, but by transgression man has made himself immoral, and by that also has obscured the knowledge of morality which was at the first planted there, and which would have ever remained had man remained moral.

More than this, by his transgression, by his immorality, man has robbed himself of the power to do fully according to the measure of right which even yet he knows. Every man on earth knows this is so, therefore we say again as we "said in our notice of Mr. Bierbower's book that it is not enough for men in this world to know what is right to do, but they must have the power to do the right which they know. This power comes alone by faith in Jesus Christ for the Gospel of Christ is the power of God unto salvation to every one that believeth.

This whole matter is clearly expressed in Romans 3:19-26. "What things soever the law saith, it saith to them who are under the law: that every mouth may be stopped, and all the world may become guilty before God. Therefore by the deeds of the law shall no flesh be justified [accounted moral] in his sight: for by the law is the knowledge of sin [immorality]. But now the righteousness [the morality] of God without the law is manifested, being witnessed by the law and the

prophets; even the righteousness [the morality] of God which is by faith of Jesus Christ unto all and upon all them that believe; for there is no difference: for all have sinned, [have become immoral] and come short of the glory of God; being justified [accounted moral] freely by his grace through the redemption that is in Christ Jesus: whom God hath set forth to be a propitiation through faith in his blood, to declare his righteousness [his morality] for the remission of sins [immorality] that are past, through the forbearance of God; to declare, I say, at this time his righteousness: [his morality] that he might be just, and the justifier of him which believeth in Jesus. Therefore we have always said and always do say, that outside of a genuine abiding faith in Jesus Christ, there is no genuine morality, in this world.

Question 3.—Did Demosthenes, Aristotle, Socrates, and many other Greek philosophers teach morality? And if not did they teach immorality?

Answer.—They taught what they called morality, but they taught and practiced what was really immorality. Solon and Zeno both practiced what was really immorality. The Greek worship of Venus like that of its Babylonian and Roman counterpart was but open prostitution. The celebration of the mysteries, which was the supreme rite of Greek worship, was but the practice of things unfit to be named, and of which the Scripture has well spoken that "it is a shame even to speak of those things which are done of them in secret." Plato taught both the expediency and the lawfulness of exposing children to die in particular cases, and Aristotle counselled abortion. Both at Sparta and at Athens the exposure to die, or even the killing of infants, who were weak and imperfect in form, was practiced. Customary swearing was commended by the example of Socrates and Plato. Aristippus maintained that it is lawful for a wise man to steal, to commit adultery, and sacrilege when opportunity offered. Menander taught that a lie is better than a hurtful truth. Plato taught that "he may lie, who knows how to do it in a suitable time." And Socrates practiced such lewdness as is not fit to be named.

So far indeed were the Greek philosophers from teaching morality that they both taught and practiced what would not be allowed in the category of common civility in our day. In short, if the Greek philosophers could be set down in the United States to-day and should attempt to practice here what they both taught and practiced in Greece, and counted it morality too, the whole gang of them would

be in the penitentiary inside of a week, and that would be the place for them too. Because *American civilization*, to say nothing at all of morality, would not countenance it for a day.

Question 4 and 6 we omit as they are covered by

Question 5.—If the teaching of what is called morality is destructive to both the public schools and the State, and should therefore be entirely excluded from the teachers' curriculum, is not the right to teach his pupils to be kind, truthful, honest, industrious, pure, etc., by precept and example, taken from every teacher in our public schools?

Answer.—Not by any means. On the contrary the way is opened for every teacher to do these very things in the way in which only it is proper to teach them, and according to the design of the public school. The public school is designed to accomplish two principal things in the youth of the country.

First, to give them such an education as shall fit them, as citizens or members of the body politic, to take care of themselves. It therefore teaches them to read and write and apply the principles of arithmetic.

Second, to be good citizens. It *should* therefore teach the principles of citizenship. And this is but to say that they should be taught the principles of the government of which they are to be citizens. What then are the principles or elements of citizenship? Religion certainly is not one of them. The supreme law of the land declares that "the Government of the United States is not in any sense founded on the Christian religion." If religion be an element of citizenship, it is but a logical step to a religious test as a qualification for office. But again, the supreme law declares that "no religious test shall ever be required as a qualification to any office or public trust under this Government." If religion be an element of citizenship, it is only a logical and proper step that the Government should define and regulate it. But still the supreme law declares, "Congress shall make no law respecting the establishment of religion, or prohibiting the free exercise thereof." Therefore as religion is not in any sense a requisite to citizenship, it can have no place in a course of instruction which is designed to teach the principles and elements of citizenship. And as morality is inseparable from religion, it falls in the same category.

Yet more than this, ethics is the science of right and wrong, but the State does not, and can not, know any such thing as moral right or wrong, but only civil *rights* and *wrongs*. When a man steals, the State does not punish him because he sinned, but because he disregarded

and invaded the *rights* of his fellow citizen, and did him a civil wrong. Now as the Government of the United States, and as also that of the several States, is founded upon the rights of men, there is an ample field open before all the teachers in the public schools for the teaching of all that pertains to good citizenship under this Government without entering the field of ethics as such, nor touching the question of religion or morality.

The Declaration of Independence, the charter of American institutions and the foundation of the United States Government, plainly declares that "all men are created equal and are endowed by their Creator with certain unalienable rights, among which are life, liberty, and the pursuit of happiness." Here is the basis of what ought to be the teaching in all State schools, and the basis is broad enough for everything that is either necessary or proper to be taught in the public schools. It is the inalienable right of every individual in the Government to enjoy life, liberty and the pursuit of happiness. Let all the public school teachers teach to the youth of this Nation,

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and diligently inculcate upon their minds, respect for the rights of every other person.

This the perfect principle of civil government, and if every person in the United States would recognize this principle and practice accordingly, this would be a perfect civil Government. The recognition of this principle and the intelligent understanding of it, ought to be made; not only the public school instruction upon citizenship, but the qualification for citizenship in the naturalization of all who make application for admission. When a person acts in anything, in such a way as to interfere with the free exercise, by any other person, of his right to life, liberty, or the pursuit of happiness, then he denies the principle upon which the Government itself rests, and thereby undermines his own civil safety and in effect forfeits his right to it. Because, as rights are equal, what one has the right to do, another has an equal right to do. If one claims the right to act in such a way as to interfere with the free exercise of another's right to life, liberty, or the pursuit of happiness, then all have an equal right to do the same thing, and if all should do that, then all government would be gone and only anarchy reign. Therefore, as the Government is established to secure the equal inalienable rights of men no one can invade the rights of another, to any degree, without at once striking at the foundation of the Government itself.

Let these principles be taught to the youth of the country, in the public schools, and there will be much more success in the effort to secure good citizens, than there is in the plans and the teaching now employed. As it is now, these principles are neglected if not ignored, and by an attempt to inculcate what is called morals, neither morality nor good citizenship is, secured. As we have shown in the discussion of Mr. Bierbower's book, which we have since learned is used in the Chicago public schools, such teaching can never secure good citizenship. The basis of it all is selfishness only, and as we showed at the time is essentially pagan. But this is not the only instance. The same system of ethics is inculcated in other schools of the country. In the city of Greenville, Michigan, the youth are taught, just as Bierbower's book teaches, that whatever they think to be right that *is* right, and that when the Hindoo mother throws her child into the river Ganges, she does right. (This case was actually used in illustration in a class in that school.) Such teaching as that is open heathenism, and the more of it that is believed by men, the worse they will be.

Again, how can good citizenship be inculcated better, or in any other way in fact, than by teaching the principles of the government to which the citizen belongs? This is plain enough in itself. Therefore, as the principles of the United States Government are the best on earth, the faithful teaching of these principles will secure the best citizenship. Let the principles of the Declaration of Independence and of the Constitution of the United States be taught, in the public schools, and let questions and principles of morality and religion be considered and taught in and by the family and the Church.

Question 7.—When the teacher punishes a pupil for fighting, lying, swearing, or stealing, does he not employ the most emphatic method of teaching morality?

Answer.—Indeed he does not. Morality never can be secured by punishment. The Lord himself can not make men moral by punishment. To bring men to morality by punishment, is the Augustinian, the inquisitorial, the papal, the purgatorial theory. Augustine's doctrine is that often it is necessary to punish men until they reach the highest stage of religious development. That is the theory and the doctrine of the Inquisition. Therefore it was always from love of men's souls and to save their souls that the Inquisition tormented men's bodies. And as a good many people died in this world before the Inquisition could get hold of them, it was necessary to find a place, and invent a scheme of punishment after they were

dead, so that they might reach this highest standard of religious development; in other words that they might attain to morality, and so purgatory, with its remedies for immorality, was established, and is still run as one of the institutions of papal morality. If men could have been made moral by punishment then Christ need never have died.

Our querist is probably correct in his idea that this is the most "*emphatic*" method of teaching morality, but it is certainly not the most efficient method. Nor is it in fact any method at all properly speaking. No, as we have before shown, men have lost morality by the transgression of the law of God, and there is no power in them to attain to it. Consequently, the only power by which they can attain to it, is the power of God which is manifested to men in the gospel of Jesus Christ. Morality is the gift of God through faith in Jesus Christ, and the writing of the law of God anew upon the heart by the Spirit of God which is received by faith Christ, the shedding abroad of the love of God in the heart by the Holy Ghost, is *the only effectual means of bringing men to morality*, and the only proper method of teaching morality. Punishment is the penalty inflicted in vindication of the majesty of violated law, but punishment neither changes the disposition, nor bestows, power. The love of God does both.

Even if it should be admitted, however, that punishment is an element of moral instruction and a means of inculcating morality, it would still remain a fact that the exercise of it is not the prerogative of man. That would pertain to God alone as being the only one who is capable of truly knowing the measure of moral guilt and the proportion of punishment. Man's assumption of authority to punish for morality, established the Inquisition, and that is the logic of every such claim wherever made.

Question 8.—Does not the teacher of necessity teach morality when he gives instruction from our text books on physiology, and hygiene, which includes the dire effect of alcohol on the human system, the necessity of cleanliness; bad effects of tight lacing, etc.?

Answer.—He does not. A man may study physiology and hygiene all his school days; he may never touch a drop of alcohol; he may bathe three times a day and put on clean clothes each time "he may never wear a corset; he may do all these things and yet be far from be a moral man. In fact, so far as men are concerned, tight lacing we apprehend is not a very important element in the immorality which attaches to them. Nor is it essential that women shall practice tight lacing in order to be immoral. It is true that if a person has the root

and the elements of morality in him, the instruction referred to may be helpful in cultivating it; but if he has it not in him thee—none of these things nor all of them together, can give it to him, and a teacher is not teaching morality when he gives instruction on these points.

Question 9.—Does not the teacher of necessity teach morality when he teaches the principles of justice as connected with the republican form of Government which is framed on the Declaration of Independence and the Constitution of the United States?

Answer.—He does not. He teaches only civility. Because the principle of justice connected with any government on earth is only such as is comprehended by men; and is therefore only human. And this principle, as connected with the form of government which is framed on the Declaration of Independence and the Constitution of the United States, the teaching of the principle, and the practice of the principle never can get beyond the of civility. It is the principle of justice comprehended by God which is alone divine and which is up to the standard of morality. God's justice is in itself morality; but civil government, which rests upon the natural basis which is conducted only on man's comprehension of the principle of justice, can never get beyond the civil. Therefore civil government is all any earthly government ever can be, and it should not attempt to be anything else. For in attempting to be more, it always, becomes less.

We know that in many instances men use the term morality when they mean just what we mean by the term civility. When such is the meaning in their use of the term, we agree with all that they say about it; but we never can consent to call it morality. Morality is infinitely a deeper

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and a broader term than is the term civility. The field of morality is much wider and in fact is essentially distinct from that of civility. Therefore, we always insist upon the distinction which there is between them, and which should always be made and recognized between them.

We know that the term morality has become, to a considerable extent, established in usage in a sense in which it means neither morality nor civility, but a sort of sentimental theoretical something that each theorist may have framed for himself, meaning much more than civility and infinitely less than morality. But such usage is wrong. It comes down to our time from the time when the Papacy was supreme and when accordingly there was utter confusion of all things pertaining to the Church and to the State, of the civil and the

religious; when in short everything was held to be moral, according to the papal idea of morality. And everybody who has looked into the history of those times, knows full well that under the papal dominion and in the papal system there never was any such thing as either morality or civility.

Moral government is God's government. Morality is the realm of God. He is the Author and the conservator of it. Civil government is ordained of God, and its purpose is civil only. For these reasons we constantly insist upon a clear distinction in the terms morality and civility, and in so doing we occupy Protestant ground. The great confession made at Augsburg in 1530 declared as follows:—

The civil administration is occupied about other matters, than is the gospel. The magistracy does not defend the souls, but the bodies, and bodily things, against manifest injuries; and coerces men by the sword and corporal punishments, that it may uphold civil justice and peace, wherefore the ecclesiastical and the civil power are not to be confounded. . . . In this way ours distinguish between the duties of each power, one from the other, and admonish all men to honor both powers, and to acknowledge both to be the gifts and blessings of God.

This is Protestant truth. It is Christian truth. It is God's truth. And as we are Protestants and Christians and worshipers of the Most High God, we insist forever upon a distinction between the religious and the secular, the moral and the civil; rendering to Cesar the things which are Cesar's and to God the things that are God's.

A. T. J.

June 11, 1891

"There Is Mischief in It" *The American Sentinel* 6, 24 , pp. 185-187.

WE have received three long letters from three different individuals, in the East, the South, and the West—one in this city, one in North Carolina, and one in Iowa—criticizing our article of three weeks ago on paternalism in government, and especially that part of it which refers to the Farmers' Alliance. We cannot print all three of the letters, nor indeed is it necessary as they all speak the same thing in the main; and as we do not wish to seem partial we print none in full, but notice the material points of each and all.

Two of the letters we received shortly after the article appeared; but as one of them thought we had not studied the Alliance from the

right side, and as the National Conference of the Alliance was soon to meet in Cincinnati, we thought it well, to wait till we could have the official and authoritative statement of just what they propose upon the point to which we referred.

The Alliance met and conferred, and established a platform of principles, and upon the point to which we had referred this platform says:—

We demand that legal tender treasury notes be issued in sufficient volume to transact the business of the country on a cash basis without damage or especial advantage to any class or calling, such notes to be a legal tender in payment of all debts, public and private, and *such notes when demanded by the people shall be loaned to them at not more than two per cent. per annum, upon imperishable products, as indicated in the sub-treasury plan, and also upon real estate with proper limitation upon the quantity of land and amount of money.*

As this is precisely what we said the Alliance proposed to do, certainly it can not be said that we misrepresented the Alliance in the least. Not only can it not be said that we misrepresented the proposals of the Alliance; but it cannot be said that we misrepresented in the least the results of the carrying into effect of such proposals. The words which we have here quoted from the platform of the National Alliance, contain all that we said in the article which these three friends-propose to criticise. It is not necessary for us to re-state these results, that I might be but to reprint that article. We simply ask our friends to turn again to that copy of THE SENTINEL and read it with this quotation from the National Alliance platform.

The proposal of the Alliance contains all that Rome ever was: and every person who will take but three steps in a process of thinking, and they are but the inevitable steps following the proposal, must admit that this is so. Let this plan be adopted as the course of governmental; action. Then the first and inevitable step following it, will be that the Governmentt will soon become possessed of a large amount of land and "imperishable products." Then the second and inevitable step will be that this land will be absorbed by the capitalist, the "imperishable products" will be handled by "the bulls" and "bears," and the prices of both the land and the "imperishable products" will be the highest, that the speculators can force them up to, carrying in their train yet heavier stress upon the farmer and producer, and greater "distress and even pinching want upon the day laborer. Then

the third and inevitable step will be a general distribution of the land and the "imperishable products" to the people. This course will be followed round and round a few times, gradually robbing the people of the spirit of self-dependence which alone makes manly men; and as self-dependence vanishes self-government goes, and the people, instead of governing themselves, must be governed by the Gov-

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ernment, instead of the people looking to themselves for the government they look to the Government for government itself, as well as for everything else; and the only possible outcome is an unmitigated despotism. And the, despotism will be none the less real, and none the less cruel, though it be by many rather than by one. In Rome there was a despotism of the many long before there was a despotism of one. In a government of the people, and Rome was first a government of the people, it is impossible to be otherwise. In a government of the people there must be a despotism of the many before there can possibly be a despotism of one. And when there is a despotism of the many, it is only a question of time when there will be a despotism of one. The gradation is *first* of the many, *next* of a few, *then*, and last, of one. Only in the freedom of the many, is there free government.

In this view we touch the main point of the letter of our Iowa friend, in his remark that he and THE SENTINEL "differ widely in our opinion of what constitutes American principles." Yes, we do. Although we both speak of government of the people, we differ widely as to what constitutes a government of the people according to American principles. The American principle is not merely a government of the people, but a *free* government of the people; while the principle of our friend from Iowa and the Farmers' Alliance is that of a despotic government of the people—a government of the people according to the paternal and despotic principles of the *Roman* government of the people. The true and American idea of a government of the people is self-government—the government of the individual by the individual; the Roman paternal Farmers' Alliance idea of government of the people is government of many by many, by a few or by one. The American principle is self-help and governmental protection. The Roman or Farmers' Alliance principle is governmental help and self protection or no protection at all.

Our friend in this city, upon a misconception of the exact situation justifies the doings of Rome in this particular, in the following words:—

Now let us go to Rome. Where did those men who had large estates get them? By what power did they hold them? What alone gave them value? In the first place they were granted to them by the government, that is by some sort of government; they held them by the power of the government; and it was the protection afforded by government that made it possible for them to use the lands for agricultural purposes. They both held the lands and cultivated them by injustice and oppression; they were simply robbers of the poor people; they were simply highwaymen extorting, by color of law, labor and other things of value from those who had no power to resist them. Instead of doing a wrong the emperors who sought to correct this state of affairs did just the right thing, only they did not go far enough. And the fact that they failed because of the low moral condition of the people, and the natural greed of mankind, is not a valid argument against that which they tried to do.

Clearly our friend has misconceived the situation.

First, What he speaks of as having been done by the emperors, was not done by them. This work was all past before the emperor came in fact, though the first step in it involved the emperor who afterward did come in fact.

Secondly, The land was not "granted" to those who held it, in the common acceptance of the term, and as we suppose the word is here used. The land was public land. It belonged to the State, and was still really possessed by the State, and was *rented* to these occupants for a stated annual revenue. And the occupiers of the land held it under formal contract, and for a consideration. The only flaw in the tenure was that some of the renters occupied more land than an ancient law allowed; and even this flaw was rather technical than real because the law was obsolete, it had in fact fallen into complete and "innocuous desuetude." And it was here revived and enforced, just as our old and forgotten Sunday-laws now are upon occasion, when some special advantage is to be gained by it.

Thirdly, From these facts it is evident that it cannot justly be said that they held the lands and cultivated them by injustice and oppression; nor that they were highwaymen robbing the poor people, etc., who had no power to resist them. The land was of no use whatever to the State, unless the State could receive some revenue from it. For this reason it was rented, and the revenue from the rental went to the State, that is to the people, for the government was of the people. And instead of the people having no power to resist this

"oppression," they had power to resist it, they *did* resist it, and abolished it, and gave away the land to some of themselves for no return whatever.

And *then* it was soon demonstrated that the former system had been one of neither oppression nor robbery of the people, because from the very beginning the most of those to whom the land was given were so dissatisfied that they actually sold out their holdings to the very capitalists who had formerly occupied the lands. The others lived beyond their means, got into debt, mortgaged their holdings, and then had to let them go, on the mortgage, so that in a very few years all the public lands were again held by the very capitalists from whom they had been taken. And more than this they were now held by these men, and were worked for absolutely *no return to the State*, whereas they had formerly paid an annual rental. So that the only tangible point of this proceeding was to deprive the State, and therefore the people, of a certain fixed annual revenue and therefore to make the burdens of the people heavier than they were before.

The same thing was gone through with again and again, and each successive time with worse results both to the government as such, and to the people as individuals, developing more and more the despotism of the many, till it was merged in a despotism of three—the first triumvirate—which ended in the despotism of one, whom they murdered, which immediately again by a despotism of three—the second triumvirate—which ended again in the despotism of one—Cesar-Augustus—and the final establishment of the imperial despotism, the most horrible civil despotism that ever was, and which continued until Constantine and the political bishops turned it into the most horrible religious despotism that ever was.

That was the end of that story then and there, and the perfect likeness to it will be the end of this story now and here.

And this answers the query of one of our correspondents, as to what business has THE SENTINEL, a religious paper, to touch this question which is political. We are persuaded that THE SENTINEL has not mistaken its calling, nor spent its efforts in vain in this respect. THE SENTINEL is a religious paper, that is true, and it exists for the sole purpose of exposing to the American people the movement for the establishment of a religious despotism here, after the model of the Papacy.

But no religious despotism can ever be established over a free people. It were literally impossible to establish a religious despotism

over the royal freemen who made the Declaration of Independence and the American Constitution.

This gradual but steady perversion and subversion of the genuine principles of this Government as established by our fore-fathers, this steady inculcating of the principles of paternalism, is but sowing the seeds of a despotism—whether of the many, of the few, or of one, it matters not—which at the opportune moment will be joined by the political preachers, and out of the wicked alliance thus formed there will come the religious despotism in the perfect likeness of the one which was before, and against which the continuous efforts of THE AMERICAN SENTINEL have ever been and ever shall be directed.

And *that is* the reason, and the only reason, yet reason enough, why THE SENTINEL, a religious paper, touches this otherwise political question.

We are inclined to agree with our friend of this city, that the government of Rome, in the case referred to, "did just the right thing," *according to the principles of that government*. But "the right thing" was the wrong thing, because *the principle* of the government was wrong. It was the paternal principle, and the right thing for a paternal government to do is the wrong things for any government to do, because no government should be paternal.

This brings us to the one chief point which all three of our correspondents make, and upon which they all three agree. As expressed by our friend of this

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city, which is but the expression of all three, it is as follows:—

Several times since I have been in New York the speculators in Wall Street have got into a tight place and the United States Treasury has come to their relief. Once it did it by paying nearly six months in advance a large lot of interest upon Government bonds. On several occasions it has bought up a large lot of bonds that it would not otherwise have bought. And what was it all for? Simply to save from financial ruin a lot of men who in their greed

for wealth had got beyond their depth. Now why is it any worse to do something of the same kind for the agriculturists? Why if the Government is to help anybody, why if it is proper for it to save the speculator from bankruptcy in an evil day, is it not equally proper for it to give a helping hand to the farmer in a bad season, or in close times?

This is well put, and to all of it we heartily by reply, Why, indeed? It is no more the province of the Government to help the rich than it is to help the poor, or to help the banker or the stock gambler than to help the farmer or the hod-carrier. And IF it is to help the one, logically it must help the other. If it is to be a parent to one it must be the same to all. But there is the *if*, and that is the point. It is not to help any of them; it is not to be the parent of any.

And here is just the difference between THE SENTINEL and our three correspondents and the whole movement in behalf of which they speak. THE SENTINEL is totally opposed to any of it and all of it, and to the principle upon which any of it is done; while on the other hand this movement pretends to object to, and makes great capital of, the evil of applying the principle to a few, and proposes to cure the the [*sic.*] evil by applying it to all. That is an evil which exists contrary to the principles of the Government, they propose to cure it by fixing it as a principle of the Government, and by multiplying it ten thousandfold. In other words, they simply propose to make this evil the fulcrum by which they will lift themselves into the place and power where they can do for themselves a great deal more than has ever been done in this Government for anybody else. The truth of the matter is when the movement shall succeed, as they surely will, if not in this particular line, then in some other, the end of it all will be a sort of general scramble to see who shall get the most. And this is the sum and the substance of the whole thing.

It may be that our correspondents will not agree with us just now; but that matters nothing to us. Five years ago when THE SENTINEL first called attention to the movement to establish a religious despotism, we were criticised and pooh-poohed for that more than we are now for calling attention to this surest forerunner of it. But THE SENTINEL knew then just what it was doing; and it knows now what it is doing just as well as it did then. Those who objected then, know now that we were right then; and those who object now may know sometime that we were right now; and we shall have known it all the time.

There is another point or two in the letters, such as what constitutes real money, etc., which it is not necessary to discuss, and which perhaps need not to have been mentioned in the first place, as the only object that we had in view was to call attention to the civil despotism that lies in the Supreme Court decision coupled with the general movement which corresponds to it. And we are perfectly

willing to trust to the event to demonstrate that the coming religious despotism will be established substantially in the manner here outlined.

Now in closing, let us not be misunderstood, and let us not be misjudged, in this matter. We would not be understood as reflecting upon the farmers nor upon the Alliance as such. It is entirely at the *principle* that we aim. THE SENTINEL has nothing at all to do with parties of any kind either for or against, but with principles only. We do not say for a moment that the Farmers' Alliance as such, nor the individuals who compose it, *intend* what we have pointed out. We simply say that the mischief is in the principle, and it will appear and will do all that we have said in the face of their best intentions.

It is the same way with the Woman's Christian Temperance Union and others who are working for religious legislation. They do not all intend to establish a religious despotism, they do not all intend to persecute, but a religious despotism with its attendant persecutions, is in the principle of the thing, and will all appear as surely as they secure what they demand, nor will either the wickedness or the cruelty of the thing be relieved by the fact that they did not intend it.

We say to all, have nothing to do with either the religious or the civil movement. In religion let your dependence be upon God, and not upon the Government. And in civil things, let your dependence be upon your own manly *self* and not upon a paternal, pampering, coddling, meddling government, which must needs tell you what you shall eat and drink and wear, how long you shall work, when you are tired, when you shall rest, and when you shall be religious.

A. T. J.

June 25, 1891

"Be Careful What You Call It" *The American Sentinel* 6, 26 , pp. 201-203.

AT a funeral in Millbank, South Dakota, April 26 last, there was distributed in the pews of the church in which the funeral was held a number of copies of Woman's Christian Temperance Union leaflet No. 31, Sabbath Observance Department. A friend who was at the funeral sent us one of the leaflets. It is entitled, "Seventh Day Question Box, as Answered from the Lecture Platform by Mrs. J. C. Bateham." It is composed of eight questions, to which answers are given by Mrs. Bateham, and which on account of the cause which they represent are worth laying before the readers of THE SENTINEL. The first question and answer read as follows:—

Is it right to legislate on religious subjects?

Answer. That depends upon what are called religious subjects. In the wonderful arch of law on which all other laws are based, and which we call the ten commandments, the keystone—dropped there by God's own hand—is the fourth commandment. It connects on the one side with our duty toward God, and on the other with our duties toward man. God speaks of this law as the two tables of the testimony. Now if we count the words and put half on the first table and half on the second, we find we have divided the fourth

commandment and put the first part, "Remember the Sabbath day to keep it holy," on the first table where it belongs, as containing our duty to God. This is the basis of our Christian Sabbath. On the second table we have put the rest of the command, all of which pertains to our duty to man, and which is the basis of our civil Sabbath. No one asks Sabbath legislation in order that the day may be kept holy; that lies between God, and the conscience. With reference to the second table, we legislate against murder, theft, adultery, and bearing false witness; why not also to protect the rest day of the fourth commandment? If one is religious legislation so are they all.

So it seems from this that whether a thing is religious or not depends altogether upon what you call it. If you call it religious, then it *is* such, and if you call it something else, then it is not religious. This in fact is the rule which is followed by the Woman's Christian Temperance Union and the other organizations that are working for Sunday laws. Every law that they propose is framed in religious phrases and proposes to enforce the religious observance of the day, and yet they all call them civil laws. They *call* it a civil Sabbath and the observance which they intend to enforce they *call* the civil observance of the day; and of course that is what it is, because they call it that; and the religious words, phrases, and intent, of the proposed laws are all taken away by simply calling the thing *civil*. Then, on the other hand having thus committed themselves to civil and political things; when they are charged with being political organizations and with working for political power, advantage, and control, they assume an air of virtuous indignation and declare that they are religious organizations having nothing at all to do with politics, and that their work is altogether religious work. And then of course it is all religious because they call it that. If Jeremiah had only known of this rule, he need never have inquired, "Can the leopard change his spots?" He could have simply observed, The leopard *can* change his spots by calling them something else. In fact, whether he has any spots at all or not, depends altogether on what are called spots.

This is a very pretty theory that Mrs. Bateham has framed for the dividing of the commandment and having the first half relate to God and the second half to man. Let us test it and see how it will work. Here is the fourth commandment as God gave it:—

Remember the Sabbath day, to keep it holy. Six days shalt thou labor, and do all thy work; but the seventh day is the sabbath of the Lord thy God; in it thou shalt not do any work, thou, nor thy son, nor thy daughter, thy manservant, nor thy maidservant, nor thy cattle, nor thy stranger that is within thy gates; for in six days the Lord made heaven and earth, the sea, and all that in them is,

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and rested the seventh day; wherefore the Lord blessed the sabbath day, and hallowed it.

She says, "Count the words and put the first half on the first table and the second half on the second, and we find the first part going on the first table contains our duties to God, and all the rest put on the second table pertains to our duties to man:" that the first part forms the basis for the religious Sabbath and the second half the basis for the civil Sabbath. Now there are ninety-four words in that fourth commandment. To divide these words equally the division must be made including the forty-seventh word. The forty-seventh word is "manservant." All of the command, therefore, up to and including this word, according to Mrs. Bateham's theory, belongs on the first table, as containing our duties to God; and all after that word belongs on the second table, as pertaining to our duty to man.

Now, by what rule is it that the Woman's Christian Temperance Union will make the words, "nor thy son, nor thy daughter, thy manservant," apply to our relationship to God, and make the words, "nor thy maidservant, nor thy cattle, nor thy stranger that is within thy gates," pertain only to our duty to man? Besides, is our relationship toward our cattle our relationship to our fellow-man? Does man's duty to his cattle pertain to his duty to man? And by what rule is it that the Union, by Mrs. Bateham, makes our relationship to son, daughter, and manservant pertain to God? and our relationship to maidservant, cattle, and stranger pertain to man? By what rule is it that these "devout and honorable women" (Acts 13:50.) make the words, "for in six days the Lord made heaven and earth, the sea, and all that in them is, and rested the seventh day; wherefore the Lord blessed the Sabbath day and hallowed it"—by what rule is it that they make these words pertain to our duty to man? Just where is it in these words that our duty to man comes in? How much of our duty to man is involved in either the fact, or the statement of the fact that in six days the Lord made heaven and earth, the sea, and all that in them is? or the fact that he rested the seventh day? or that he blessed the Sabbath day

and hallowed it? And if these words pertain to our duty to man, why is it that the words in the first part of the commandment, "six days shalt thou labor and do all thy work, but the seventh day is the Sabbath of the Lord thy God in it thou shalt not do any work," do not pertain likewise to man? In short if those last words in the commandment pertain to our duty to man, then why is it that all the words in the commandment do not likewise pertain to man? Why is it then that the whole of the fourth commandment does not pertain to man just as fully as that part which Mrs. Bateham has assigned to that place? This is just the logic of the whole "civil" Sunday-law movement. It absolutely denies divine character and basis of the Sabbath and reduces it wholly to the human. And this is only to destroy the Sabbath just as far as this view of it is accepted.

The ten commandments are spoken of in the original Scriptures as the "ten words." Each word is the expression of a distinct thought. And the thought expressed in the fourth of the ten words pertains as wholly and as certainly to our duty to God as any of the three which precede it. "Remember the Sabbath day to keep it holy. The seventh day is the Sabbath of the Lord thy God. In it thou shalt not do any work." Why? Because God rested the seventh day; in it he did no work. Why keep it holy? Because "the Lord blessed the Sabbath day and hallowed it." "Six days shalt thou labor and do all thy work." Why? "Because in six day the Lord made heaven and earth." It is the Lord alone who is held in view in both the first part and the last part of this commandment. The first part states the facts, and the last part simply states the reason *for observing and commemorating the facts*.

This word does indeed speak to man of his son, his daughter, his manservant, his maidservant, etc., not because it contemplates his duty to man, but because it contemplates his duty to God; contemplates man as the head of the family, and as such responsible to God for the conduct on the Sabbath day, of those under the jurisdiction which God bestowed upon man in his headship of the family. So that as a matter of fact, as a matter of truth, not only according to the fourth commandment it-self as God spoke it and wrote it, but according to all the other Scriptures upon the question, the fourth commandment pertains wholly to man's duty to God as the Creator of the heavens and the earth the sea and all that in them is.

It may be indeed that Mrs. Bateham means not the counting and dividing of the words of, the fourth commandment alone, but of the whole law, and that thus the division will be made so as to leave on

the first table the words, "Remember the Sabbath day to keep it holy," while the the [*sic.*] rest of that commandment will go upon the second table; but this is not true in the way she states it. In her statement it is implied that if the words be counted and evenly divided, only those words of the fourth commandment which say, "Remember the Sabbath day to keep it holy," will be left upon the first table. But this is not true in any sense. To count the words of the whole law and divide them evenly, the dividing line comes in the middle of the word "is," in the expression, "the seventh day is the Sabbath," leaving the "i" on the first table and the "s" on the second table." In fact there is no possible way in which either the commandment alone or the ten commandments as a whole can be counted and divided so as to leave on the first table only those words of the fourth commandment which Mrs. Bateham implied will be left there by the division which she has suggested. In fact any attempt to divide either the law as a whole, or the fourth commandment alone, as suggested by Mrs. Bateham and published by the Union, only turns the holy law of God into Woman's Christian Temperance Union nonsense.

The truth is, and everybody who will look can see it, that this whole scheme is of the same piece with all the the [*sic.*] Sunday-law trickery from beginning to end; and that it is a fraud. More than this, it can readily be seen by any one who will look, that in this thing the Woman's Christian Temperance Union, by the hand of Mrs. Bateham, has not hesitated to profanely put its officious fingers to that holy document which God deigned to write with his own finger for the guidance of men; and has presumed to divide, separate and dissect, the fourth of God's ten words, and authoritatively assign to God his portion and to man his portion, according to her arbitrary will. After this what is it that may ever be expected to escape the obtrusive meddling of the Woman's Christian Temperance Union, and especially the Sabbath Observance Department of that Union, when the words which God spoke with his own voice which shook the earth, and wrote with his own finger upon tables of enduring stone, cannot be suffered longer to remain as he spoke them and as he wrote them, but must be divided up and distributed about at their officious and arbitrary will? And when this is done in order to justify their grasping for power by which they may enforce upon all, their arbitrary views of what pertains to God and man, then what further place is there left for either God or man?

Much has been said, none too much, of the presumptuous arrogance of the Papacy in its tampering with the law of God by which it exalted itself above God; but such action of the Papacy differs not one iota in principle from this piece of tampering with the same law by the Woman's Christian Temperance Union. The only difference between this action and that of the Papacy is in degree, for there is no difference in kind.

The rest of Mrs. Bateham's answer is just as far from the truth, in the sense in which she means it, as this part which we have noticed. It is true that we legislate against murder, theft, adultery, and bearing false witness; but what she means is that this legislation is with respect to the commandments of God, and that it for-bids these things as violations of the commandments: but such is not the case in any sense. According to the commandment, to hate is murder, to covet is to steal, to think impurely is to commit adultery. Any government, therefore, that should attempt to legislate upon these

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commandments or to punish men for their violation of them, would have to punish as a murderer the man who hates another, to punish as a thief the man who covets, and as an adulterer the man who thinks impurely. In short the civil power does not legislate with reference to these commandments, nor does it punish men for doing these things because they have violated the commandments of God. Such crimes and such penalties have no respect whatever to the commandments of God. From time immemorial governments that knew nothing about God have legislated with respect to these things and have punished these crimes. The Inquisition is the only logical outcome of any attempt to legislate upon or punish these things as violations of the commandments of God; because in order to such a punishment it is essential that cognizance be taken of the thoughts and intents of the heart. And this is the logic of the whole Woman's Christian Temperance Union—National Reform-Sunday-law movement. And so, according to the Woman's Christian Temperance Union scheme, her closing words are true. "If one is religious legislation, so are they all;" and as it is a fact that one is religious legislation, it is likewise a fact that if these people could have the power to legislate upon all, all would be religious legislation. And this is but to express the truth that their whole scheme is religious whether they call it so or not. The nature of the thing does not depend upon what it is called, but upon what it *is*; and religious legislation

from beginning to end is just what it is.

A. T. J.

July 9, 1891

"Sunday-law Ideas of Protection" *The American Sentinel* 6, 27 , pp. 209-211.

THE second question and answer in the Woman's Christian Temperance Union Leaflet No. 31, the first of which we noticed last week, is as follows:—

Question 2.—In the preamble of our Constitution we find this pillage: "Establish justice and secure the blessings of liberty to ourselves and to our posterity." Would it be justice and liberty to dictate to a free people what day to keep holy?

Answer.—Certainly not; yet the day generally considered holy should be protected from disturbance, and in order to establish justice and secure the blessings of liberty to ourselves and our posterity we must protect the right of all to a day of weekly rest.

This answer, like the one that preceded it, is a queer mixture. First it confesses that certainly it would not be justice and liberty to dictate to a free people what day to keep holy, and then immediately contradicts that by declaring that it is necessary so to dictate in order to establish justice and secure the blessings of liberty to ourselves and our posterity. This is precisely what the answer amounts to. It declares that though it would not be justice and liberty to dictate what day to keep holy, yet it demands that "the day generally considered holy" should be *protected*. Notice: it is the *day* that is to be protected, and not the people. It is the day as a *holy day* that is to be protected, and not the people. That is, the Government is legislatively and legally to declare that Sunday is a holy day; and then is to protect from disturbance, that holiness. That is, the Government is to allow nothing to be done on that day which would be out of keeping with the character of holiness which the Government, to please a certain class of people, shall have declared attaches to the day. Just so surely as the Government does such a thing as that, the very doing of it does dictate to a free people what day to keep holy. It even goes further than this, it actually compels them to keep it holy; for not to allow a people to do on a certain day declared to be holy anything that would be out of harmony with the declared holy character of the day, is to compel them to conform to the declared holy character of

the day, and therefore does actually compel them to observe the day as a holy day.

But why should a day generally considered holy be protected by the Government as a holy day? What right has the Government to adopt and to enforce upon all the people the ideas of holiness which are held by a part of the people? What right has the Government to compel one part of its citizens to conform to the ideas of holiness entertained by another part of the people? This is simply to ask, What right has one part of the people to compel the other part of the people to conform to their ideas of holiness? What right have I to compel my neighbor to adopt my ideas of holiness as his, and to compel him to observe these as though they were his own? This makes me a judge for him in matters of religion. This is at once to put myself in the place of God, and to usurp his prerogative; and when I add to this the claim of the right to compel my neighbor to conform to my ideas of holiness, then I have not only usurped the prerogative of God, but have begun to exercise that of the devil.

Questions of holiness are to be decided by God alone for *the individual*; and individual is to decide for himself before God, and as God may enlighten his conscience, what is required of him in the way of holiness and the observance of holy things. No government has any right whatever to exert its authority in behalf of anybody's ideas of what things are holy. This is what has cursed the

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world from the day that the Saviour sent his disciples to preach the everlasting gospel, and thus to set before the people of this world the true ideas of true holiness. In the Roman Empire the gods were "generally considered holy." The emperor as the living representative of the chiefest of these gods was particularly and almost universally "considered holy;" and the government considered it to be its bounden and supreme duty to "protect" these things which were so "generally considered holy."

Therefore when the Christians, announcing and observing the true ideas of holiness which Jesus Christ had given them, disregarded as the unholy things which they were, all these things which were so "generally considered holy" and to protect the holiness of which the government exerted its utmost power,—this, and this alone, it was which caused the persecution, even to death, and for so long a time, the first followers of Jesus Christ. Yet in the face of all the exertion of all the power of the government the Christians steadily and positively

refused to recognize any such ideas of holiness, or to submit to the governmental power in its exertions to "protect" the things so "generally considered holy." And by their devotion to the genuine principles of holiness as announced by Jesus Christ, they compelled the Roman Empire to renounce its ideas of protection to the things so generally considered holy, and to leave every man free and undisturbed to pursue his own ideas of holiness and to observe for himself such things as he might consider holy.

Then when the Papacy was formed and the power of the empire was seized upon by the professed Christian Church, just as these people are now trying to do to "protect" the day and the things "generally considered holy," there was again introduced the spirit of persecution and the principles which produced the Dark Ages and the fearful despotism that ruled in those ages. And when the Reformation came, again holding before the world the true ideas of holiness and of holy things as announced by Jesus Christ, the persecutions which were inflicted upon those who chose to disregard the governmental idea of holiness and holy things, outdid by far the persecutions which pagan Rome had inflicted at the first upon those who chose to decide for themselves before God what was required of them in the matter of holiness and holy things. And our fathers who framed this new Nation, seeing the long course of oppression marked by a steady stream of blood in the attempts of government to protect things and institutions generally considered holy, decided that this Government should be cursed with any such thing, and therefore declared that "no religious test shall ever be required as qualification to any office of public trust under this Government;" and that "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof," and so they rightly decided to leave holy things to themselves and to protect themselves.

In fact this is all any government, can rightly do. No government can really protect anything that is really holy. If it be indeed holy, whatever connection the government has with it will just as certainly make it unholy to the extent that this connection is recognized by anybody. The sum of the whole matter is just this: If a thing be really holy, it is fully able to support its own character of holiness, and to secure respect for itself as such. If it is not really holy, then it ought not to be protected at all, for the sooner the falsehood is exposed and the unholy thing destroyed, the better for all concerned. The government can not protect a thing that is really holy, and to protect a

thing that is unholy is to compel men to unholiness, to sin, and thus to make them worse than they could possibly be otherwise. If the Sunday institution has not enough holiness to sustain itself, and to secure the respect and observance of the people, then let the fact be known, let the fraud be exposed, and let the thing stand forth in its true character of unholiness, and the sooner this is done the better. And that Sunday does lack this character of holiness is confessed by the very fact that those who most claim that it is holy are compelled to resort to the Government, which is not holy, and to unholy measures, to preserve it, and to compel respect, to its claimed character of holiness.

From the latter part of Mrs. Bateham's answer, however, it seems to be implied that the people must be protected in their right to observe the day as a holy day; but no such means is needed, because no one is denied the right to observe the day as a holy day. This they themselves know, and they always say so, except when they have hopes of gaining sympathy by presenting the plea that it is otherwise. Not only is this true as to the abstract idea of the right of all to observe it as such, but it is true with regard to the idea that those who observe it need to be protected in such observance; for, during the hearing before the Senate Committee on the national Sunday rest bill, Mrs. Bateham stated that there were opposed to the movement only "the daily newspaper press, the railroad managers, steamboat companies, saloonists and their backers, a class of foreigners who prefer the Continental Sunday, and the very small sect of Seventh-day Baptists."

Hon. G. P. Lord, in his remarks, said that "not more than three millions of our population work on Sabbath, and most of this number are unwilling workers." He said that "the balance, or more than fifty-seven millions of our population abstain from toil on the Sabbath."

Taking these statements as the truth, it appears that the overwhelming majority of the American people are not only in favor of Sunday observance, but they actually keep that day as a rest day.

Now is it not rather singular, and a doctrine altogether new in a government of the people, that the *majority* need to be *protected*? From whom are they to be protected?—From themselves, most assuredly, because by their own representation they are so vastly in the majority that it would be impossible for them to be oppressed by anybody else. But in a government of the people, when the majority are oppressing themselves, how can laws prevent it when the laws

must be made by the very ones who are carrying on the oppression? If to them this argument is new, we would cite, entirely for their benefit, the words of the Supreme Court of Ohio, that the protection guaranteed in our constitutional provisions "means protection to the minority. The majority can protect itself. Constitutions are enacted for the purpose of protecting the weak against the strong, the few against the many."

The observers of Sunday are not the ones to ask for protection, because upon their own presentation of the case they are so vastly in the majority that nobody can protect them but themselves. If there be rightly any place for protection in the matter, it is those who do not observe Sunday who should ask for it. If protection is needed in this thing assuredly these are the ones who should have it. But these are the very ones who do not ask for any such protection. These are the very ones who know that no such thing is needed, and who show their confidence in the real holiness of the day which they observe, by not only refusing to ask for protection, but by rejecting all proffers of what the Sunday-law workers choose to call "protection."

But suppose those who observe Saturday should change their mind and decide to ask for protection. Suppose that the people who observe the seventh day in this country should start a movement and spread petitions all over the country, and secure representative signatures, and individual signatures multiplied seven million two hundred thousand times upon each one. Suppose they should then go with these petitions to Congress to have a bill framed to protect the seventh day of the week as holy, and to protect them in their right to observe it, by compelling everybody else in the United States to refrain from all worldly employment or business on that day—for their "physical good" and for "sanitary reasons." What would these Sunday-holiness people think of *that*? What ought anybody to think of it, but that it was a piece of unwarranted assumption of authority to force upon others *their* ideas of religious observance, and of Saturday holiness?

That is all it would be, and it would be utterly inexcusable. And we risk nothing in saying that these Sunday-holiness-protection people themselves would be the very first to denounce it as unwarrantable and inexcusable. But if that would be so in the case of a minority who actually need to be protected from the proposed protection of the Sunday-law workers, then what ought *not* to be thought of these

people who claim to be in the overwhelming majority, in their mission to Congress, asking for laws to compel every body else to rest on Sunday for *their* protection?

Ah! gentle reader, it is not protection, but *power*, that they want. It is not protection for themselves, but *power against those* who do not agree with them in their ideas of Sunday holiness—this is what they want.

A. T. J.

July 16, 1891

"That 'Civil' 'Sacred' Day" *The American Sentinel* 6, 28 , pp. 217, 218.

QUESTION number three and its answer, of that important document, Leaflet No. 31, National Woman's Christian Temperance Union, Sabbath Observance Department, are as follows:—

3. Should not the national Sunday-rest law simply enjoin a seventh day, and not presume to settle the vexed question as to which is the Sabbath?

Answer.—The law could never be enforced unless the day was uniform, and it is reasonable to choose as the civil rest day the day recognized by the vast majority as a sacred day, rather than one so held by less than one-half of one per cent. of the people. The bill speaks of the first day of the week without touching the "vexed question."

If the day of rest which they require be only of a *civil* character, and the rest be only for sanitary reasons, then why is it that a law cannot be enforced, simply enjoining rest on one day of the week, without reference to any particular day? It would be just as easy to enforce such a law as that as it would be to enforce a law demanding that Sunday alone be observed as a rest day. For the truth of the statement that such a law could never be enforced we have only the bare word of Mrs. Bateham to that effect. But as to why it is so, she offers no direct proof whatever. Yet in the words which follow, there is indirect proof as to why such a law could not be enforced, and that is that it is not the civil rest day at all that they want enforced, nor is it in any sense for sanitary reasons.

It is "as a sacred day," and that only, that they want laws enforcing the observance of a day of rest; and it is for *religious* reasons only that it is demanded. And this is why the law could never be enforced requiring the observance of simply one day of the week as a day of

rest with out reference to any particular day. If such a law as that were enacted there would be no recognition of any particular day "as a sacred day;" and therefore those who demand the enforcement of a sacred day would have no heart to enforce such a law, and those who care nothing for it in the first place would not enforce it. Consequently thus, and thus only, is it true that such a law "could never be enforced." Therefore, as it is a sacred day which the Sunday-law workers want recognized by the Government, and its observance enforced, this, and this only, is the reason why the day must be uniform.

The reason which Mrs. Bateham gives why it must be uniform is that "it is reasonable to choose as a *civil* rest day, the day which is recognized by the vast majority as a *sacred* day." That is to say, the State must adopt the ideas as to a sacred day entertained by a part of the people, and enforce upon all the people the observance of these ideas of sacred things. This is simply stating in another form the question and answer which we noticed last week, that the things generally considered holy shall be adopted and enforced by the Government as such, and the same remarks which we made upon that will apply fully to this. If a thing is really sacred, it is easy to get people to respect it as such, without any effort on the part of that which is profane to compel the recognition of its sacredness. Any such effort certainly profanes its sacredness just so far as the effort is recognized. When that which is sacred is allied with that which is profane, then the sacred is profaned just so far as the alliance is recognized. Therefore, the true respect and observance of sacred things can never be secured by any other means than that of the sacredness of the thing itself, and the power of that sacredness to secure the required respect and observance. So that if the thing be sacred indeed, no other means can ever rightly be used to secure the re-

pect and observance of it; and if it be not sacred, then it ought not to be either respected or observed by anybody; and any attempt to compel the respect or observance of it is simply an attempt to compel men to do that which is wrong in itself, to compel them to sin, to compel them in a sense to commit idolatry in that it compels them to respect and observe and recognize as a sacred, a holy thing, that which has no such character.

Again, it is but proper to say that if a thing be sacred indeed, it needs no help whatever. Its sufficiency is in itself; and if it is not sacred, then no sufficiency ought to be manufactured for it nor added to it. Let its lack of sacredness be discovered and exposed as soon as possible, and the sooner the better for all concerned, and the more honor to him who does it first and most completely. But this is just the trouble with the Sunday institution. It has no sacredness of its own to which appeal can be made, or which can be urged upon the consciences of men; and this these people know. We have given in these columns their own statements, repeated, that there is no definite command, that there is no word of Christ, declaring it sacred or enjoining its observance. The only basis which Mrs. Bateham presented for it is the *probability* that Christ spoke about it in the forty days he was with his disciples after the resurrection, but of which there is no record whatever; and the only basis which the American Sabbath Union has given for it is a "spontaneous growth" in the minds of the early Christians. They know that it has no sacredness, and mankind being in itself unholy, never can give to anything any shadow of a sacred character. And knowing this, and realizing their inability to secure respect for it as a sacred thing upon any such basis, they demand that the Government shall declare that it is sacred, that it is holy, and shall exert the profane power of government to compel all men to recognize, respect, and observe, this declared sacredness. Such is only to cause the Government to usurp the place and prerogative of God; to re-establish the old office of Pontifex Maximus, which in a little while would be merged in a religious dictator, otherwise a pope. So that, as a matter of fact, Sunday, as a "sacred" day, does bear in itself the Papacy, and laws compelling its observance simply compel men to do honor to the Papacy as in the place of God.

The last part of the first sentence of Mrs. Bateham's answer is as dishonest as the first part is disingenuous. She says that the day recognized by the vast majority as a sacred day should be chosen, "rather than one so held by less than one half of one per cent. of the people." In this she refers to the seventh day, observed by the Seventh-day Baptists, Seventh-day Adventists, and some Jews; and the statement implies that this is simply a contest between two days as to which shall be observed and that those who observe the seventh day are arguing that that day should be recognized as a sacred day and enforced; but she and all the Sunday-law workers

know full well that that is not the case in any sense. They know that those who observe the seventh day do not ask for any governmental recognition of the thing at all, nor any laws requiring anybody to observe it in any way whatever. They not only know this but they know that the Seventh-day Adventists at least, absolutely deny the right of any government to legislate in any way respecting it, even to the extent of embodying in a Sunday law any such exemption as that which the Sunday-law workers have so very "generously" offered. Therefore it is not honest for any of these to state even by implication that the observers of the seventh day even desire, much less require, any governmental recognition or enforcement of such observances either upon themselves or anybody else.

The last sentence of the answer is of much the same character as the first one. It says that the "bill speaks of the first day of the week without touching the vexed question as to which is the Sabbath." That is to say that the bill proposes to declare that Sunday is a sacred, holy day, and the only one, and shall compel people to observe it as such, and by so doing avoids, not only the vexed question, but any question at all as to which is the Sabbath. In other words, the law is to declare that day, and it only, is the Sabbath, and everybody must recognize and observe it as such without any question. The Government, at the dictation of the Sunday-holiness folks is to decide that, and that is to be the end of it.

Now, let us say again that we do not object at all to anybody's observing Sunday. Every man has a right to observe it if he thinks it ought to be observed, but we forever deny the right of those who observe it to compel anybody else to observe it, and we deny their right to commit the Government to any such course, or to use the governmental power for any such purpose. We deny the right of any government on earth to do anything of the kind even of its own volition. With such things the Government has nothing whatever to do, and never can of right have anything to do. These things pertain solely to man's relationship to God and their own consciences, and there let them remain without any interference or control whatever on the part of anybody.

A. T. J.

July 23, 1891

"Sanitary' Benefits of Sunday Rest, and of Exemptions From It" *The American Sentinel* 6, 29 , pp. 225, 226.

QUESTION and answer number four, of that Woman's Christian Temperance Union Leaflet No. 31, which is considered by the Union of so much importance that even a funeral must be made the occasion for its distribution, are as follows:—

4. if one has conscientiously refrained from his work on Saturday, is it not oppressive to make him abstain also on Sunday?

Answer.—To secure the greatest good to the greatest number is, or should be, the aim of law. If to secure this, requires a good building to be exploded to prevent the spread of fire, or compels a man to remove his slaughter house as a sanitary measure, we say it is not oppressive. If to secure a rest day for all, it were necessary to compel all to rest, it would not be oppression; but law is as lenient as possible, and the bill for the national Sunday rest law, following State laws, expressly exempts those who, having conscientiously observed another day, do not by their work disturb others on Sunday.

The governmental principle announced in that first sentence is fully worthy of the cause in behalf of which it is propounded; that is to say, it is utterly false, and the carrying out of it is only wickedness and oppression. It is the same principle that has characterized the oppressive governments of the past, and which was totally revolutionized when our fathers in their immortal Declaration announced to all the world that governments are instituted among men, deriving their just powers from the consent of the governed, and *to secure the inalienable rights of the people who compose the government*. The aim of law and government "is, or should be," ever to secure and maintain the inalienable right of each individual to life, liberty, and the pursuit of happiness. The theory of the greatest good to the greatest number is simply that by which a certain class who call themselves the "good" secure control of the governmental power, and compel everybody else to conform to what those persons say is good for them. It is simply the principle of class legislation, and in practice it never can be anything but oppression.

The second sentence simply argues that honest occupations engaged in on Sunday are as dangerous as a raging fire, or as much of a nuisance as an ill-smelling slaughter house. When honest occupations are put in such a category as that, and are forbidden in consequence, then what possible fruit ever could come from it other than confirmed criminality made universal by the law; yet such is the

demand that is made in order that Sunday may have free course to run and be glorified. Any institution that requires the employment of such arguments to justify it and such means to uphold it is unworthy of respect or consideration by any human being and such is just the nature of Sunday from beginning to end.

Mrs. Bateham says that "if to secure a rest day for all, it were necessary to compel all to rest, it would not be oppression." But that does not answer the question. The question is as to whether it is not oppression to compel a man to rest on Sunday who *has already rested* on Saturday. The question is, When a man *has rested* is it not oppression to compel him to rest over again? When a man has rested to please himself and to please God, then is it not oppression to compel him to rest over again to please somebody else? Upon what sanitary principle is it that the people who observe the seventh day as a day of rest must be compelled to take an additional day of rest? while for those who do not observe the seventh day only one day of rest is sufficient for all sanitary purposes? Are the sanitary benefits of rest on Sunday so transcendent that that single day of rest is not only equal to it-

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self but to an additional day of rest by those who observe another day? It is most singular that these people do not get ashamed of that "sanitary" Sunday-rest plea. The phenomenon, however, is explained by that Scripture which declares that "The unjust knoweth no shame."

Yet the answer says that the law is as lenient as possible, and that therefore the national Sunday bill expressly exempts those who have conscientiously observed another day. Now an exemption clause, while it continues virtually destroys the force of Sunday laws. So certainly is this true, that the Sunday laws which now exist with exemption clauses are not enforced to any material extent. In fact the exemption clause so certainly defeats the purpose of the law that the only hope which they have of securing the intent of the Sunday law is to repeal the exemption. The State of Arkansas has the most zealous Sunday observers of any State in the union that has an exemption clause. They secured the repeal of the exemption clause in 1885. Then until 1887 they persecuted those who observed the seventh day to such an extent that one of the chief lawyers of the State said it "shocked the bar of the whole State." In the Legislature of 1887 the bar of the State succeeded in restoring the exemption clause; but in the Legislature of 1889 a strong effort was made again to repeal it, as

likewise a similar effort was made in the Legislature of 1891; and although the law so far as it enforced the observance of Sunday upon others, still reads as it always did, yet no effort whatever is made to enforce it; but just as soon as they succeed in repealing the exemption clause, the Sunday will be enforced again in the same old persecuting way upon those who choose to observe the seventh day.

Mrs. Bateham herself knows that if they will have a Sunday law to prove effectual, they will have to secure the repeal of the exemption which they propose, in a very little while. This we knew that she knows because it was stated to her personally in such a way that she will never forget it. It was at the hearing before the Senate committee, December 13, 1888, and the following is the record:—

Mr. Jones.—Suppose an exemption clause were given. There are people who would profess to be Seventh-day Adventists for the express purpose of getting a chance to open saloons or houses of business on Sunday. Therefore in outright self-defense, the majority would have to repeal the exemption clause.

Senator Blair.—Call Mrs. Bateham's attention to that.

Mr. Jones.—Let me repeat it. If you give an exemption clause—it has been tried—there are reprehensible men, saloon keepers, who know they will get more traffic on Sunday than they can on Saturday, and they will profess to be Seventh-day Adventists, they will profess to be Sabbath-keepers. You cannot "go behind the returns," you cannot look into the heart, you cannot investigate the intention, to see whether they are genuine in their profession or not. They will profess to be Sabbath keepers, and then they will open their saloons on Sunday. Then in outright self-defense, to make your position effective, you will have to repeal that exemption clause. It will last but a little while.

Senator Blair.—I agree with you there.

Mr. Jones.—For that reason these people cannot afford to offer an exemption clause; and for the reason that it puts the majority in the power of our conscience, we deny their right to do anything of the kind. I ask the organizations represented here to think of this after the hearing is over. It will bear all the investigation they choose to give it.

Senator Blair.—I should like to call everybody's attention to the point. If you need any legislation of this kind, you would better ask for legislation to carry out your purposes, and be careful that in the effort to get the assistance of the parties against you, you do not throw away the pith and substance of all for which you ask.

Perhaps some one may remark that if the exemption clause virtually defeats the purpose of Sunday laws, why does not THE SENTINEL, in its opposition to Sunday advocate an exemption. Ah!

the same power that can enact an exemption clause can repeal it; and when any one advocates an exemption clause, he allows the principle; and when he allows the principle of the enactment of an exemption clause, he gives the whole case away and robs himself of the right to protest against the repeal of it. If the right to legislate on the question be recognized even to the extent of an exemption clause, then the right living been recognized, the legislative power can proceed to what-ever extent it chooses in the exercise of the right which has been conceded.

Next week we shall have a word farther to say upon the exemption which they propose, and will show *why* they propose it, in the face of the knowledge which they possess concerning it. A. T. J.

July 30, 1891

"Why They Offer Exemptions" *The American Sentinel* 6, 30 , pp. 233-235.

LAMST week we showed by the official record that the Sunday-law workers know full well, and Mrs. Bateham in particular, in a way that she will never forget, that the exemption which they propose in their national Sunday-law scheme in favor of those who observe another day, will defeat any effective enforcement of the Sunday law; and that, therefore, in order to carry out their intent in the law, one of the earliest things that they will have to do is to secure the repeal of the exemption. Why is it, then, that in the face of the record, and in the face of their knowledge of the record, they still persist in offering the proposed exemption? The "why" of this thing is well known, and it is well known to themselves. They know it, and we know it, and they know that we know it; and they know that we know that they know it; and not only is it so with us, but with many others. This is also a matter of official record. They were told of it in the presence of the House Committee on the District of Columbia and a large audience besides, February 18, 1890; and here is the record of that part of the Sunday-law story:—

Mr. Jones:—I read from the bill the exemption that is proposed:

This act shall not be construed to apply to any person or persons who conscientiously believe in and observe any other day of the week than Sunday, as a day of rest.

Now why is that clause put in the bill? The intention of the law-maker is the law. If, therefore, we can find out why this was inserted,

we can know what the object of it is. During the past year Mr. Crafts has advertised all over this country from Boston to San Francisco, and back again, and has repeated it to this committee this morning, that the Seventh-day Adventists and the Seventh-day Baptists are the strongest opponents of Sunday laws that there are in this country, and that they are doing more than all others combined to destroy respect for Sunday observance. All this; and yet these are the very persons whom he proposes to exempt from the provisions of the law, which is expressly to secure the observance of Sunday.

Why, then, does he propose to exempt these? Is it out of respect for them, or a desire to help them in their good work? Not much. *It is hoped by this to check their opposition until Congress is committed to the legislation.*

How do we know this?—We know it by their own words: The lady who spoke here this morning as the representative of the Woman's Christian Temperance Union, Mrs. Catlin, said in this city, "We have given them an exemption clause, and that, we think, will take the wind out of their sails." Well, if our sails were dependent upon legislative enactments, and must needs be trimmed to political breezes, such a squall as this might take the wind out of them. But so long as they are dependent alone upon the power of God, wafted by the gentle influences of the grace of Jesus Christ, such squalls become only prospering gales to speed us on our way.

By this, gentlemen, you see just what is the object of that proposed exemption—that it is only to check our opposition until they secure the enactment of law, and that they may do this the easier. Then when Congress shall have been committed to the legislation, it can repeal the exemption upon demand, and then the advocates of the Sunday law will have ex-

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actly what they want. I am not talking at random here. I have the proofs of what I am saying. They expect a return for this exemption. It is not extended as a guaranteed right, but as a favor that we can have if we will only pay them their own stated price for it. As a proof of this I read again from Mr. Crafts's book, page 262:—

The tendency of legislatures and executive officers toward those who claim to keep a Saturday Sabbath is to over-leniency rather than to over-strictness.

And in the convention held in this city only about three weeks ago, January 30, 31, Mr. Crafts said that this exemption is "generous to a fault," and that "if there is any fault in the bill, it is its being too

generous" to the Seventh-day Adventists and the Seventh-day Baptists. But I read on:—

For instance, the laws of Rhode Island allow the Seventh-day Baptists, by special exception, to carry on public industries on the first day of the week in Hopkinton and Westerly, in each of which places they form about one-fourth of the population. This local option method of Sabbath legislation after the fashion of Rhode Island or Louisiana, if generally adopted, would make not only each State, but the Nation also, a town heap, some places having two half Sabbaths, as at Westerly, some having no Sabbath at all, as at New Orleans, to the great confusion and injury of interstate commerce and even of local industry. *Infinitely less harm* is done by the usual policy, *the only constitutional or sensible* one, to let the insignificantly small minority of less than one in a hundred, whose religious convictions require them to rest on Saturday (unless their work is of a private character such as the law allows them to do on Saturday) *suffer the loss of one day's wages* rather than have the other ninety-nine suffer by the wrecking of their Sabbath by the public business.

Why, then, do they offer this "special exception?" Why do they voluntarily do that which they themselves pronounce neither constitutional nor sensible?—It is for a purpose.

Again, I read, and here is the point to which I wish especially to call the attention of the committee. It shows that they intend we shall pay for the exemption which they so over-generously offer.

Instead of reciprocating the generosity shown toward them by the makers of Sabbath laws, these seventh-day Christians expend a very large part of their energy in antagonizing such laws, seeking, by the free distribution of tracts and papers, to secure their repeal or neglect.

Exactly! That is the price which we are expected to pay for this generous exemption. We are to stop the distribution of tracts and papers which antagonize Sunday laws. We are to stop spending our energy in opposition to their efforts to promote Sunday observance. We are to stop telling the people that the Bible says "the seventh day is the Sabbath," and that Sunday is not the Sabbath.

But have we not the right to teach the people that "the seventh day is the Sabbath of the Lord," even as the Bible says, and that only the keeping of that day is the keeping of the Sabbath according to the commandment? Have we not the right to do this? Have we not the right to tell the people that there is no scriptural authority for keeping Sunday, the first day of the week? Why, some of these gentlemen themselves say that. Mr. Elliot here (Rev. George) confesses "the

complete silence of the New Testament, so far as any explicit command for the Sabbath, or definite rules for its observance, are concerned." Many others speak to the same effect. Have we not as much right to tell this to the people as they have? They do not agree among them-selves upon the obligations of Sabbath-keeping, nor upon the basis of Sunday laws. In every one of their conventions one speaks one way and another in another and contradictory way. Have we not as much right to disagree with them as they have to disagree with one another? Why is it, then, that they want to stop our speaking these things, unless it is that we tell the truth?

More than this, have we not the constitutional right freely to speak all this, and also freely to distribute tracts and papers in opposition to Sunday laws and Sunday sacredness? Does not the Constitution declare that "the freedom of speech, or of the press," shall not be abridged? Then when these men propose that we shall render such a return for that exemption, they do propose an invasion of the constitutional guarantee of the freedom of speech and of the press. Why, gentlemen, this question of Sunday laws is a good deal larger question than half the people ever dreamed of.

Now to show you that I am not drawing this point too fine, I wish to read another extract from a doctor of divinity in California. With reference to this specific question, he said:—

Most of the States make provision for the exercise of the peculiar tenets of belief which are entertained by the Adventists. They can worship on Saturday, and call it the Sabbath if they choose, *but there let their privileges end.*

They do, indeed, seem by this to be generous enough to allow those of us who are already keeping the Sabbath to continue to do so while we live, but there our privileges are to end. We are not to be allowed to speak or distribute papers or tracts to teach anybody else to keep it. Why, gentlemen of the committee, do you not see that they propose by this law to deprive us of all our rights both of conscience and of the Constitution? Therefore we come to you to plead for protection. We do not ask you to protect us by legislation. We do not ask you to legislate in favor of Saturday—not even to the extent of an exemption clause. We ask you to protect us by refusing to give to these men their coveted power to invade our rights. We appeal to you for protection in our constitutional rights as well as our rights of conscience.

"There let their privileges end." *If*—even this allowance is only conditional. And the condition is the same precisely as that laid down

by Mr. Craft that we shall stop every phase of opposition to Sunday observance. Here it is in this minister's own words, not spoken in the heat and hurry of debate, but deliberately written and printed in an editorial in the *Western Christian Union*, March 22, 1889:—

Instead of thankfully making use of concessions granted them, and then going off quietly and attending to their own business, *as they ought*, they start out making unholy alliances that they may defeat the purposes of their benefactors. None of these bills are aimed at them, but if they fail to appreciate the fact, they may call down upon themselves such a measure of public disfavor as that legislation embarrassing to them may result.

There, gentlemen, you have the story of that proposed exemption.

1. It is inserted to take the wind out of our sails and stop our opposition to their efforts and to Sunday observance in general. 2. If we do not "appreciate" the benefaction, and "reciprocate the generosity" by stopping all opposition to their work and to Sunday observance, then legislation "embarrassing" to us may be expected to result.

Gentlemen, do you wonder that we do not appreciate such benevolence, or reciprocate such generosity? Can you blame American citizens for saying in reply to all that, that however "embarrassing" the result may be, we do *not* appreciate such benevolence, nor do we intend to reciprocate such generosity as that, in any such way as is there proposed.

There is one more word on this point that I desire to read. It sums up the whole matter in such a way as to be a fitting climax to this division of my remarks. This is from Rev. M. A. Gault, a district secretary of the American Sabbath Union. Mr. Crafts, who is the American Sabbath Union, personally appointed him secretary of Omaha district. Mr. Gault wrote this to Elder J. S. Washburn; of Hawleyville, Iowa, and Mr. Washburn sent it to me. I read:—

I see most of your literature in my travels [that is, the literature that Mr. Crafts says we do not stop distributing, and which we are not going to stop distributing], and I am convinced that your folks, will die hard. *But we are helping Brother Crafts* all the time to set stakes and get the ropes ready to scoop you all in. You will kick hard, of course, but we will make sure work.

Yes, this bill is one of the "stakes," and the exemption clause is one of the "ropes" by means of which they propose to rope us in. And Mr. Gault is one of the clerical gentlemen who demand that the Government shall "set up the moral law and recognize God's

authority behind it, and then lay its hand on any religion that does not conform to it.

This is the intent of those who are working for this bill. You heard Mr. Crafts say a few minutes ago that the Senate Sunday bill introduced by Senator Blair "includes this;" and the Senate bill includes everybody within the juris-

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diction of Congress. They trump up this District bill with the hope of getting Congress committed to the legislation with less difficulty than by the national bill, because the attention of the people is. Not so much turned to it. Then having by the District bill got Congress committed to such legislation, they intend to rally every influence to secure the passage of the national bill; and then they propose to go on in their "roping in" career until they have turned this Nation into a Government of God, with themselves as the repositories of his will.

Mr. Heard.—Is there any reference to that letter in that book from which you have been reading?

Mr. Jones. No, sir. I pasted it on the margin of this book merely for convenience of reference along with the "generous" proposition of his "Brother Crafts."

All this shows that the intent of the makers and promoters of this bill is to subvert the constitutional rights of the people. The intent of the law-maker is the law. As, therefore, *by their own words*, the intent of this exemption clause is to stop all effort to teach or to persuade people to keep the Sabbath instead of Sunday; as the intent of the body of the bill into compel all to keep Sunday who do not keep the Sabbath; and as the intent of both together is to "scoop all in" and "make sure work," it follows inevitably, and my proposition is demonstrated, that the promoters of this legislation do distinctly contemplate the taking away of the right to observe the Sabbath in this Nation, and to allow the keeping of Sunday only.

A. T. J.

September 3, 1891

**"How Are the Powers That Be Ordained?" *The American Sentinel* 6,
35 , pp. 273, 274.**

THE Scripture says that "the powers that be are ordained of God." How is it done? Is it direct and miraculous, or providential? Jer. 27:1-8 shows that the power of Nebuchadnezzar as king of Babylon was

ordained of God. Did God send a prophet or a priest to anoint him king? or did he send a heavenly messenger, as to Moses and Gideon? Not at all. Nebuchadnezzar was king because he was the son of his father, who was king. How did his father become king? Thus: In 625 B.C. Babylonia was but a province of the empire of Assyria, and Media was another. Both revolted at once. The king of Assyria gave Nabopolassar command of a large force, sent him to Babylonia to quell the revolt, while he himself led other forces into Media, and put down the insurrection there. Nabopolassar did his work so well in Babylonia that the king of Assyria rewarded him with the command of that province, with the title, king of Babylon. Thus we see Nabopolassar received his power from the king of Assyria. The king of Assyria received his power from his father, Assurbanipal. Assurbanipal received his from his father, Esarhaddon. Esarhaddon received his from his father, Sennacherib. Sennacherib, from his father, Sargon, and Sargon received his from the troops in the field, otherwise from the people. Thus we see that the power of the kingdom of Babylon and of Nebuchadnezzar the king, or of his son, or of his son's son, was simply providential, and sprung ultimately from the people.

Take, for instance, Queen Victoria, queen of Great Britain. How did she become so? Simply by the fact that she was the first in the line of succession when William the Fourth died. Through one line she traces her royal lineage to William the Conqueror. But who was William the Conqueror? He was a Norman chief who led his forces into England in 1066 and established his power there. How did he become a chief of the Normans? The Normans made him their chief, so that in that line it is clear that the power of Queen Victoria sprung from the people.

Take the other line. The house that now rules Britain, represented in Victoria, is the House of Hanover. Hanover is a province of Germany. How did the House of Hanover get into England? When Queen Anne died, the line of succession was George of Hanover, who became king of England under the title of George the First. How did he receive his princely dignity? Through his lineage; from Henry the Lion, son of Henry the Proud, who received the Duchy of Saxony from Frederick Barbarossa, in 1156. Henry the Lion, son of Henry the Proud, was a prince of the House , of Guelph, of Suabia. The father of the House of Guelph was a prince of the Allemanni, who invaded the Roman Empire and established their power in what is now

Southern Germany, and were the origin of what is now the German nation and empire. But who made this man prince? The savage tribes of Germany. So that in this line also the royal dignity of Queen Victoria springs from the people.

Besides this the imperial power of Queen Victoria as she now reigns is circumscribed, limited by the people. It has been related, and we have seen it in print, although the story may not be true, yet it will serve to illustrate the point, that on one occasion Gladstone, while Prime Minister and head of the House of Commons, took a certain paper to the queen to be signed. She did not exactly approve of it, and said she would not sign it. Gladstone spoke of the merit of the act, but the queen de-

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clared she would not sign it. Gladstone replied, "Your majesty must sign it." "Must sign it!" exclaimed the queen, "Must sign it! Do you know who I am? I am the queen of England!" Gladstone calmly replied, "Yes, your majesty, but I am the people of England." And she had to sign it. The people of England can command the queen of England. The power of the people of England is above that of the queen of England. She, as queen, is simply the representative of their power.

They are not personal sovereigns in themselves who are referred to in the words, "The powers that be are ordained of God." It is the governmental power, of which the sovereign is the representative, and that sovereign receives his power from the people. Outside of the theocracy of Israel there never has been a ruler who has justly ruled on earth, whose dignity was not derived from the people, either express, or permissive. It is not any particular sovereigns whose power is ordained of God, nor any particular form of government. It is the genius of government itself. The absence of government is anarchy. Anarchy is only governmental confusion. But the Scriptures say, "God is not the author of confusion." God is the God of order. He has ordained order, and he has put within man himself that idea of government, of self-protection which is the first law of nature, which organizes itself into forms of one kind or another, wherever men dwell on the face of the earth; and it is for men themselves to say what shall be the form of government under which they shall dwell. One people has one form; another has another. This genius of civil order springs from God; its exercise within its legitimate sphere is ordained of God, and the Declaration of Independence simply asserted the

eternal truth of God when it said, "Governments derive their just powers from the consent of the governed." Whether it be exercised in one form of government or another, it matters not. The governmental power and order thus ordained is of God.

If the people choose to change their form of government, it is the same power still, and is to be respected still. The power is still ordained of God in its legitimate exercise, in things pertaining to men and their relation to their fellowmen; but no power whether exercised through one form or another, is ordained of God in things pertaining to God, nor has it anything whatever to do with men's relations toward God.

We have before shown that the Constitution of the United States is the only form of government that has ever been on earth that is in harmony with the principle announced by Christ, demanding of men only that which is Cesar's and refusing to enter in any way into the field of man's relationship to God. This Constitution sprung from the principles of the Declaration of Independence, and on this point simply asserts the truth of God.

The American people do not appreciate to the one hundredth part the value of the Constitution under which they live. They do not honor in any fair degree the noble men who pledged their lives, their fortunes, and their sacred honor, that these principles might be our heritage. All honor to those noble men. All integrity to the principles of the Declaration of Independence. All allegiance to the Constitution as it now is, under which we live, which gives to Cesar all his due, and leaves men to render to God all that they, instructed by the word of God, guided by their own conscience, enlightened by the Spirit of God, may see that he requires of them. May the sweet face of Heaven shine in infinite pity upon the poor deluded souls who think they are doing God service in their efforts to subvert the Constitution and men's liberties under it, by a religious amendment. And may Heaven's twice blessed mercy be on and about the poor people who have respect for Jesus Christ and their right to worship God, when these people shall have accomplished their purpose.

A. T. J.

September 24, 1891

**"The American Sentinel and the Churches" *The American Sentinel* 6,
38 , pp. 297, 298.**

THE AMERICAN SENTINEL has occasion frequently to criticise the actions, political and otherwise, of the churches, yet this does not in any way spring from any disrespect for the churches as such, nor for the religion which the Protestant churches profess. THE SENTINEL is entirely Christian so far as we are able to understand Christianity from the Scriptures. As true Christianity is as far as the east is from the west from the principles and practices of the Roman Catholic Church, and we being to the best of our ability allied to true Christianity, it follows as a matter of course that we are decidedly Protestant.

We believe in one God, the Father of our Lord Jesus Christ. We believe in Jesus Christ as the Word of God, who is God, by whom "were all things created, that are in heaven, and that are in earth, visible and invisible, whether they be thrones, or dominions, or principalities, or powers," who is before all things, and by whom all things consist; by whom alone there is salvation; and who "is able to save to the uttermost all who come unto God by him." We believe in the Holy Spirit as the one who convinces the world of sin and of righteousness, and of judgment; and as the Comforter and the Guide into all truth, of all who believe in Jesus. We believe that "except a man be born again he cannot see the kingdom of God," either here or hereafter; and that in order to this new birth; men must be "justified by faith without the deeds of the law." We believe that it is by the obedience of Christ alone that men are made righteous; that this righteousness is the gift of God; that it is received by faith and kept by faith; and that there is no righteousness that will avail for any man, except this "righteousness of God which is by faith of Jesus Christ unto all and upon all them that believe; for there is difference; for all have sinned, and come short of the glory of God." We believe the Bible to be the word of God.

We believe, according to the word of God, that the Church is utterly separated from the world, and bound to Christ the love of God, as a chaste virgin to a lawful and loving husband. This being so, the members of the Church cannot be joined to the world without being counted by the word of God as adulterers against him to whom they profess to be joined love. Says the Scripture, "Ye adulterer and adulteresses, know ye not that the friendship of the world is enmity

with God? whosoever therefore will be a friend of the world is the enemy of God." James 4:4.

As the individual members of the Church of Christ cannot be joined to the world without being counted by the word of God as adulterers against him, so also the Church as a body cannot be joined in any way to the powers of the world without likewise being declared by the word of God an adulteress and a harlot. When the professed Christian Church fourth century forsook her Lord and joined herself to the imperial power of Rome, she was fully committed to that corrupt course in which the word of God describes her as that great harlot, "with whom the kings of the earth have committed fornication, and the inhabitants of the earth have been made drunk with the wine of her fornication." "And the wo-

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man was arrayed in purple and scarlet color, and decked with gold and precious stones and pearls, having a golden cup in her hand full of abominations and filthiness of her fornication." "And I saw the woman drunken with the blood of the saints, and with the blood of the martyrs of Jesus." Rev. 17:2, 4, 6. That is the Lord's description of the Church of Rome; and in the light of history no man can deny the truthfulness of the description. But everybody knows that she never could have committed fornication with the kings of the earth if she had maintained her allegiance to Christ. She never could have been made drunken with the blood of the saints and with the blood of the martyrs of Jesus, if she had not traded upon her lascivious charms for the control of the civil power, by which she could persecute to the death those who denied the authority which she had so adulterously gained.

Now the leaders of the Protestant churches of the United States are going in the same way in which the Church leaders of the fourth century went. They are seeking an alliance with the civil power. They are seeking for this alliance for the same purpose, in the same way, and by precisely the same means. And when they shall have secured the alliance and gained the control of the power, the same results will inevitably follow this in our day that followed that of the fourth century. And to make the surety of this success doubly sure, they are seeking an alliance with Rome herself. And when these professed churches of Christ shall have formed their illicit connection with worldly power, they will have thus turned themselves into a band of harlots committing fornication with the powers of earth, as did their harlot

mother before them. And then the inspired description of Babylon the Great will be complete: "Upon her forehead was a name written, MYSTERY, BABYLON THE GREAT, THE MOTHER OF HARLOTS AND ABOMINATIONS OF THE EARTH." Rev. 17:5.

Let not the professed Protestant churches blame us for this application of the Scripture. They themselves have acknowledged the Church of Rome as their mother, and they need not blame us if we call attention to the Scripture description of the family. In the New York *Evangelist*, of February 9, 1888, Rev. Charles W. Shields, D.D., of Princeton College, in proving that it would never do, in the reunion of Christendom, to forbid a doctrine of Apostolic Succession, said:—

You would exclude the Roman Catholic Church, *the mother of us all*, the church of scholars and saints. . . You would exclude also the Protestant Episcopal Church, the beautiful daughter of *a beautiful mother*.

This declaration, although made in one of the most influential religious papers in the country, has never yet, so far as we have read, been repudiated or even criticized by any of the leading denominations or by any paper of any of those denominations. We say again that when these churches declare, and admit, Rome to be their mother, and "a beautiful mother" at that, they cannot justly blame us for calling attention to the Scripture description of the family. The only things of which the Scriptures declare the Church of Rome to be the mother, are harlots. Therefore whatever church confesses Rome to be its mother, therein confesses itself to be a harlot. And the Protestant churches of the United States, by their religio-political workings, are doing their best to make Doctor Shields's apparently representative confession a fact.

We recognize and maintain the *right* of every people who believe alike to organize themselves into a church on whatever order they choose, and to call themselves by whatever name they please; but we utterly deny the right of any church, or all of them together, to use the civil power for any religious purpose whatever. We maintain that any man has as much right to be a Methodist, or a Presbyterian, or a Congregationalist, as any other man has to be a Baptist, an Episcopalian, or a Lutheran; but we deny that any one of these denominations has any right to seize upon the civil power and compel all the others to act as that denomination shall dictate. We deny that all the others have any right to band together and compel any one denomination to conform to the dictates of the many. We maintain

that any man in this Nation has just as much right to be a Catholic as any other man has to be a Protestant; but we deny the right of the Catholics to compel any Protestant to act as though he were a Catholic, as we deny the right of the Protestants to compel any Catholic to act as though he were a Protestant. We maintain that any man has just as much right not to be a Christian as any other man has to be a Christian; but we deny any right in those who are not Christians to compel any man who is a Christian to act as though he were not. *And we likewise deny that there is any shadow of right in those who are Christians to compel any man who is not a Christian to act as though he were.* Christians have no more right to compel, any man to partake of Christian ordinances, or to observe Christian institutions, than those who are not Christians have to compel Christians not to partake of Christian ordinances nor to observe Christian institutions.

Let no one misconstrue our statement that any man has as much right to be a Catholic as any other man has to be a Protestant; and any man has as much right not to be a Christian as any other man has to be a Christian. This is not by any means an admission that the man who is not a Christian is as near right as is the Christian, nor that the Catholic is as near as is the Protestant. This is not a question of moral right, but of civil rights. Of course no man has any moral right to be anything else than perfect before God; and this perfection can only be attained through faith in Christ. But if any man chooses to despise the riches of God's goodness and grace, and refuses to believe in Christ, no power on earth has any right to call him to account. He is responsible alone to God, and whoever attempts to call him to account for neglect of the word or ordinances of God, thereby usurps the prerogative of God. And that is how it is that all men have the same equal and inalienable *rights*.

We are compelled, also, in the interests of truth and right, occasionally to criticise the political workings of professed ministers of the gospel. We have all the respect for ministers of the gospel that the Scriptures require men to have; but when professed ministers of the gospel set themselves up as ministers of the law, both civil and moral, and of politics, then we no longer respect those men as ministers of the gospel; for such they are not. Christ never sent any man forth as a minister of the law, either civil or moral, nor of politics; and whenever any professed minister of the gospel sets himself to work by political influence to secure the enactment and enforcement

of statutes compelling religious observances, then he is doing what Christ never sent him to do, and he then ceases to be a minister of Christ or of his gospel.

This is the position of THE AMERICAN SENTINEL and because of it many who call themselves Christians are ready to call us Liberals, and do call us that; but we are Christians nevertheless. We are glad, however, to let all men know that there are Christians who are liberal enough to maintain that all other men inalienably possess all the rights, human, civil, and religious, that Christians possess.

A. T. J.

October 8, 1891

"What Is Public Opinion In Tennessee?" *The American Sentinel* 6, 39 , pp. 305-307.

REFERENCE has been "made in these columns to the decision of United States District Judge Hammond, in the case of King, appealed from the State of Tennessee. The leading papers of the country have also mentioned it, and have commented more or less upon it. Yet, both in these columns and by the papers referred to, that which has been said has been but little more than to mention the decision, with one or two points touched in it. From the nature of the case, however, and the principles involved, the decision is worthy of more extended notice than has been given it anywhere, and for these reasons, we propose a review of the decision in detail.

The Constitution of Tennessee, Article I, Section 3, says:—

No human authority can, in any case whatever, control or interfere with the rights of conscience; and that no preference shall ever be given by law to any religious establishment or mode of worship.

R. M. King reads the Bible for himself, and believes it as he reads, as he has the inalienable, and the constitutional right to do. Accordingly, he believes, as the fourth of the ten commandments teaches, that the seventh day is the Sabbath of the Lord. Holding this as an obligation which he owes to the Lord, he renders it to the Lord. Then, having rendered to God that which is God's, he exercises his God-given right to work the other six days of the week.

But there are some people in Tennessee who choose to keep Sunday, as they have the right to do. Yet not content with the exercise of their own right to do this, they go about to compel everybody else

to do it, whether he believes in it or not. Therefore, for working on his own premises on Sunday—hoeing corn, harrowing, etc.—King was prosecuted for committing a nuisance at common law. He was convicted and fined seventy-five dollars and costs.

The case was appealed to the Supreme Court of the State, and there the judgment was confirmed by a decision declaring Christianity to be the common law of Tennessee, and that offenses against it were properly indictable and punishable as common law offenses. Such a decision is clearly a violation of that clause of the Constitution, which declares that no preference shall ever be given *by law* to any religious establishment or mode of worship." For when the Supreme Court recognizes and establishes Christianity as a part of the common *law* of that State, it does positively give preference *by law* to that religion; and to its modes of worship.

By a writ of *habeas corpus*, the case was carried to the Circuit Court of the United States, upon the plea that the Fourteenth Amendment of the United States Constitution was violated in that King was deprived of his liberty "without due process of law;" and Judge Hammond's decision, now to be noticed, is the result so far.

Those who have seen the decision, know, and to those who have not seen it, it is proper to say, that it is really composed of two parts, namely: the *law* of the case and the *dictum* of the Judge. As to the point of law, the Court decided that the proceeding by which King was convicted was due process of law, and that as it exclusively the province of the State Court of Tennessee to declare what is the law in that State, the only thing that is left for the United States Court to do under such a plea, is to inquire whether the procedure has been regular, and whether the law itself is lawful.

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In fact, the Judge plainly says, that if it were within his province to decide that question, he would have no difficulty in thinking that King was wrongfully convicted, and that there is not any foundation for the ruling of the Supreme Court of Tennessee that it is a common law nuisance to work in one's fields on Sunday. But, although he distinctly says that King was wrongfully convicted, and the State Court wrongfully decided when it confirmed his conviction, yet, as it rests exclusively with the State Court to decide what is common law in the State, and as the State court has decided that such is common law, it does not belong to the United States Court to overrule the State

decisions; and therefore he must decide that though the thing was wrongfully done, yet it is due process of law.

As the case is to be reviewed by a higher court, it is not necessary for us to spend any time now discussing the point of law. And even though we should take the time to discuss it, we should not feel disposed to differ from the conclusion reached by the Judge.

Not so, however, with the other part of the decision. After having examined the point of law, he turns to a discussion of the *principles* which were involved in the arguments of counsel. And it is with the Judge's *dictum*, thus set forth, that we propose to deal. And it is necessary to do this, quite largely too, because the positions taken, and the propositions set forth, by the Judge, are so sweeping, and are so directly opposed to Christian and American principles, that it becomes the duty of THE AMERICAN SENTINEL to review the *dictum* in detail.

The Judge proceeds to give his views as to what is the true measure of freedom of religions liberty, which is contemplated and guaranteed by the Constitution of Tennessee. He says that in the State of Tennessee—

sectarian religious belief is guaranteed by the Constitution, not in the sense argued here, that King, as a Seventh-day Adventist, or some other as a Jew, or yet another, as a Seventh-day Baptist, might set at defiance the prejudices, if you please, of other sects having control of legislation in the matter of Sunday observance; but only in the sense that he himself should not be disturbed in the practices of his creed; which is quite a different thing from saying that in the course of his daily labor . . . he might disregard laws made in aid, if you choose to say so, of the religion of other sects.

That is to say, a man may belong to a sect; that sect may have a creed; they may practice according to that creed, and may not be disturbed in such practice. But at the same time, they must conform to the laws made in aid of the religion of other sects, who have control of legislation.

For instance, a man may be a Baptist. He may practice the precepts of the Baptist creed, but if the Methodists should oblige the Baptists by law to conform to the precepts of the Methodist creed. Or one company of people might be Methodists, another Baptists, another Quakers, and so on; but if the Roman Catholics only had control of legislation, and should enact laws enforcing Roman Catholic doctrines and precepts, then the Baptists, Methodists, Quakers, etc., would all be obliged to conform to the Roman Catholic

precepts, as by law required. And although protected in the undisturbed practice of *their own* creeds, none of these dissenting sects would be in any wise at liberty to disregard the laws made in aid of the religion of the Roman Catholic sect.

And such, according to Judge Hammond's views, is the freedom of religious belief guaranteed by the Constitution of Tennessee. That we have not misconstrued the Judge's meaning, is made clear by a further extract, as follows:—

If a non-conformist of any kind should enter the church of another sect, and those assembled there, were required, every one of them, to comply with a certain ceremony, he could not discourteously refuse, because his mode was different, or because he did not believe in the divine sanction of that ceremony, and rely upon this constitutional guarantee to protect his refusal.

This is precisely the measure of freedom of religious belief that was "guaranteed" or allowed under the Puritan theocracy of New England. The Congregational Church had control of legislation. It embodied Congregationalist doctrines in the law, and required every one to conform to them. And every one was required to go to church. The Baptists and Quakers did not believe in the divine sanction of those ceremonies. They therefore refused to comply. Their refusal, of course, was counted "discourteous." This discourtesy was made criminal, because it was indeed a violation of the law. They were first fined, but they refused either to pay the fines, or to-comply with the required ceremonies. They were then whipped; still they refused. They were then banished, and yet they refused, and the Quakers even refused to be banished. Then they were hanged, and yet those who still lived would not comply with the required ceremonies. *And they had no constitutional guaranty to protect them in their refusal.*

And now says Judge Hammond, in Tennessee, "If a non-conformist of any kind refuses to comply with a certain ceremony required of every one by another sect which has control of legislation, *there is no constitutional guaranty to protect his refusal.*" That is to say, according to this view, in Tennessee to-day, there is no constitutional guaranty of any freedom of religious belief beyond that which was allowed in New England two hundred and fifty years ago.

And thus would Judge Hammond throw open the field of legislation to whatever religious denomination may secure control of it, and justifies such denominations in the use of this power thus gained to compel every one to conform to the religious ceremonies in which that sect believes, and which it practices. In fact, the very

expressions used contemplate an established religion. The Judge uses the phrase, "If a non-conformist of any kind," etc. The term "non-conformist" implies an established religion, which creates *conformists*, and whoever refuses assent, thereby becomes a "non-conformist." And in the view of this *dictum*, such non-conformist has no constitutional guaranty of protection.

The logical deduction from the two extracts which we have here presented is that enforced conformity to religious observances is just. These two extracts would logically justify persecution by any sect that can secure control of legislation. Nor are we left to make this logical deduction ourselves. The Judge himself plainly declares it, as follows:—

If the human impulse to rest on as many days as one can have for rest from toil is not adequate, as it usually is, to secure abstention from vocations on Sunday, one may, and many thousands do, work on that day, without complaint from any source. But if one ostentatiously labors for the purpose of emphasizing his distaste for, or his disbelief in, the custom, *he may be made to suffer* for his defiance BY PERSECUTIONS, if you call them so, *on the part of the great majority*, who will compel him to rest when they rest.

This is about the clearest statement of the doctrine of persecution that we have ever seen. We have read considerably on the subject of religion and the State. We have read the account of persecutions through all the ages from the cross of Christ until this day, and we do not remember any instance in which the doctrine of persecution was positively avowed in words. Enforced religious observance and all those things, have been advocated, defended, and justified, of course, but those who did it, would not allow that it was persecution. In this day of the nineteenth century, however, and in this case, all pretense of denial is thrown aside, and the doctrine of persecution itself, as such, is distinctly avowed and justified, both in arguments and in words.

The doctrine of persecution is bad enough in all conscience, when it is advocated as something else than what it really is; but when it is distinctly avowed and justified in so many words, intentionally and by authority, then it is far worse. The doctrine of persecution is bad enough when it is preached by religious bigots under cover of something else; but when it is openly set forth in words, and justified, from the judicial bench of the Government of the United States, then it is infinitely worse.

From the extracts here given, it is evident that the freedom of religious belief contemplated in the *dictum* of Judge Hammond, is entirely compatible with a legitimate despotism. And it is equally evident that the position therein taken, justifies all persecution from the crucifixion of Christ to the case at bar.

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And these views are set forth as the legitimate expression of public opinion in Tennessee! That is to say, that public opinion in Tennessee upon the question of religious belief stands just where it stood in New England two hundred and fifty years ago. We are free to say, however, that we do not believe that such is public opinion in Tennessee. We are not ready, just yet, to confess that in Tennessee there has been no progress in this respect within the last two hundred and fifty years. That on the part of certain individuals there has been no such progress we freely admit; but that such is the state of public opinion in that State to-day, we do decidedly doubt. It is in order for the press of Tennessee to speak much more plainly than it has yet done, as to whether Judge Hammond has correctly gauged public opinion, or whether he has mistaken his own views for public opinion in that State, on the question of the constitutional freedom of religious belief.

Our readers may for themselves form an estimate of the correctness of Judge Hammond's views, so far as the Constitution of Tennessee itself is concerned, by reading again the extract from that document, quoted near the beginning of this article.

From these extracts, which are a correct outline of the theory of the whole *dictum*, it is seen that in the whole range of the document, there is no recognition of any such thing as the *individual* freedom of religious belief, the *individual* right of conscience, but of "*sectarian* freedom" only. The discussion of this point is reserved to our next issue.

A. T. J.

"The Development of American Principles" *The American Sentinel* 6, 39 , p. 307.

OUR secular form of government is an outgrowth of the great religious revolution of three centuries ago—the great Reformation. It was the independence of thought that was there stimulated and the self-reliance then generated that resulted in the free political system of the United States of America. Following Luther and the other

Reformers, English philosophers and reformers developed social and political theories until the ultimate conception was the absolute freedom incorporated in our national Constitution.

Notwithstanding this fact, there are those who speak of our system as the outgrowth of Gallican atheism, etc.—blind to all the evidence that American history and American writers afford. John Adams wrote the following in his "Defense of the Constitutions" of Government of the United States of America:—

The English nation, for its improvements in the theory of government, has, at least, more merit with the human race than any other among the moderns. The late most beautiful and liberal speculations of many writers, in various parts of Europe are manifestly derived from English sources. Americans, too, ought forever to acknowledge their obligations to English writers, or rather have as good a right to indulge a pride in the recollection of them as the inhabitants of the three kingdoms. The original plantation of our country was occasioned, her continual growth has been promoted, and her present liberties have been established, by these generous theories. There have been three periods in the history of England, in which the principles of government have been anxiously studied, and very valuable productions published, which at this day, if they are not wholly forgotten in their native country, are perhaps more frequently read abroad than at home.

These three periods he refers to as (1) the English Reformation, producing writers whose works set men everywhere to thinking; (2) the Interregnum (Cromwellian period—the Commonwealth), producing "Harrington, Milton, the *Vindicie contra Tyrannos*, and a multitude of others;" and (3) the English Revolution, producing Sidney, Locke, Hoadley, Trenchard, Gordon, and many others.

In all these movements, the leading religious thought of the times played the leading part, and, in general, developed the governmental philosophy. Especially Milton and Locke in England, and Roger Williams in America. In fact, "secularism" is sometimes called "the Miltonian right of schism," as by Professor Gervinus, indicating its Christian origin.

Madison also referred it to the teachings of Christ, through the Reformation, which "through the genius and courage of Luther" opened up the agitation on the question of civil government and religion, making the world realize their duty to render unto Cesar that which is Cesar's, and unto God that which is God's.

The greatest statesmen of the times also made the claim that American ideas were the direct outgrowth of the grand ideas for

which English reformers had suffered and died. Burke, in his famous speech on "Conciliation with America," attributed the American spirit to the fact that the colonists were of English descent, and "therefore not only devoted to liberty, but to liberty according to English ideas, and on English principles." Some in Parliament even went so far as to call Washington's army, "our army," and the principles of the colonists, "our principles."

Francis Lieber, in his work "On Civil Liberty and Self-Government" (London, 1853), page 214, says:—

American liberty belongs to the great division of Anglican liberty [contradistinguished from Gallican liberty]. It is founded upon the checks, guarantees, and self-government of the Anglican tribe. The trial by jury, the representative governments, the common law, self-taxation, the supremacy of the law, publicity, the submission of the army to the Legislature, and whatever else has been enumerated, form part and parcel of our liberty. There are, however, features and guarantees which are peculiar to ourselves, and which, therefore, we may say constitute American liberty. They may be summed up, perhaps, under these heads: Republican federalism, strict separation of the State from the Church, greater equality and acknowledgment of abstract right in the citizen, and a more popular or democratic cast of the whole polity."

These last features, however, are but the logical outgrowth of the principles of Anglican liberty.

Mr. Eben Greenough Scott, also, after summing up the successive steps of liberty and enlightenment following the great Reformation, in the introduction to his work, "The Development of Constitutional Liberty in the English Colonies of America," says:—

The United States of America, then, are results of that mighty force, which, bounding into existence through the throes of the Reformation, still continues its triumphant march.

Hence, the present agitators of secularism are simply the men who are carrying on the work of the Reformation.

October 15, 1891

"The Individual Right of Religious Belief" *The American Sentinel* 6, 40 , pp. 313-315.

LAMST week, in our notice of Judge Hammond's discussion of the subject of freedom of religious belief, we found that "sectarian freedom of religious belief" is that only which, according to his view, is

guaranteed by the Constitution. In the whole discussion, there is not the slightest appearance of any such thing as the individual right of conscience, or of religious belief. Yet the individual right is the American idea, and is the one that is contemplated in the United States Constitution, and the Constitutions of the States, so far as they have followed the example of the national Constitution.

So entirely is the individual right of religious belief excluded from Judge Hammond's view, that he actually refused to entertain or give any credit to a certain plea, because he said the petitioner had not proved that the point was "held as a part of the creed of his sect." His words were as follows:—

Although he testifies that the fourth commandment is as binding in its direction for labor on six days of the week as for rest on the seventh, he does not prove that that point is held as a part of the creed of his sect, and religiously observed as such.

By this it is clear that the Judge's idea of sectarian freedom of religious belief led him to ignore, yea, even to deny, the individual right of religious belief. For in demanding that the prisoner should prove that his plea is held by a sect, and religiously observed as such by that sect; and in refusing to entertain the plea, because the accused had not proved that it was a part of some creed, and was so religiously observed, the Court did, in fact, deny the right of the individual to believe for himself, and to practice accordingly, without reference to any creed, or belief of any sect as such. And this is only to deny the right of individual belief, and of the individual conscience. Such, however, is neither the American nor the Christian principle, of the rights of religious belief.

The Christian and the American principle is the *individual right of conscience*—the right of the individual to think for himself religiously, without reference to any sect; and without any interference on the part of anybody, much less on the part of the Government. The idea of the national Constitution on this point is clearly expressed in the following words of Mr. Bancroft, which have often been quoted in these columns, but which cabin be quoted too often:—

No one thought of vindicating religion for the conscience of *the individual* until a voice in Judea, breaking day for the great epoch in the life of humanity, by establishing a pure, spiritual, and universal religion for all mankind, enjoined to render to Cesar only that which is Cesar's. The rule was upheld during the infancy of the gospel for all men. No sooner was his religion adopted by the chief of the Roman Empire, than it was shorn of its character of universality and enthralled by an unholy connection with the unholy State. And so it

continued until the new Nation. . . . when it came to establish a Government, for the United States, refused to treat faith as a matter to be regulated by a corporate body, or having a headship in a monarch or a State. Vindicating the *right of individuality* even in religion, and *in religion above all*, the new Nation dared to set the example of accepting in its relations to God the principle first divinely ordained of God in Judea.

And then, as though to emphasize the specific statements thus made, the writer declares that thus "perfect individual is secured to conscience" by the United States Constitution. As a matter of fact, in the realm of conscience there is other right than the right of the individual conscience. There is no such thing as a collective or corporate conscience. There is no such thing as a sectarian conscience. Conscience pertains solely to the individual. It is the individual's own

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view of his personal relation of faith and obedience to God, and can exist only between the individual and God. Thus the right of religious belief inheres in *the individual* and is only the exercise of the belief of the individual, as his own thought shall lead him with respect to God, and his duty toward God, according to the dictates of his own conscience. And as this is the inherent, absolute and inalienable right of every individual, as many individuals as may choose, have the right of associating themselves together for mutual aid and encouragement.

If Mr. Bancroft's views of the national Constitution, as expressed in the above extract, need any confirmation, it can be furnished to any reasonable extent. It may, indeed, be well to give a few facts further in this line, showing that as Mr. Bancroft has expressed the sense of the Constitution in this respect, so upon this question the Constitution expresses the sense of those who formed it.

During the whole time in which the preliminary steps were being taken to the formation of the national Constitution, the question of the freedom of religious belief was being thoroughly discussed, and especially by the one man who had more to do with the making of the Constitution than any other single individual, except perhaps George Washington. That man was James Madison.

June 12, 1776, the Virginia Assembly adopted a Declaration of Rights, section 16 of which contained the following words:—

That religion, or the duty which we owe to our Creator, and the manner of discharging it can be directed only by reason and conviction, not by force or violence; and therefore all men are

equally entitled to the free exercise of religion, according to the dictates of conscience.

July 4, following, the Declaration of Independence of all the Colonies was adopted. Shortly afterwards, the Presbytery of Hanover, in Virginia, aided by the Baptists and Quakers, presented a memorial to the Assembly of Virginia, asking that the Episcopalian Church be disestablished in that State, and that the example set by the Declaration of Independence should be extended to the practice of religion according to section 16 of the Bill of Rights. In this memorial, they said:—

The duty that we owe to our Creator, and the manner of discharging it, can only be directed by reason and conviction, and is nowhere cognizable *but at the, tribunal of the universal Judge. To judge for ourselves* and to engage in the exercises of religion agreeable to the dictates of *our own* conscience is *an inalienable right*, which upon the principles on which the gospel was first propagated, and the reformation from Popery carried on, *can never be transferred to another.*

The Episcopalian Church was disestablished, but in its place a move was made to establish a system by which a general tax should be levied in support of the *Christian religion*. Again the Presbytery of Hanover, the Baptists and the Quakers came up with a strong memorial in behalf of the free exercise of religious belief, according to the dictates of conscience. Jefferson and Madison gladly and powerfully championed their cause, yet the movement in favor of the general tax was so strong that it was certain to pass if the question came to a vote. Therefore Madison and Jefferson offered a motion that the bill be postponed to the next Assembly, and that meantime it be printed and circulated among the people. The motion was carried. Then Madison drafted a memorial and remonstrance in opposition to the bill, and this memorial was circulated and discussed more largely among the people than was the bill which it op-posed. One passage reads as follows:—

We remonstrate against the said bill: *First*, Because we hold it for a fundamental and undeniable truth, that religion, or the duty which we owe to our Creator, and the manner of discharging it, can be directed only by reason and conviction, not by force or violence. The religion, then, of *every man* must be left to the conviction and conscience of *every man*; and it is *the right of every man* to exercise it as these may dictate. This right is in its nature *an unalienable right*. It is unalienable because the opinions of men, depending only on the evidence contemplated in their own minds, *cannot follow the dictates of other men*. It is unalienable also,

because what is here a right towards men is a duty towards the Creator. It is the duty of every man to render to the Creator such homage, and such only, as he believes to be acceptable to him. This duty is precedent, both in order of time, and in degree of obligation, to the claims of civil society. Before any man can be considered as a member of civil society, he must be considered as a subject of the Governor of the universe; and if a member of civil society who enters into any subordinate association must always do it with a reservation of his duty to the general authority; much more must every man who becomes a member of any particular civil society do it with a saving of his allegiance to the universal Sovereign. We maintain, therefore, that in matters of religion no man's right is abridged by the institution of civil society, and that *religion is wholly exempt from its cognizance*.

Because, finally, the equal right of every citizen to the free exercise of his religion, according to the dictates of conscience, is held by the same tenure with all our other rights. If we recur to its origin, it is equally the gift of nature; if we weigh its importance, it can not be less dear to us; if we consult the declaration of those rights which pertain to the good people of Virginia as the basis and foundation of government, it is enumerated with equal solemnity, or rather with studied emphasis. Either, then, we must say that the will of the Legislature is the only measure of their authority, and that in the plenitude of that authority, they may sweep away all our fundamental rights, or that they are bound to leave this particular right untouched and sacred. Either we must say that they may control the freedom of the press, may abolish the trial by jury, may swallow up the executive and judiciary powers of the State; nay, that they may despoil us of our very rights of suffrage, and erect themselves into an independent and hereditary assembly, or we must say that they have no authority to enact into a law the bill under consideration.

This remonstrance created such a tide of opposition to the governmental favors to religion that the bill was not only overwhelmingly defeated, but there was adopted in its place, Dec. 26, 1785, "the act for establishing religious freedom," declaring that as "Almighty God hath created the mind free," "all acts to influence it by temporal punishments or burdens, or by civil incapacitations, tend only to beget habits of hypocrisy and meanness, and are a departure from the plan of the holy Author of our religion, who, being Lord both of body and mind, yet chose not to propagate it by coercions on either, as was in his almighty power to do;" and that—

the impious presumption of legislators and rulers, civil as well as ecclesiastical . . . have assumed dominion over the faith of others,

setting up their own opinions and modes of thinking as the only true and infallible, and as such endeavoring to impose them on others, hath established and maintained false religions over the greatest part of the world, and through all time. . . . *Be it therefore enacted by the General Assembly*, That no man shall be compelled to frequent or support any religious worship, place, or ministry whatsoever, nor shall be enforced, restrained, molested, or burdened in his body or goods, nor shall otherwise suffer on account of his religious opinions or beliefs; but that all men shall be free to profess, and by argument to maintain, their opinions in matters of religion, and that the same shall in no wise diminish, enlarge, or affect their civil capacities.

And though we well know that this Assembly, elected by the people for the ordinary purposes of legislation, have no power to restrain the acts of succeeding assemblies, constituted with the powers equal to our own, and that therefore to declare this act irrevocable, would be of no effect in law, yet we are free to declare, and do declare, that the rights hereby asserted are of *the natural rights of mankind*, and that if any act shall be hereafter passed to repeal the present or to *narrow its operation*, such act will be an *infringement of natural right*.

Immediately following this splendid campaign, direct steps were taken for the formation of a national Constitution, in which movement Madison was one of the leading spirits; and the experience which he had gained in his campaign in Virginia was by him turned to account in the making of the national Constitution, and appeared in that document, in the clause declaring that "no religious test shall ever be required as a qualification to any office of public trust under the United States." But even this was not sufficient to satisfy the great majority of the people, whose views had been broadened, and whose ideas had been sharpened, by the memorable contest and victory in Virginia. Therefore an amendment was demanded by many of the States, more fully declaring the right of religious belief, and as a consequence, the very first Congress that ever assembled under the Constitution, proposed, and there was adopted, by the approval of the requisite number of States, that which is now the first Amendment to the national Constitution, declaring that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

Thus it is demonstrated that the words of Bancroft expressed precisely the ideas of the national Constitution upon this question, and that the freedom of relig-

ious belief contemplated and guaranteed by that Constitution is the freedom of the *individual*, and not in any sense such as Judge Hammond contemplates, and calls "*sectarian* freedom of religious belief."

And from this, it further follows that when the Constitution of Tennessee, following, as Judge Hammond himself says, the example of the national Constitution, declares that "no human authority can in any case whatever control or interfere with the rights of conscience," it means the rights of the *individual conscience*, and in no sense refers to or contemplates any such thing as the rights of a "sectarian" conscience; and that when that same Bill of Rights declares that no preference shall ever be given by law to any religious establishment or mode of worship, it means precisely what it says.

Therefore, nothing can be clearer than that when the Supreme Court of Tennessee gives preference by "common law" to the Christian religion, and its modes of worship, it distinctly violates the Constitution of Tennessee, and invades the rights of the people of Tennessee, as by that Constitution declared. Likewise, nothing can be clearer than that Judge, Hammond in setting forth and defining what he calls "sectarian freedom of religious belief," as the meaning of either the United States Constitution or of the Constitution of Tennessee, misses *in toto* the American idea of freedom of religious belief.

According to the proofs here given, it is evident that Mr. King occupied the American and constitutional position, and asserted and claimed only his constitutional right, when he presented the plea which Judge Hammond refused to entertain. And it is equally clear that Judge Hammond exceeded the jurisdiction of a Court of the United States, when he refused to entertain the plea, and demanded that the prisoner should prove that the point pleaded was a part of some creed, and was religiously practiced by some sect.

Further than this, and as a matter of literal fact, it is but proper and just to say that the sect to which King belongs not only has no creed, but utterly repudiates any claim of any right to have a creed. The sect to which Mr. King belongs occupies the Christian and constitutional ground, and holds the Christian and American idea, that it is every man's right to believe for himself alone, exercise of his own individual conscience as directed by the word of God; worship accordingly.

Therefore, when the Court, either State or United States, demanded that Mr. King should prove that his plea was held as it part

of the creed of his sect, it not only demanded what it was impossible for him to prove, but it demanded what he has the inalienable and constitutional right to refuse to prove.

A. T. J.

October 22, 1891

"Is Religious Freedom a Civil or Constitutional Right in the United States?" *The American Sentinel* 6, 41 , pp. 321, 322.

IN further notice of Judge Hammond's decision, we find the following:—

By a sort of factitious advantage, the observers of Sunday have secured the aid of the civil law, and adhere to that advantage with great tenacity, in spite of the clamor for religious freedom, and the progress that has been made in the absolute separation of Church and state. . . And the efforts to extirpate the advantage above mentioned by judicial decision in favor of a civil right to disregard the change, seem to me quite useless. The proper appeal is to the Legislature. For the courts cannot change that which has been done, *however done*, by the civil law in favor of the Sunday observers.

This passage is in perfect harmony with the extracts which have been made previously and discussed in these columns. It justifies the believers in any religious observance in securing control of legislation, and in compelling all others to conform to such religious observance, and denies dissenters any appeal, refuge, or resource, other than to do as the oppressors are already doing. That is, by political means to turn the tables, and, themselves become the oppressors. It completely ignores, if it does not specifically deny, any such thing as the individual right, of religious belief or of conscience.

The Judge states quite plainly a truth upon which THE SENTINEL has always insisted, and which we have endeavored to make, plain to all, that is, that the Sunday observers have secured the aid of the civil law, and adhere to that advantage in spite of the clamor for religious freedom, and in spite of the progress which has been made in the absolute separation of Church and State. We have shown over and over again, and have demonstrated by every proof pertinent to the subject, that the American principle of government is the absolute separation of religion and the State, and that therefore Sunday legislation to any extent whatever is directly opposed to American principles, not only in the abstract, but as specifically defined in the

Constitution of the United States, and in the Constitutions of the several States following this example.

We have shown, not only according to the fundamental American principle, but according to the principles and express declarations of Christianity, that religious freedom is the inalienable right of every individual, and that therefore Sunday legislation is not only contrary to American principles, but to the principles and precepts of Christianity itself. And we have abundantly shown that although all this be true, yet the Sunday observers, in utter disregard of the lessons of the whole history of the Christian era; in spite of the principles of the Declaration of Independence and the precepts of the United States Constitution; in defiance of the Christianity which they profess; and in face of the direct statements Jesus Christ; have not only fastened iniquitous practice upon almost all States, but are doing their utmost to turn the national Government and laws also into the same evil tide.

To expose this practice, and the essential evil of the practice, has been the work of THE AMERICAN SENTINEL from the first day of its existence. Our work has sneered at. Our opposition to the thing has been counted as fighting a man of straw. Our warnings have been counted as but bugaboo cries. And all this because of "the great enlightenment of this progressive age." And now the proofs, the warnings, and the position, of THE SENTINEL stand completely confirmed from a judi-

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cial bench of the United States, which not only says that the observers of Sunday hold to their advantage in spite of the arguments for religious freedom, and in spite of all the progress that has been made in the absolute separation of Church and State, but justifies the whole proceeding; and in the face of the Constitution of the United States, and of the State of Tennessee, refuses to relieve a citizen of the United States from this spiteful church oppression, and which declares that an effort to obtain a judicial decision in favor of a civil right to disregard an enforced religions, observance is quite useless."

It is therefore certain that so far as the jurisdiction of the United States Court, in which Judge Hammond presides, extends, the warnings and the position of THE AMERICAN SENTINEL in regard to the coming denial of the free exercise of religion in the United States are completely confirmed.

We do not present this as proof that the position of THE SENTINEL is correct, for we have known that just as well from the

first day of THE SENTINEL'S existence as we know it now; but we present it for the purpose, if possible, of awaking those who have counted the efforts of THE SENTINEL as misdirected, to the *fact* that recognition of the civil right of the free exercise of religious belief, is almost, if not altogether, a thing of the past *whenever that question is brought to a positive test.*

"The proper appeal is to the Legislature," says the Judge. Well, suppose Mr. King should make his appeal to the Legislature. And suppose the Legislature, in order to take the broadest and, strongest ground that it were possible to take, and to settle the question forever, should enact a law declaring in so many words that in the State of Tennessee, "no human authority can in any case whatever, control or interfere with the rights of conscience; and no preference; shall ever be given by law to any religious establishment or mode of worship."

Suppose the Legislature should do this, what would it amount to? Just nothing at all, and for two reasons. First: The whole people of Tennessee, in their State Constitution, their supreme law, which is above the Legislature itself, have already made this declaration. And yet "in spite" of it the Sunday observers have secured control of legislation and by this have presumed to interfere with and control the rights of conscience, and to give preference by law to their mode of worship. And if the Legislature, should enact a similar or any other law on the subject they would do the same thing in spite of that. Despising the supreme law, they certainly would not hesitate to despise an inferior law.

Secondly: Any such law would amount to nothing, because the Sunday observers would not despise and override it, but the courts both State and United States, so far, are partisans of the Sunday observers and justify their spiteful procedure. Consequently if the Legislature were to enact such a law, application of the law would certainly be disputed by the Sunday observers. *And no appeal could be made to the courts,* for the Judge has already decided that an appeal to the court is "quite useless." Any wish or attempt to appeal to the court would therefore be met again by the Judge's *dictum*, "the proper appeal is to the Legislature."

In view of this doctrine, therefore, it is proper to inquire, What is either court or Constitution for? If the Legislature is supreme, and if the only proper appeal in any question of rights is to the Legislature, then what is the use of either court or Constitution? This point once more sets forth Judge Hammond's *dictum* as utterly contrary to the

American principle of government, and as inculcating in its stead the British principle of the omnipotence of the legislative power. But such is not the American principle. The American principle is the supremacy of the people, not the supremacy of the Government; the omnipotence of the people, not of the legislative power.

Rights and liberties belong to the people. In their Constitutions the people have set limits to the legislative power, that the rights of *the* people may not be invaded. And the State Supreme Courts and the United States Courts are established to stand between the Legislature and the people, and to decide upon the constitutionality of the acts of the Legislature. In other words, to decide whether the Legislature has kept within the limits: which have been set by the people in the provisions of the Constitution; to decide whether the rights of the people have been respected or invaded.

Therefore, as it is the province of the State Supreme Courts, and of the United States Courts, to review the acts of the Legislature, it follows that these courts are the sources of appeal, and the only sources. The proper appeal, therefore, is not to the Legislature, but to the courts.

The Constitutions of the several States and of the United States declare the rights of the people, as citizens of the United States, and of the several States, and in no case is it proper to appeal to the Legislature, in any question as to the rights thus declared. To appeal to the Legislature is in itself to surrender the free exercise of the right; that moment the free exercise of the right is admitted to be a matter to be regulated solely by the majority, and is surrendered entirely to the dictates of the majority.

It is true this is entirely consistent with the other statements of the Judge's *dictum*, and is in harmony with his view of "sectarian freedom of religious belief." That is, that the majority may rule in religious things, and that there is no right of dissent from the religious views and opinions enforced by law, in favor of whatever denomination may secure control of legislation. But such is not the American idea of the civil right of dissent.

As we have before proved, the American principle is the principle of the individual right of religious belief; of the individual right of the free exercise of conscience; of the right of the individual to dissent from every religious view of anybody else, and utterly to disregard every religious ceremony, however such ceremony may be regarded by others; the right to refuse to comply with any requirement of any

sect, or to conform to any religious ceremony, by whomsoever required. It is the individual right of freedom from any and every provision of law that anybody would invoke for the recognition or enforcement of any religious observance whatever.

This is the right asserted in the Constitution of Tennessee when it declares that "no human authority can in any case whatever, control or interfere with the rights of conscience; and no preference shall ever be given by law to any religious establishment or mode of worship. It is the right asserted in the United States Constitution, where it is declared that "no religious test shall ever be required as a qualification to any office of public trust under the United States," and that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

Such is the American idea of the individual right to disregard the religious observances of the majority. But when the very courts, both State and United States, which have been established to protect the constitutional rights of the citizen from invasion by an impudent and spiteful majority, abdicate their functions and take the side of the oppressors and justify the oppression, what refuge remains to the citizen? What protection to the minority? None whatever. Every protective barrier is broken down; every urge is swept away.

Happily there is yet an appeal to the Supreme Court of the United States. But suppose that Court confirms the doctrine of the Circuit Court, WHAT THEN?

A. T. J.

November 5, 1891

"No Religious Basis for Legislation" *The American Sentinel* 6, 43 , pp. 337, 338.

OF Sunday observance enforced by law, Judge Hammond remarks:—

The fact that religious belief is one of the foundations of the custom [of Sunday observance] is no objection to it, as long as the individual is not compelled to observe the religious ceremonies others choose to observe in connection with their rest days.

This argument has been made before, by several of the Supreme Courts of the States, but it is as destitute of force as is any other attempt to sustain the Sunday institution. If the argument be legitimate, there is no religious observance known that could not be

enforced by law upon all the people, simply by the observers of the institution securing control of legislation. Certain people believe in and practice a certain religious observance, and have sufficient influence to control legislation, enforcing it in their own behalf. Thus the custom is made a part of the law, and as the laws are made presumably for the public good, it is then but a short and easy step to the position that the laws enforcing such observances are for the public good, and not particularly to favor religion; and that, *there-fore*, though religious belief be the foundation of the custom, and though the observance be in itself religious, this cannot be suffered to be any objection to it, so long as the individual is not compelled to observe other religious ceremonies that have not yet been fixed in the law.

Yes, this is all very pretty, and it seems always to have been eminently-satisfactory to those who make the argument, for it is not by any means new or peculiar to this day or generation. It is as old as the contest for the right of the free exercise of religious belief. It is the very position occupied by Rome when the disciples of Christ were sent into the world to preach religious freedom to all mankind. Religious observances were enforced by the law. The Christians asserted and maintained the right to dissent from all such observances; in fact, from *every one* of the religious observances of Rome, and to believe religiously for themselves, though, in so doing, they totally disregarded the laws, which, on the part of the Roman State, were held to be beneficial to the population. Then it was held that though religious belief was the foundation of the custom, yet this was no objection to it, because it had become a part of the legal system of the government, and was enforced by the State for its own good. But Christianity *then* refused to recognize any validity in any such argument.

When Paganism was supplanted by the Papacy, in the Roman Empire, the same argument was again brought forth to sustain the Papal observances, which were enforced by imperial laws, and through the whole period of Papal supremacy, Christianity still refused to recognize any validity whatever in the argument.

Under the Calvinistic theocracy of Geneva, the same argument was again used in behalf of religious oppression. In land the same argument was used under the Puritans, and other dissenters, in behalf of religious oppression there. In New England, under the Puritan theocracy, the same argument was used in behalf of religious oppression, and to justify the Congregationalists, who had control of

legislation, in compelling the Baptists and the Quakers, under "penalty of banishment, and even of death, to conform to the religious observances of the Congregationalists, but through it all, Chris-

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tianity always refused to recognize any validity whatever in the argument, and will.

The rulers of Massachusetts put the Quakers to death, and banished the Antinomians and "anabaptists," *not* because of their religious tenets, but because of their *violations of the civil laws*. This is the justification which they pleaded, and it was the best they could make. Miserable excuse! But just so it is: wherever there is such a union of Church and State, heresy and heretical practices are apt to become violations of the civil code, and are punished no longer as errors in religion, but infractions of the laws of the land. So the defenders of the Inquisition have always spoken and written in justification of that awful and most iniquitous tribunal.—*Baird's "Religion in America," page 94, note.*

The truth of the matter is, that the fact that religious belief is one of the foundations of the custom is the strongest possible objection that could be made to its being recognized and enforced by the civil power. This is demonstrated by several distinct, counts.

1. Jesus Christ has commanded, "Render to Cesar the things that are Cesar's; and to God the things that are God's." In this the Lord has distinctly and positively separated that which pertains to Cesar from that which pertains to God. Things religious, are due to God only; things civil, are due to Cesar. When the civil power—Cesar—exacts that which is due to God, then it puts itself in the place of God, and so far as this exaction is recognized, God is denied; civil and religious things are confounded; the distinction which Christ has made is practically thrown aside; and the things which he separated are joined together. Upon another subject, he declared, "What God hath joined together, let not man put asunder." And upon this subject, it may be declared with equal force,—what God hath separated, let not man join together. When the civil power legally adopts a religious custom, and enforces the observance thereof, it does put itself in the place of God. But no power has any right to put itself in the place of God. Therefore, no civil power can of right ever legally adopt and enforce any religious custom or religious observance. And wherever such a thing is done, he who regards God the most will respect such action the least.

2. The history of more than eighteen centuries demonstrates that the very worst bane of government is for religionists to have control of

the civil power. The legal recognition and enforcement of religious customs, or of customs of which religion is the foundation, is to give religionists control of the civil power just to that extent. And the doing of the thing to *any* extent justifies the doing of it to every conceivable extent. It was this that for taxed` Christians to death under Pagan Rome, and in later centuries under Papal Rome. It was this that burnt John Huss at Constance, and Servetus at Geneva; and that whipped and banished the Baptists, and banished and hanged the Quakers, in New England.

The fathers of the American Republic having before them the whole of this dreadful history, proposed that the people of this Nation should be profited by the fearful example, and should be forever free from any such thing. They therefore completely separated the national Government from any connection whatever with religion, either in recognition or in legislation. And in this they set to the States the perfect example of human government, which example has been followed in the Constitutions of the States, and by none more thoroughly than by Tennessee.

Yet, it has ever been the hardest thing to get the courts of the States to recognize the principle, though distinctly declared in the State Constitutions. And here, in the very first instance in which a United States Court has had opportunity to notice it, instead of the principle being recognized, it is revolutionized. And instead of the American doctrine of the nineteenth century, the Roman doctrine of the third century is inculcated.

.3. We have proved by the express words of Christ, the divine right of dissent in all religious things; that any man has the divine right to dissent from any and every religious doctrine or observance of any body on earth. So long as civil government keeps its place, and requires of men only those things which pertain to Cesar, things civil, so long there will be neither dissent nor disagreement, but peace only, between the Government and all Christian sects or subjects. But just as soon as civil government makes itself the partisan of a religious party, and sets itself up as the champion of religious observances, just so soon this right of dissent in religious things is extended to the authority of the Government, *in so far* as that authority is thus exercised. And so far there will be dissent on the part of every Christian in the Government.

Sunday observance is in itself religious, and religious only. The institution is wholly ecclesiastical. The creation of the institution was

for religious purposes only. The first law of government enforcing its observance was enacted with religious intent; such has been the character of every Sunday law that ever was made; and such its character is recognized to be in the case at bar in the decision under discussion. The Sunday institution is of ecclesiastical origin only, and its observance is religious only. It is the divine right of every man utterly to ignore the institution; to disregard its observance; and to dissent from the authority which instituted or enjoins it. And when any State or civil government makes itself the partisan of the ecclesiastical body which instituted it, and the champion of the ecclesiastical authority which enjoins it, and enacts laws to compel men to respect it, and observe it, this divine right of dissent is then extended to the authority of the Government, *so far as it is thus exercised*.

The fact that religious belief is the foundation of the custom, is the one grand objection to its observance by any law of any government on earth. And as for the Government of the United States, or of the several States, so entirely is this true, and so certainly and firm does the principle hold, that even an act which might otherwise be deemed expedient or valuable as a municipal regulation, would be positively precluded by the Constitution, if it forbade or enjoined any religious observance; that is, if it infringed the free exercise of religion. This point is well stated by the Supreme Court of California, in these words:—

Had the Act been so framed as to show that it was intended by those who voted for it, as simply a municipal regulation; yet, if, in fact, it contravened the provision of the Constitution securing religious freedom to all, we should have been compelled to declare it unconstitutional for *that* reason.—9 *Lee*, 515.

Therefore, the simple truth is, that, that which the Judge pronounces no objection is in itself the strongest possible objection. "The fact that religious belief is one of the foundations of the custom"—this fact is in itself the one supreme objection which sweeps away every excuse, and annihilates every argument that ever can be made in favor of any Sunday law, or in favor of any other law recognizing or enforcing any religious observance, or any custom founded upon any religious observance.

A. T. J.

November 12, 1891

"Is This the Nineteenth Century, or Is It the First?" *The American Sentinel* 6, 44 , pp. 345-347.

JESUS CHRIST came into the world to set men free, to make known to all mankind the genuine principles of freedom, and of religious freedom above all. The Roman Empire then filled the world,—"the sublimest incarnation of power, and a monument the mightiest of greatness built by human hands, which has upon this planet been suffered to appear." That Empire, proud of its conquests, and exceedingly jealous of its claims, asserted its right to rule in all things, human and divine. As in those times all gods were viewed as national gods, and as Rome had conquered all nations, it was demonstrated by this to the Romans that their gods were superior to all others. And although Rome allowed conquered nations to maintain the worship of their national gods, these, as well as conquered people, were yet considered as only servants of the Roman State. Every religion, therefore, was held subordinate to the religion of Rome, and though "all forms of religion might come to Rome and take their places in their Pantheon, they must come as the servants of the State."

The Roman religion itself was but the servant of the State; and of all the gods of Rome there were none so great as the genius of Rome itself. The chief distinction of the Roman gods was that they belonged to the Roman State. Instead of the State deriving any honor from the Roman gods, the gods derived their principal dignity from the fact that they were gods of Rome. This being so with Rome's own gods, it was counted at Rome an act of exceeding condescension to recognize, legally, any foreign god, or the right of any Roman subject to worship any other gods than those of Rome. Neander quotes Cicero as laying down a fundamental maxim of legislation, as follows:—

No man shall have for himself particular gods of his own; no man shall worship by himself any new or foreign gods, unless they are recognized the public laws.

Another principle announced by Mecenas, one of the two chief advisers of Augustus, was this:—

Worship the gods in all respects according to the laws of your country, and compel all others to do the same, but hate and punish those who would introduce anything whatever alien to our customs in this particular.

Accordingly, the Roman law declared as follows:—

Whoever introduces new religions, the character and tendency of which are erring, whereby the minds of men may be disturbed, shall, if belonging to the higher rank, be banished; if to the lower, punished with death.

The Roman Empire filled the world. Consequently, there was a government ruling over all, in which religion and the State were held to be essentially one and indivisible.

Jesus Christ gathered to himself disciples, instructing them in his heavenly doctrine; bestowed upon them the divine freedom, the soul-freedom, which he alone can give; endued them with power from on high; and sent them forth into the world to preach to every creature this gospel of freedom, and to teach all to observe all things whatever he had commanded them.

He had commanded them to render to Cesar only those things that were Cesar's, and to God the things which are God's. This statement was the declaration of the

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principle of the total separation of religion and the State; and in the mind of every true disciple, it was a divine command, inseparable from the divine rite, and supported by divine power.

In the exercise of this right, the disciples went everywhere, preaching the word, and calling all people to the joy of the salvation of Christ, and to the freedom which that salvation gives. But it was contrary to the principles of Rome. It was actually forbidden by the laws. Laws, too, and principles, which were of established usage long before Christ came into the world. The law forbade the introduction of any new religion, but the Christians introduced the new religion. The law especially forbade the introduction of any new religion, the tendency of which was to disturb men's minds. Of all religions, the Christian religion appeals most directly and most forcibly to the mind. In the very letter which the Apostle Paul wrote to the Christians in Rome, he said to them: "Be not conformed to this world, but be ye transformed *by the renewing of your mind*," and "with *the mind* I serve the law of God." The law commanded all to worship the gods according to the law. The Christians refused to worship any of the gods recognized by the law, or any other god but the God revealed in Jesus Christ.

According to Roman principles, the Roman State was divine. Caesar was the embodiment of the Roman State, and was therefore divine. Divine honor was therefore exacted toward the Emperor; and, as a matter of fact, the worship of the Emperor was the most

widespread of any single form of worship known to Rome. He was the chief Roman divinity; accordingly, under the Roman system, that which was due to God was due to Cesar. Consequently, when the Christians refused to render to Cesar the things that were God's, and render to him only that which was Cesar's, it was a refusal to recognize in Cesar any attribute of divinity. But as Cesar was the embodiment of the State, to deny to him divinity was to deny like-wise divinity to the State.

The preaching of the gospel of Christ, therefore, raised a positive and direct issue between Christianity and the Roman Empire. And this was an issue between two principles—the principle of the freedom of the individual conscience, and therefore the principle of the separation of religion and the State; as against the principle of the union of religion and the State, and therefore the principle of the absolute subjection and enslavement of the individual conscience. Rome refused to recognize the principle of Christianity, and Christianity would not yield the principle. The contest was carried on two hundred and fifty years through streams of blood and untold suffering of the innocent. Then Rome, by an imperial edict, recognized the justice of the Christian principle, and the right of every man to worship whatever God he pleases, without any interference on the part of the State. The principle of Christianity had triumphed.

Then paganized bishops, ambitious of absolute power, through a dark intrigue with the Emperor Constantine, succeeded in establishing a union of the Catholic religion with the Roman State, and thus perverted to the interests of the Papacy the victory which had been so nobly won, and again Christianity had to take up the contest in behalf of the rights of conscience, and of the separation of religion and the State. And again through torrents of blood, and untold suffering of the guiltless, for more than a thousand years, the Papacy made its way to the place of supreme authority in the world.

Then came the Reformation, announcing anew to the world the Christian principle of the absolute separation of religion and the State, and the rights of the individual conscience; and by an unswerving exercise of the divine right of dissent, established Protestantism. But sad to say, even Protestantism was presently perverted, and the Christian principle was violated which gave it of right a name in the world. Then the contest had still to go on, as ever, through blood and suffering of the innocent, by the Christians' exercise of the divine right of dissent, of the freedom of conscience, and by a protest against a

false Protestantism in Geneva, in Scotland, in England, in New England, in Virginia, and all the other American Colonies, except Rhode Island alone.

Then arose the new Nation, declaring before all people that "all men are created equal, and are endowed by their Creator with certain unalienable rights, among which are life, liberty, and the pursuit of happiness; that to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed;" and, when the national Government was formed, recognizing and establishing, as an example to all the world, and as a principle of the Government itself, *the Christian principle of the absolute separation of Church and State, and therefore the divine right of the free exercise of the individual conscience*; requiring of men that they render to Cesar only that which is Cesar's, and leaving them absolutely free to render to God that which is God's, or not to render it at all, even as the individual might choose in the exercise of his own personal individual right of conscience.

Thus, after ages of bloodshed and suffering, through fearful persecution by Paganism, Catholicism, and false Protestantism, the Christian principle of freedom of conscience and the separation of religion and the State was made triumphant before all the world.

Much has been said (none too much, however) in praise of the wisdom of the fathers of this Republic in establishing a Government of such magnificent principles, but it would be an impeachment of their common sense to think of them that they could have done any less, or any other, than that which they did. The history of those ages was before them. They saw the sufferings that had been endured in behalf of the rights of conscience, and which had been inflicted in every instance by religious bigots in control of the civil power. Were they to shut their eyes upon all this, and go blindly blundering on in the same course of suffering and of blood?

Both the history and the philosophy of the whole matter is expressed by Madison in that magnificent memorial and remonstrance which he wrote in behalf of the free exercise of religious belief in Virginia, the principles of which were likewise, by his influence; embodied in the national Constitution. He said:—

A just government, instituted to secure and perpetuate it [public liberty] . . . will be best supported by protecting every citizen in the enjoyment of his religion with the same equality which protects his person and his property; by neither invading the equal rights of any

sect, nor suffering any sect to invade those of another. . . . What a melancholy mark is the bill of sudden degeneracy. Instead of holding forth an asylum to the persecuted, it is itself a signal of persecution. It degrades from the equal rank of citizens all those whose opinions in religion do not bend to those of the legislative authority. Distant as it may be, in its present form, from the Inquisition, it differs from it only in degree. The one is the first step, the other is the last, in the career of intolerance. . . . Torrents of blood have been spilt in the Old World in consequence of vain hopes of the secular arm to extinguish religious discord by proscribing all differences in religious opinion. Time has at length revealed the true remedy. Every relaxation of narrow and rigorous policy, wherever it has been tried, has been found to assuage the disease. The American theater has exhibited proofs that equal and complete liberty, if it does not wholly eradicate it, sufficiently destroys its malignant influence on the health and prosperity of the State. If with the salutary effects of this system under our own eyes, *we begin to contract the bounds of religious freedom*, we know no name which will too severely reproach our folly.

The lessons of history were not lost upon the noble minds that formed the Government of the United States. The blood which had been shed, and the sufferings which had been endured, both in the Old World and in the New, bore their fruit in the right of the free exercise of religion guaranteed by the supreme law of the new Nation—the right of every citizen to be protected in the enjoyment of religion with the same just and equal hand that protects his person and his property. This right, in the meaning and intent of those who declared and established it, is the right of "equal and complete liberty," of complete religious freedom, the bounds of which should never be contracted. This is the sense in which the doctrine of the free exercise of religious belief is declared and established by the Constitution of the United States, and by the Constitution of Tennessee, and the several States which

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have followed the example of the national Constitution.

Now, in view of history and these facts, please read the following extract from Judge Hammond's *dictum* on the question of religious freedom:—

This very principle of religious freedom is the product of our religion, as all of our good customs are; and if it be desirable to extend that principle to the ultimate condition that no man shall be in the least restrained, by law or public opinion, in hostility to

religion itself, or in the exhibition of individual eccentricities or practices of sectarian peculiarities or religious observances of any kind, or be fretted by laws colored by any religion that is distasteful to anybody, *those who desire that condition must necessarily await its growth into that enlarged application.* But the courts cannot, in cases like this, ignore the existing customs and laws of the masses, nor their prejudices and passions even, to lift the individual out of the restraints surrounding him, because of those customs and laws, *before the time has come* when public opinion shall free all men in the manner desired. Therefore it is that *the petitioner cannot shelter himself just yet behind the doctrine of religious freedom* in defying the existence of a law and its application to him, which is distasteful to his own religious feeling or fanaticism, etc.

Is it possible that the history of eighteen centuries has taught no lesson that can be learned by a court of the United States? Can it be possible that the streams of blood that have been shed, and the fearful sufferings that have been endured, in behalf of the rights of conscience and the free exercise of religion, have been in vain? Do we indeed stand in the first century instead of the nineteenth? And from there are we to "await the growth" of the principle of religious freedom into such an enlarged application that religion and the State shall be separate; and that every man may enjoy the free exercise of religion, according to the individual conscience? Is it true that the time has not yet come when men can be counted free from religious oppression?—from religious observances enforced by law, "in spite of religious freedom and in spite of the progress that has been made in the absolute separation of Church and State"? Is it true that from such oppression men cannot shelter themselves yet behind the doctrine of religious freedom?

Again, we can only inquire, and in astonishment, too, Has the history of the past enlightened centuries no lesson upon this subject that can be learned by a court of the United States? Have the suffering through these centuries for this principle all been endured in vain? Has the work of our governmental fathers been utterly in vain? Do we truly live in the nineteenth century and in the United States or do we live in the first century in Rome?

A. T. J.

November 19, 1891

"Judge Hammond and the Seventh-day Adventists" *The American Sentinel* 6, 45 , pp. 353-355.

ANOTHER very important, and what would seem a rather peculiar passage from Judge Hammond's *dictum* in the famous King case, is the following:—

The petitioner can not shelter himself just yet, behind the doctrine of religious freedom, in defying the existence of a law, and its application to him, which is distasteful to his own religious feeling or fanaticism, that the seventh day of the week, instead of the first, should be set apart by the public for the day of public rest and religious observances. That is what he really believes and wishes, he and his sect, and not that each individual should select his own day of public rest, and his own day of labor. His real complaint is, that his adversaries on this point have the advantage of usage and custom, and the laws founded on the usage and custom, and not that religious freedom has been denied to him. He does not belong to the class that would abrogate all law for a day of rest, because the day of rest is useful to religion, and aids in maintaining the churches, for none more than he professes the sanctifying influence of the fourth commandment, the literal observance of which by himself and all men, is the distinguishing demand of his own peculiar sect.

This is an important statement for more reasons than one, all of which we can not just now notice. It presumes to define for Mr. King, and the people with whom he is religiously connected, just what they really believe and wish. The thing is done, too, in such a way that it appears that the Judge considers himself capable of defining their beliefs and wishes, *according to his own views*, more plainly and more authoritatively than they themselves are able to.

We say that his statement is the statement of *his own views*, and not theirs, because we personally know that as a matter of fact, the views attributed to them by Judge Hammond, are not, in any sense, the views held by themselves, and which are matters of public record. In other words, we know and are abundantly able to prove, and shall prove, that the statements made by Judge Hammond, as quoted above, are not true in any sense whatever.

As to the belief and wish of Mr. King as an individual, in this respect, we are able to present it in his own words over his own signature, as the following plainly shows:—

43 Bond St., New York City,
October 6, 1891.

MR. R. M. KING,
Lane, Dyer Co., Tenn.

Dear Sir:—His Honor, Judge E. S. Hammond, in his decision in your case, made certain statements in regard to your own personal faith, as to laws enforcing the observance of the Sabbath which you observe, which, from what I know of yourself and your people, seem certainly mistaken. I send you herewith these statements, numbered separately, with questions annexed, to which I wish you would write your own answers as to your own personal and individual belief.

Please answer, and return as soon as possible, and oblige,
Truly yours, ALONZO T. JONES, *Editor* AMERICAN SENTINEL.

The statements of Judge Hammond and the questions below, were sent to Mr. King, to which he replied as follows:—

Lane, Tenn.,
October 11, 1891.

MR. A. T. JONES,
Bond Street, New York City.

Dear Sir:—Your letter of the 6th to hand. I will now proceed to answer the questions in regard to the statements made by His Honor, Judge E. S. Hammond, in his decision on my case.

[The answers to questions below, are the words of Mr. King.—
EDITOR SENTINEL.]

The Judge's statements are as follows:

1. "His own religious feeling or fanaticism [is] that the seventh day of the week, instead of the first, should be set apart by the public for the day of public rest and religious practices."

Question: Is this true, or was it ever true, in any sense?

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Answer: "This is not true, and never was true in any sense."

2. "This is what he really believes and wishes, he and his sect, and not that each individual shall select his own day of public rest and his own day of labor."

Question: (1) Is this true in any sense? *That is,* Do you "really believe and wish" what he says you do?

Answer: "I never did believe or wish for such a thing."

(2) Do you really believe and wish what he says you *do not*, that is, that "each individual shall select his own day of public rest and his own day of labor"?

Answer: "I believe God has set apart the day; but so far as human government is concerned, each individual should be left free to rest or to work."

(3) To the best of your knowledge and belief, is that which the Judge here says, a true statement of the belief and wishes of your sect upon this point?

Answer: "I never knew of any of my sect believing or wishing for such a thing."

3. His real complaint is that his adversaries on this point have the advantage of usage and custom, and the laws formed on that usage and custom, not that religious freedom has been denied to him."

Question: (1) Is it true in any sense that your real complaint is that the Sunday observers have the advantage?

Answer: "It is not."

(2). Is it your real and unqualified complaint that religious freedom has been denied you?

Answer: "That is the real complaint."

4. "He does not belong to the class that would abrogate all laws for a day of rest."

Question: It is presumed that human laws only are here referred to, *therefore* do you believe in the rightfulness of human laws enforcing a day of weekly rest? or do you indeed believe that all human laws enforcing a day of rest ought to be abrogated?

Answer: "I believe all laws enforcing a day of rest ought to be abolished."

5. "He professes the sanctifying influence of the fourth commandment, the literal observance of which by himself and all men is the distinguishing demand of his own peculiar sect."

Question: (1) Is it the distinguishing, or any other kind of, demand, of yourself, that the literal, or any other, observance of the fourth commandment shall be enforced upon yourself or anybody else by any form of human law?

Answer: "No, it is not."

(2). To the best of your knowledge and belief, is any such thing the distinguishing, or any other kind of, demand of your "own peculiar sect"?

Answer: "So far as iffy knowledge goes, it is not. And I don't believe it ever was in any case."

Yours truly, (*Signed,*) R. M. KING.

As for the Seventh-day Adventists, as a denomination, or a "sect," or a "peculiar sect," there is something to be said also.

The Seventh-day Adventists have a record upon this subject, which is plain and unmistakable. Nor is it merely a record in the common acceptance of the term. It is a *public* record: public, too, in the sense that it is a part of the record of the Senate of the United States. December 13, 1888, the United States Senate Committee on Education and Labor held a hearing upon the bill for a national Sunday law, which had been introduced in the Senate by Senator Blair, chairman of this committee. At that hearing the Seventh-day

Adventists were officially represented. In the argument that was there made by them in the person of their official representative, this very point was brought out clearly and distinctly more than once, and we here present their position as stated in that argument, and as since published by themselves, and which has thus been made open to all who have a mind to read upon the subject. We quote:—

Senator Blair.—Would it answer your objection in that regard, if, instead of saying "the Lord's day," we should say "Sunday"?

Mr. Jones.—No sir. Because the underlying principle, the sole basis, of Sunday, is ecclesiastical, and legislation in regard to it is ecclesiastical legislation. I shall come more fully to the question you ask presently.

Now, do not misunderstand us on this point. We are Seventh-day Adventists; but if this bill were in favor of enforcing the observance of the seventh day as the Lord's day, we would *oppose it just as much as we oppose it as it is now*, for the reason that civil government has nothing to do with what we owe to God, or whether we owe anything or not, or whether we *pay* it or not. . . . therefore, we say that if this bill were framed in behalf of the real Sabbath of the Lord, the seventh day, the day which we observe, if this bill proposed to promote its observance, or to compel men to do no work upon that day, *we would oppose it just as strongly as we oppose it now*; and I would stand here at this table and argue precisely as I am arguing against this, and upon the same principle,—the principle established by Jesus Christ,—that with that which is God's *the civil government never can of right have anything to do*. That duty rests solely between man and God; and if any man does not render it to God, he is responsible only to God, and not to any man, nor to any organization or assembly of men, for his failure or refusal to render it to God. And any power that undertakes to punish any man for his failure or refusal to render to God what is God's, puts itself in the place of God. Any government which attempts it, sets itself against the word of Christ, and is therefore antichristian. This Sunday bill proposes to have this Government do just that thing, and therefore, I say, without any reflection upon the author of the bill, this national Sunday bill which is under discussion *here* to-day is antichristian. But in saying this, I am not singling out this contemplated law as worse than all other Sunday laws in the world. There never was a Sunday law that was not antichristian, and there never can be one that will not be antichristian.

Senator Blair.—You oppose all the Sunday laws of the country, then?

Mr. Jones.—Yes, sir.

Senator Blair.—You are against all Sunday laws?

Mr. Jones.—Yes, sir; we are against every Sunday law that was ever made in this world, from the first enacted by Constantine to this one now proposed; *and we would be equally against a Sabbath law if it were proposed;* for that would be antichristian, too.

Senator Blair.—State and national, alike?

Mr. Jones.—State and national, sir.

Again:—

Senator Blair.—In other words, you take the ground that for the good of society, irrespective of the religious aspect of the question, society may not require abstinence from labor on the Sabbath, if it disturbs others?

Mr. Jones.—As to its disturbing others, I have proved that it does not. The body of your question states my position exactly.

Senator Blair.—You are logical all the way through that there shall be no Sabbath.

Again:—

Senator Blair.—I do not see from what you are stating, but that Christ recognized an existing law, and that it is continuing at the present time. You say that it is one day, and they say that it is another.

Mr. Jones.—But they are after a law to enforce the observance of the first day of the week as the Lord's day, when they confess that the Lord never, gave any command in regard to it. The commandment which God gave says that the "seventh day is the Sabbath."

Senator Blair.—Is it still the Sabbath?

Mr. Jones.—Certainly, and we keep it; *but we deny the right of any civil government to compel any man either to keep it or not to keep it.*

Senator Blair.—The civil government of the Jews compelled its observance?

Mr. Jones.—That was a theocracy.

Again:—

Senator Blair.—You are entirely logical, because you say there should be no Sunday legislation by State or Nation either.

Mr. Jones.—Of course I am logical, all the way through. I want to show you the wicked principle upon which this whole system is founded, and the reason I do this is because the last step is involved in the first one. If you allow this principle and this movement to take the first step, those who get the power will see in the end that *they* take the last step. That is the danger.

Again:—

Senator Blair.—Your proposition is to strike out the Sabbath from the Constitution and condition of society in these modern times?

Mr. Jones.—No sir.

Senator Blair.—Certainly, so far as its existence and enactment and enforcement by law are concerned.

Mr. Jones.—Yes, sir, by civil law.

Again:—

Senator Blair.—You would abolish the Sabbath, anyway?

Mr. Jones.—Yes, in the civil law.

Senator Blair.—You would abolish any Sabbath from human practice which shall be in the form of law, unless the individual here and there sees fit to observe it?

Mr. Jones.—*Certainly*; that is a matter between man and his God.

Again: There was a proposition made to insert an exemption clause, and upon this point we have the following words:—

Senator Blair.—You care not whether it is put in or not?

Mr. Jones.—*There is no right whatever in the legislation*; and we will never *accept* an exemption clause as an equivalent to our opposition to the law. It is *not to obtain relief for ourselves* that we oppose the law. *It is the principle of the whole subject of the legislation to which we object*; and an exemption clause would not modify our objection in the least.

Senator Blair.—You differ from Dr. Lewis?

Mr. Jones.—Yes, sir, we will never accept an exemption clause, as tending in the least to modify our opposition to the law. *We as firmly and fully deny the right of the State to legislate upon the subject with an exemption clause as without it.* . . .

Senator Blair.—You object to it?

Mr. Jones.—We object to the whole principle of the proposed legislation. We go to the root of the matter, and deny the right of Congress to enact it.

Senator Blair.—You say that the proposed exemption does not make it any better?

Mr. Jones.—Not a bit.

Nor is this the only record in the case. February 18, 1890, the House Committee on District of Columbia held a hearing on a Sunday bill introduced by Hon. W. C. P. Breckinridge, for the District of Columbia. The Seventh-day Adventists of the District of Columbia were heard before this committee. From the verbatim report of the speeches made by them that day, we quote again:—

Mr. Corliss.—Mr. Chairman: I have little time for preliminaries, and none for personalities, I have, however, some arguments to present against the bill under consideration, merely pausing to say that I thank the last speaker (Mr. Crafts) for his confession of lack of argument in support of the bill, which he has shown in the fact of his having indulged in personalities the most of the time allowed to him. I can use my time to better advantage. I will use only a half-hour, then yield a half-hour to Mr. Jones, of New York. Mr. McKee, also, has a brief, which he will present for consideration.

The Chairman. —We desire to know in whose behalf you appear?

Mr. Corliss.—I reside in this city, sir, with my family. I speak in behalf of the Seventh-day Adventist Church in Washington, of which I am, at present, the Pastor; as a citizen of the United States;

and as a resident of this District. I appear, not as has been affirmed before you, *to speak in behalf of a Saturday Sabbath*. Far from it, Gentlemen of the Committee. *If this bill, No. 3,854, were to have incorporated into it, instead of "Sunday, or the first day of the week," the words, "Saturday, or the seventh day of the week," there is no one who would oppose it stronger than I.* And I would oppose it just as strongly as I do in its present form, for the reason that it is not sectarianism that calls us here to-day; but we see in this bill a principle of religious legislation that is dangerous, not to our liberties in particular, but

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to the liberties of the Nation. For, as you perceive, this bill has an exemption clause providing that "this act shall not be construed to apply to any person or persons who conscientiously believe in, and observe, another day of the week than Sunday as a day of rest." *This fact gives us more courage to oppose the measure, because we know that all fair minded people will be able to see that our opposition arises from a broader and higher motive than that, of self-interest.*

Again:—

Mr. Corliss.—Mr. Jones has been called here by myself as pastor of the Seventh-day Adventist Church here in Washington. I have called that church together, and, by a rising vote, they have requested Mr. Jones to appear here on their behalf. Mr. A. T. Jones, of New York City, Editor of THE AMERICAN SENTINEL.

Mr. Jones.—Mr. Chairman and Gentlemen of the Committee: I shall devote most of my remarks to the subject which was made so much of by the gentleman who spoke last on the other side (Mr. Crafts), namely, the Seventh-day Adventists, and their opposition to this legislation. . . .

Congress can make no law upon the subject of religion without interfering with the free exercise thereof. *Therefore the Seventh-day Adventists, while observing Saturday would most strenuously [sic.] oppose any legislation* proposing to enforce the observance of that day. That would be an interference with the free exercise of our right to keep that day as the Sabbath. Therefore we come to you to plead for protection. *We do not ask you to protect us by legislation. We do not ask you to legislate in favor of Saturday,—not even to the extent of an exemption clause.* We ask you to protect us by refusing to give to these men their coveted power to invade our rights. We appeal to you for protection in our constitutional rights as well as our rights of conscience. . . .

Gentlemen: It is time for all the people to declare *as the Seventh-day Adventists decidedly do*, that this Nation is, and of right ought to be. FREE AND INDEPENDENT OF ALL

ECCLESIAMSTICAL OR RELIGIOUS INFLUENCE,
CONNECTION, OR CONTROL.

If any further evidence be required here it is:—

43 Bond Street, New York City,
October 6, 1891.

ELD. O. A. OLSEN,
Pres. Gen'l Conf. S. D. Adventists, Battle Creek, Mich.

Dear Sir:—In his decision in the case of R. M. King, or rather in his *dictum* appended to that decision, his Honor, Judge E. S. Hammond, of the United States Circuit Court, makes certain statements in regard to the beliefs and wishes of the "peculiar sect" with which Mr. King is connected religiously, the Seventh-day Adventists. From my understanding of the views held by this people on this question, I doubt the correctness of the Judge's statements. Therefore, I send herewith a copy of the statements, with questions appended, to which I respectfully request that you would write an answer as fully as you may deem proper. By so doing, you will greatly oblige,

Truly yours, ALONZO T. JONES,
Editor AMERICAN SENTINEL.

The statements of the Court are as follows:—

(1) His [King's] own religious feeling or fanaticism [is] that the seventh day of the week, instead of the first, should be set apart by the public for the day of public rest and religious practices. *This is what he really believes and wishes, he and his sect*, and *not* that each individual shall select his own day of public rest and his own day of labor.

Question: Is this true?

Answer: I have been personally connected with the Seventh-day Adventist denomination for more than thirty years, and I can *freely* say that no such belief or wish is entertained by this people. Our belief and wish is directly the opposite of that stated by the Judge.

"He professes the sanctifying influence of the fourth commandment, the literal observance of which by himself and all men *is the distinguishing demand of his own peculiar sect.*"

Question: Is it the distinguishing, or any other kind of, demand of the Seventh-day Adventist body, that the literal or any other observance of the fourth commandment shall be enforced upon themselves or anybody else, by any form of human laws?

Answer: It is not. We do *teach*, not *demand*, that ourselves and all men should observe the fourth commandment literally, as God gave it. But this observance must be the free choice of the individual, according to the dictates of his own conscience.

(Signed) O. A. OLSEN,

*Pres. Gen. Conf. of the Seventh-day Adventists.
Austell, Georgia, October 12, 1891.*

Thus by evidence which cannot be questioned, it is demonstrated that the statements of Judge Hammond as to the belief and wish of the Seventh-day Adventists are false in every particular. Indeed, if the points made in the argument before the United States Senate Committee, December 13, 1888, had never been made till this nineteenth day of November, 1891, and were now publicly made for the first time, in direct and intentional refutation of the statements of the Judge, it would not be possible to make them more flatly contradictory to those statements than they are.

But as these points have been matter of public national record, and matter of knowledge to thousands upon thousands of the people, for nearly three years before Judge Hammond set forth his *dictum*, this *fact* leaves him—a judge of a court of the United States—in the unenviable predicament of having upon a simple question of fact, officially published to the world a series of statements which are not only untrue in themselves, but which public and official records *show* to be untrue, and which thousands upon thousands of the people *know* to be untrue.

A. T. J.

November 26, 1891

"Is This a Prerogative of the United States Courts?" *The American Sentinel* 6, 46 , pp. 361, 362.

LAMST week we showed by unquestionable proofs from public records, as well as personal and representative documents, that the statements made by Judge Hammond as to the beliefs and wishes of Mr. King and his "peculiar sect" are not true in any sense. This, however, is a very small matter compared with the *principle* which is involved, and which underlies this action of the Judge: *that is*, the assumption of the prerogative of defining, and passing judgment upon the beliefs and wishes of citizens of the United States.

For convenience, we insert again the passage referred to, which runs as follows:—

The petitioner cannot shelter himself just yet, behind the doctrine of religious freedom, in defying the existence of a law, and its application to him, which is distasteful to his own religious feeling or *fanaticism*, that the seventh day of the week, instead of the first,

should be set apart by the public for the day of public rest and religious observances. *That is what he really believes and wishes, he and his sect,* and *not* that each individual should select his own day of public rest, and his own day of labor. His *real* complaint is, that his adversaries on this point have the advantage of usage and custom, and the laws founded on the usage and custom, *not* that religious freedom has been denied to him. *He does not belong* to the class that would abrogate all laws for a day of rest, because the day of rest is useful to religion, and aids in maintaining the churches, for none more than he professes the sanctifying influence of the fourth commandment, the literal observance of which by himself and all men, is the distinguishing demand of his peculiar sect.

As before shown, every material statement in this passage, as to the beliefs and wishes of the petitioner and his sect, is directly the reverse of the truth in the matter. And in view of this *fact*, it is evident that the Judge has presumed authoritatively to define for Mr. King and the people with whom he is religiously connected just what their "religious feeling" is, and what they really believe and wish. And it is evident that the Judge considers himself capable of defining for them what their religious feeling is and what they really believe and wish, better than they can do it for themselves; because that which he declares to be their religious feeling, and what they really believe and wish is directly contrary to what they themselves had formerly and officially declared upon the same points precisely.

Nor does the Judge stop here. Having officially declared for them what their religious feeling is and what they really believe and wish, and so having this point judicially settled he proceeded to judge their motives, and to declare them "disingenuous,"—"not noble or high-toned; mean, unworthy . . . unworthily or meanly artful," in their "demand for religious freedom." And not content with this he must needs apply to the religious feeling which he has falsely attributed to them the approbrious epithet of "fanaticism."

This is a singular proceeding for a court of the United States. It strongly reminds us of certain court proceedings in times past, which are worth recalling in this connection. There are many of them, but one will suffice for this occasion. January 18, 1573, a certain Mr. White, a Puritan, and "a substantial citizen of London, who had been fined

and tossed, from one prison to another, contrary to law and justice [yet all in "due process of law"-EDITOR], only for not frequenting his

parish church," and for relinquishing the Church of England toggery, was prosecuted before an English court, the Lord Chief Justice presiding, who was assisted by the Master of the Rolls, the Master of the Requests, a Mr. Gerard, the Dean of Westminster, the Sheriff of London, and the Clerk of the Peace. The record is in part as follows:—

Lord Chief Justice.—Who is this?

White.—White, an't please your honor.

L. C. J. —White? as black as the devil!

White.—Not so, my lord; one of God's children.

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Master of Requests.—What scriptures have you to ground your conscience against these garments?

White.—The whole Scriptures are for destroying idolatry, and everything that belongs to it.

M. Req.—These things never served to idolatry.

White.—Shough! they are the same which were heretofore used to that purpose.

M. Req.—Where is the place where these are forbidden?

White.—In Deuteronomy and other places . . . and God by Isaiah commandeth us not to pollute ourselves with the garments of the image.

Master of the Rolls.—These are no part of idolatry, *but are commanded by the prince for civil order*; and if you will not be ordered, you show yourself disobedient to the laws.

White.—I would not willingly disobey any law, only I would avoid those things that are not warranted by the word of God.

M. Req.—These things are commanded by an act of Parliament, and in disobeying the laws of your country you disobey God.

White.—I do it not of contempt, but of conscience; in all other things I am an obedient subject.

L. C. J.—Thou art a contemptuous fellow and will obey no laws.

White.—Not so, my lord: I do and will obey laws; . . . refusing but a ceremony out of conscience . . . and I rest still a true subject.

L. C. J.—The Queen's majesty was overseen not to make you of her council, to make laws and orders for religion.

White.—Not so, my lord; I am to obey laws warranted by God's word.

L. C. J.—Do the Queen's laws command anything against God's word.

White.—I do not so say, my lord.

L. C. J.—Yes, marry, do you, and there I will hold you.

White.—Only God and his laws are absolutely perfect; all men and their laws may err.

L. C. J.—This is one of Shaw's darlings. I tell thee what, I will not say anything of affection, for I know thee not, saving by this occasion; thou art the wickedest and most contemptuous person that has come before me since I sat in this commission.

White.—Not so, my lord; my conscience witnesseth otherwise.

Dean of Westminster.—You will not, then, be obedient to the Queen's commands?

White.—I would only avoid those things which have no warrant in the word of God; that are neither decent nor edifying, but are flatly contrary.

L. C. J.—You would have no laws.

White.—If there were no laws I would live a Christian and do no wrong; if I received any, so it were.

L. C. J.—Thou art a rebel.

White.—Not so, my lord: a true subject.

L. C. J.—Yes, I swear by God, thou art a very rebel; for thou wouldst draw thy sword, and lift up thy hand against thy prince, if time served.

White.—My lord, I thank God my heart standeth right toward God and my prince; *and God will not condemn, though your honor hath so judged.*

L. C. J.—Take him away.

White.—I would speak a word which I am sure will offend, and yet I must speak it; I heard the name of God taken in vain; if I had done it, it had been a greater offense there than that which I stand here for.

Mr. Gerard.—White, White, you don't behave yourself well.

White.—I pray your worship show me wherein, and I will beg pardon and amend it.

L. C. J.—I may swear in a matter of charity.

White.—Pray, my lord, let me have justice. I am unjustly committed; I desire a copy of my presentment.

L. C. J.—You shall have your head from your shoulders. Have him to the Gatehouse.

White.—I pray you to commit me to some prison in London, that I may be near my house.

L. C. J.—No sir, you shall go thither.

White.—I have paid fines and fees in other prisons; send me not where I shall pay them over again.

L. C. J.—Yes, marry, shall you: this is your glory.

White.—I desire no such glory.

L. C. J.—It will cost you twenty pounds, I warrant you, before you come out.

White.—God's will be done.—Neal's "History of the Puritans," Vol. I. chap. V.

Hitherto, it has been supposed by the American people that we had been delivered from such judicial procedure as is here represented, and that citizens of the United States were free from attacks and abuse from the judicial bench on account of their religious beliefs and feelings. But when we are confronted with the fact that from a judicial bench of the United States thousands of citizens of the United States are falsely charged, to their reproach, and denounced as "disingenuous," and branded with the epithet of "fanaticism" solely on account of their "religious feelings," and their *beliefs* and *wishes*, with respect to religious observances, then it is certainly time for the people of the United States to look about them and inquire whether the rights and liberties bequeathed to us by our fathers, are indeed all a delusion and a snare?

Of course, this is all consistent with the Judge's views of the relationship of religion and the civil power, and the prerogatives of those religionists who can secure control of legislation, and thus enforce upon all, their own religious beliefs and observances. But, in this as in every other point of his *dictum*, the Judge's ideas become a court of the Dark Ages more than any court of the nineteenth century; and a country dominated by papal principles, instead of one dominated by the principles of the Declaration of Independence, and the United States Constitution. If the jurisdiction of the courts of the United States, stands indeed in things religious as well as things civil, and if the judges of those courts really sit in the place of God, and enjoy the infallibility that belongs to such position, then it is proper enough, of course, that they should exercise that prerogative in deciding for individuals and sects what their religious beliefs and wishes really are, and whether a religious feeling is fanaticism or not. But if such be not the jurisdiction of the courts, nor the position of the judges, then they are entirely out of place when they assume to themselves such jurisdiction and exercise such prerogatives.

And that such is not the jurisdiction of any court of the United States, nor the position of any judge thereof, is evident from every principle of the Declaration of Independence and of the Constitution of the United States, and also from the whole history of the formation of that Constitution.

In closing we cite a passage from a decision of the Supreme Court of California, in a case involving the identical question and principle

that was before the Circuit Court of the United States for the Western district of Tennessee. The principles set forth by the California Court are fully as applicable to the United States as they are to that State. We are sure that upon a comparison between this extract and that from Judge Hammond at the beginning of the article, no reader will have the slightest difficulty in deciding which has the true ring, or which sets forth the true American doctrine. The California Court said:—

The protection of the Constitution extends to every individual or to none. It is the individual that is to be protected. The principle is the same, whether the many or the few are concerned. The Constitution did not mean to inquire how many or how few would profess or not profess this or that particular religion. If there be but a single individual in the State who professes a particular faith, he is as much within the sacred protection of the Constitution as if he agreed with the great majority of his fellow-citizens.

We cannot therefore inquire into the particular views of the petitioner, or any other individual. . . . The Constitution protects the freedom of religious *profession* and worship, without regard to the sincerity or insincerity of the worshipers. We could not inquire into the fact whether the individual professing to hold a particular day as his Sabbath was sincere or otherwise. He has the right to profess and worship as he pleases, without having his motives inquired into. His motives in exercising a constitutional privilege are matters too sacred for judicial scrutiny. Every citizen has the undoubted right to vote and worship as he pleases, without having his motives impeached in any tribunal of the State.—*Cal. Rep. 9 Lee. 515.*

And let all the people forever say, Amen.

A. T. J.

December 3, 1891

"What Has God Enjoined?" *The American Sentinel* 6, 47 , pp. 369-371.

LAMST week we showed how a court of the United States, as represented in the *dictum* of Judge E. S. Hammond, has presumed to assert jurisdiction over the religious feelings, and the beliefs and wishes of citizens of the United States; and exercised the prerogative of deciding for them what they really believe and wish, and of condemning them accordingly. Nor is the instance there cited the only one in the now famous *dictum*. At another place he touches the same point in the following words:—

It is not necessary to maintain that to violate the Sunday observance customs [the act] shall be of itself immoral, to make it criminal in the eyes of the law. It may be harmless in itself, because, as petitioner believes, God has not set apart that day for rest and holiness, to work on Sunday; and yet *if man has set it apart* in due form, by his law, for rest, *it must be obeyed as man's law if not as God's law*. And it is just as evil to violate such a law, in the eyes of the world, as one sanctioned by God—I mean just as criminal in law. . . . Or to express it otherwise, there is in one sense a certain immorality in refusing obedience to the laws of one's country, subjection to which *God himself has enjoined upon us*.

As we are not yet convinced that the Judge has rightfully assumed the prerogative of officially declaring what the will of God is, we desire to know how he knows that God has enjoined subjection to the laws of one's country, in the sense conveyed in this statement and in this *dictum* throughout?—that is that we must be in unqualified subjection to whatever laws men may at any time and in any wise enact, even though they be such laws as may be demanded by "a sort of factitious advantage" of a set of religionists who insist upon it "in spite of the clamor for religious freedom, and the progress that has been made in the absolute separation of Church and State."

Everybody who has ever read the Bible knows that God has never enjoined subjection to the laws or governments of men in any such sense as that. It is true that the powers which be are ordained of God; but it is also true that these powers are not ordained to act in the place of God. He who has ordained these powers, and set over them the basest of men (Dan. 4:17.) has also set a limit to their jurisdiction.

Only the things that are Cesar's are to be rendered to Cesar. With anything that pertains to God, government can never have anything to do. The limit of governmental jurisdiction is the citizen's relation to his fellow-citizens, or to the State. This jurisdiction is to be exercised in maintaining "civil order and peace." So long as a man conducts himself peaceably and pays his taxes, with him the State can have nothing to do. No State therefore can ever of right prohibit anything *which is harmless in itself*. To attempt to do so, is the first step toward a despotism.

The principles of the limits of State jurisdiction as regards religion, however, have been so fully discussed in THE SENTINEL, that it is not necessary to do so again in this connection. God has given practical examples, which so flatly and positively contradict the theory propounded by Judge Hammond, that it will be in order to note some

of them in this connection. Besides as the Judge has taken upon him to declare for citizens of

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the United States, just what God has enjoined in this respect, it is perfectly in order for us to read for ourselves what, in practice as well as in principle, God has really enjoined.

As related in the third chapter of Daniel, the King of Babylon once set up a great image and called a grand general assembly of the people to celebrate the dedication of it. On the set day all were commanded to bow down and worship the golden image. There were three Jews who flatly refused. By "a sort of factitious advantage" the worshipers of the image had "the aid of the civil law, and adhered to that advantage with great tenacity in spite of the clamor for religious freedom." The image-worshipers therefore insisted that these three "non-conformists" should be conformists, as they were "required, every one of them to comply" with this certain ceremony.

The dissenters refused to comply. By the image-worshipers this refusal was held to be a defiant setting up of the dissenters' "non-observance by an ostentatious display of their disrespect for the feelings or prejudices of others." And as the dissenters were held to be "ostentatiously" refusing "for purposes of emphasizing their distaste for or their disbelief in the custom" of image-worship, they were "made to suffer for their defiance by persecutions, if you call them so, on the part of the great majority" of image-worshipers, who would compel them to worship when they worshiped.

The penalty of the law was that whoever should refuse to worship the image, should be cast into a burning fiery furnace. As the image-worshipers were very tenacious of their "sort of factitious advantage" they prosecuted the three non-conformists. And what made the image-worshipers yet more tenacious of their "sort of factitious advantage" was the fact that the dissenters not only refused to conform, but maintained the inalienable right to dissent from every phase of the proposed custom.

When prosecuted, the non-conformists, in open court, refused to conform and asserted their right to refuse. The judge declared to them distinctly the alternative that "If ye fall down and worship the image . . . well, but if ye worship not, ye shall be cast the same hour into the midst of a burning fiery furnace; and who is that God that shall deliver you out of my hands?"

The three non-conformists replied to the judge, "We are not careful to answer thee in this matter. If it be so our God whom we serve is able to deliver us from the burning fiery furnace, and he will deliver us out of thy hand. But if not, be it known unto thee that we will not serve thy gods, nor worship the golden image which thou hast set up."

The judge was naturally inclined to favor the image-worshippers, and as public opinion was clearly on their side too, he was not willing to admit that the prisoners could shelter themselves just yet behind the doctrines of religious freedom in defying the existence of a law and its application to them which was distasteful to their "own religious feeling or fanaticism" that it was their right to worship according to the dictates of their own consciences; he held that as the law had commanded in due form the observance of this rite, it must be obeyed as man's law, if not as God's law. It is true the thing which the dissenters were doing was "harmless in itself," but that could not be allowed any weight, because the law commanded it, and therefore there was a certain immorality in refusing obedience to the laws of one's country, subjection to which God himself had enjoined. Therefore, "full of fury" and with "the form of his visage changed," the judge commanded that the furnace should be heated seven times hotter than usual, and that the prisoners should be remanded to its fierce embraces.

The judge was the king himself, and no sooner was his judgment executed, and the men cast into the flames, than he was more astonished than ever before in his life. He rose up in haste, and spake, and said unto his counsellors, Did not we cast three men bound into the midst of the fire? They answered and said unto the king, True, O King. He answered and said, Lo, I see *four* men *loose*, walking in the midst of the fire, and they have no hurt; and the form of the fourth is like the Son of God." Then the king called to the non-conformists, "Ye servants of the most high God, come forth, and come hither."

The king had learned something, for he spake and said: "Blessed be the God of Shadrach, Meshach, and Abednego, who hath sent his angel, and delivered his servants that trusted in him, *and have changed the king's word*, and yielded their bodies, *that they might not serve nor worship* any god, EXCEPT THEIR OWN GOD."

The king had learned that God had not enjoined subjection to the laws of the country in any thing that pertained to the rights of the individual to worship. He had learned that when the laws of the

country prohibit that which is harmless in itself, and thus interfere with the right of the individual to enjoy his God-given rights, then it is the law that is wrong, and not the action of the person who disregards the law: and that therefore the proper thing to do is to *change the law*, not to punish the harmless individual. Yes, King Nebuchadnezzar, heathen though he was, learned that much twenty-four hundred and ninety-one years ago. And when the Declaration of Independence, and the Constitutions of the United States and of the several States have embodied for this whole Nation this same doctrine, in the words, "All men are created equal and are endowed by their Creator with certain unalienable rights, among which are life, liberty, and the pursuit of happiness," and "No human power can in any case control or interfere with the rights of conscience," it is scarcely to the credit of a judge of a court of the United States that he should be farther behind the times than was the heathen Nebuchadnezzar nearly twenty-five hundred years ago.

Nor is this the only example in illustration of the principle; another is found in the Dan. 6:4-22. About sixty-five years later, in the reign of Darius the Mede, some arrogant religionists again by "a sort of factitious advantage secured the aid of the civil law." Consequently again a thing harmless in itself was forbidden by law, and man's law presumed to dictate as to when and how men should worship. There was a single non-conformist who again "ostentatiously displayed his distaste for and his disbelief in the custom," sought to be enforced by law. He too was made to suffer for his defiance "by persecutions on the part of the great and majority." He was cast into a den of lions. But the next morning afterward, was he was able to announce that "*God hath sent his angel and hath shut the lions' mouths that they have done me no hurt, forasmuch as innocency was found in me, and also before thee, O King, have I done into no hurt.*"

Again God declares the man innocent who disregards any law touching religious exercises, or prohibiting in such connection, that which is harmless in itself. Again God demonstrated that he has not enjoined subjection to the laws of one's country in any such things as these, or in any such sense as that.

About five hundred and sixty years afterward occurred another example illustrating the same thing. Again some religionists by "a sort of factitious advantage" had the aid of the civil law, and "adhered to that advantage with great tenacity in spite of the great clamor for religious freedom." "Then the high-priest rose up, and all that were

with him, and were filled with indignation, and laid the hands on the apostles, and put them in the common prison. But the angel of the Lord by night opened the prison doors, and brought them forth, *and said*, Go, stand and speak in the temple to the people all the words of this life." Acts 5:17-20.

Thus again it is shown not only that God never enjoined any such thing as Judge Hammond says he has, in the sense there argued, but that he has positively enjoined the opposite. In short, by these evidences, and volumes more that might be produced, it is demonstrated that the Judge's assumption, of the prerogative of officially declaring what God has enjoined, is about as wide of the mark as is his like attempt authoritatively to declare what the "religious feelings," "beliefs and

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wishes," of the Seventh-day Adventists "really" are.

But the strangest and most incongruous thing about the whole procedure is that he should presume to do it at all. A. T. J.

December 10, 1891

"The Rights of the People" *The American Sentinel* 6, 48 , pp. 377, 378.

IN our study of the opinion of the Circuit Court of the United States for the Western District of Tennessee, as expressed in Judge Hammond's *dictum* we have had to dwell upon the subject of the rights of the individual with respect to religion and religious observances enforced by law. We have found that in the whole *dictum* there is nowhere any recognition whatever of any such thing as the rights of the individual conscience; no right of the individual to choose for himself in religion or religious observances. Everything must be submitted to the dictates of, the majority, it matters not what that majority may declare or demand. In short the will of the majority is made absolute in all things. The State is made supreme and absolute, and the individual is completely swallowed up and absorbed therein. The majority alone have rights, and these are bestowed by the State.

This point was merely referred to in the quotation and discussion last week. The point is worthy of fuller examination, therefore we quote:—

The crime is in doing the thing forbidden by law, harmless though it be in itself. Therefore, all that part of the argument that it is

not hurtful in itself to work on Sunday, apart from the religious sanctity of the day, is beside the question. It may be that the courts would hold that repeated repetitions of a violation of a law forbidding even a harmless thing, could be a nuisance as tending to a breach of the peace. . . . That is to say a nuisance might be predicated of an act harmless in itself, if the will of the majority had lawfully forbidden the act, and rebellion against that will would be the gravamen of the offense.

Now in view of this statement, please read carefully the following:–

We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain *unalienable rights*; that *among these* are life, liberty, and the *pursuit of happiness*. That *to secure these rights*, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is *the right of the people* to alter or abolish it, and to institute a new government, laying its foundation on such principles, and organizing its powers in such form, as *to them* shall seem most likely to effect their safety and happiness.

In declaring that governments derive their just powers from the consent of the governed, there is declared not only the *sovereignty* of the people, but the entire *capability* of the people. And in declaring the equal and inalienable right of all men to life, liberty, and the pursuit of happiness, there is declared the entire capability of every man to enjoy life, and liberty, and to pursue happiness as he may think best, and he may choose for himself, so long as he interferes with no other man's equal right to the enjoyment of life, liberty, and the pursuit of happiness. This is the only limit that ever can rightly be set to the exercise of this right, and this limit is set in the very declaration itself. Indeed the declaration, in itself, presupposes that men are men indeed, and that as such they are fully capable of deciding for themselves as to what is best for their happiness, and how they shall pursue it.

Therefore no government, no law, can ever of right forbid the doing of anything that is harmless in itself.

Governments are not formed to interfere with or to restrict inalienable rights; but to *secure*, *to guard*; to make firm the

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enjoyment thereof. These rights men already possess as men, by virtue of being men in society, and not by virtue of government. These rights were theirs before government was; they were *their own* in the essential meaning of the term. These rights men "do not hold," says Stanley Matthews, "by any sub-infeudation, but by direct homage and

allegiance to the owner and Lord of all,"—their Creator, who has endowed them with these rights.

It is not the prerogative because it is not the purpose of government to put any restriction, limitation, or qualification, upon these rights, but solely to *secure* them.

For the rights of man, as man, must be understood in a sense that can admit of no single exception; for to allege an exception is the same thing as to deny the principle. We reject, therefore, with scorn, any profession of respect to the principle which, in fact, comes to us clogged and contradicted by a petition for an exception. . . . To profess the principle and then to plead for an exception, let the plea be what it may, is to deny the principle; and it is to utter a treason against humanity. The rights of man must everywhere, all the world over, be recognized and respected.—*Isaac Taylor.*

The plea that the doing of a harmless thing, or even the repeated repetition of it, to an infinite extent, could ever tend to a breach of the peace is most puerile, and is as despotic as it is puerile. The idea is this: You are going quietly on your way doing something which is harmless in itself. But I see you. And I am of so splenetic, irritable, and despotic, a disposition, that out of sheer wickedness I attack you. A breach of the peace has been committed; but lo, instead of punishing me for the breach of the peace, a law must be enacted *forbidding you ever again to do that harmless thing!* And this, forsooth, because it tends to a breach of the peace! You must submit to be robbed of your inalienable right, and be compelled to surrender it a tribute to the overbearing demands of my tyrannical disposition. The innocent citizen must be made a slave, and the tyrannical meddler must be clothed with power. Such an idea is the very essence of despotism. In such a conception there is no recognition of any such thing as inalienable right. Such a government would be an unmitigated tyranny.

Therefore, let it be forever repeated, that no law can ever justly be made forbidding the doing of anything that is harmless in itself. Such a law is wrong and essentially tyrannical in itself. Such a *law* is—not simply an *utterance* but—an *enactment* of a treason against humanity. And it is no less so when formulated by judicial or parliamentary legislation, than by the arbitrary decree of a despot. Such ideas of law and government have no place under the Declaration of Independence or the United States Constitution.

The jurisdiction of the Government is both derivative and limited. It is limited with regard to the co-ordinate departments; more

necessarily is it limited with regard to the constituents. The preservation of a free government required not merely that the metes and bounds which separate each department of power be invariably maintained, but more especially that neither of them be suffered to *overleap the great barrier which defends the rights of the people*. The rulers who are guilty of such an encroachment, exceed the commission from which they derive their authority and are tyrants. The people who submit to it are governed by laws made neither by themselves nor by any authority derived from them, and are slaves.—*James Madison*.

The truth and the *sum* of this whole discussion is that the views propounded in the *dictum* of Judge Hammond in the King case, are all the way from one hundred to nineteen hundred years behind the times; they are as though history had never been written; they are a parody upon progress; a travesty upon justice, and are subversive of every principle of the Declaration of Independence and the United States Constitution—they would sweep away every right either civil or religious that is therein declared or secured, and would again establish the same old despotism both civil and religious which cursed the world for seventeen hundred years, and against which the Declaration and the Constitution are, and were intended to be, an everlasting protest.

A. T. J.

"The Kingdom of Christ" *The American Sentinel* 6, 48 , pp. 378, 379.

That the "one undying enthusiasm" of the Woman's Christian Temperance Union, and of the National Reformers generally, namely, "that Christ shall be this world's king," in the sense of ruling over the world, or any part of it, in its present condition, is opposed to the plain teaching of the Scriptures of truth, will appear from an examination of a few texts bearing upon the subject.

Christianity was not established as a national system. Its redeemed will be "of all nations, and kindreds, and people, and tongues" (Rev. 7:9), but no nation in the aggregate will ever be saved. Even Israel, a nation ruled directly by the Lord under inspired leaders and teachers, never developed a generation of sincere believers. In establishing the gospel, James said that God "did visit the Gentiles to take out of them a people for his name." Acts 15:14. It was necessary to have a separate people, with its priesthood and genealogies, both to represent in types the work of Christ, and to identify him as the seed of Abraham and the son of David, in fulfillment of the promises

and the prophecies. But that necessity no longer exists, and therefore Christ "hath broken down the middle wall of partition," (Eph. 2:14), putting no difference between Jews and Gentiles (Acts 15:9), ordaining that "in every nation he that feareth him, and worketh righteousness, is accepted with him." Acts 10:35. The gospel of Christ is a gospel of faith—of personal piety. And the work of faith is a work of preparation for admittance to the kingdom of Christ; as Peter says "to them that have obtained like precious faith with us," that if they add to their faith the Christian graces, they shall never fall, "for so an entrance shall be ministered unto you abundantly into the everlasting kingdom of our Lord and Saviour Jesus Christ." See 2 Peter 1:1-11. It is a denial of every principle of the gospel to talk of "Christ coming into his kingdom in the United States" by means of a popular vote or a constitutional amendment.

But many seem to entirely misapprehend the present position and work of the Saviour, and the nature of the authority which he now possesses by the gift of the Father. It is a fact plainly taught in the Scriptures that the Father, at different times, confers authority of an entirely different nature upon his Son. Christ himself makes an announcement of this fact when he speaks of his occupying *two thrones* at different times, and for different objects. We refer to Rev. 3:21, where Jesus testifies thus to John: "to him that overcometh will I grant to sit with me in *my throne*, even as I also overcame, and am set down with my Father in *his throne*." The differences of these thrones, and of the objects of Christ's occupying them, we will notice.

Of the Father's throne we say:—

1. It is the throne of the dominion of the whole universe. "God, the Judge of all," sits upon it, and before it must come the actions of all the subjects of the Creator, and from it must go forth the decisions which concerns the eternal destinies of his creatures.

2. That throne is in Heaven above. It is not, and never was, upon this earth.

3. Upon that throne Christ sits as a priest—a mediator or intercessor for our race. In this he fulfills the type of Melchisedec, who was "king of Salem, and priest of the Most High God." Heb. 8:1 says: "We have such an High Priest, who is set on the right hand of the throne of the majesty in the Heavens." See Paul's argument in chapters 5 to 9. Christ is a priest after the order of Melchisedec, because his priesthood is on a throne—the throne of his Father in Heaven. In this it differs from the priesthood of Aaron. And only in this

sense is he a king at the present time—a priest-king. All his present rule and authority is in harmony with his office and character of a mediator or advocate. It is not the authority of an executive, or of one who punishes sinners. His authority in that respect is in the future.

4. His occupancy of that throne is limited in regard to time; his priestly kingdom he will deliver up; his advocacy or work of mediation will end. 1 Cor. 15:24-28.

5. We have no genealogy of Melchisedec, and, accordingly, Christ has no pred-

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ecessor or successor in his priesthood. He sprang from a tribe which could have no priesthood in Israel, and he alone is priest on the throne of his Father.

6. While sitting upon the throne of his Father in Heaven, he is expecting and waiting for a gift of power and authority of another nature. "The Lord said unto my Lord, Sit thou at my right hand, until I make thine enemies thy footstool." Ps. 110:1. "After he had offered one sacrifice for sins forever, sat down on the right hand of God, from henceforth expecting till his enemies be made his footstool." Heb. 10:12, 13. His Father puts his enemies under his feet, but not till his priestly reign on the throne of Heaven ends. 1 Cor. 15:24-28.

Of his own throne we may say:—

1. It is the throne—not of his Father in Heaven, but—of his father David. "The Lord God shall give unto him the throne of his father David." Luke 1:32. "God had sworn with an oath to him [David], that of the fruit of his loins, according to the flesh, he would raise up Christ to sit on his throne." Acts 2:30.

2. The throne of David was not in Heaven. The first dominion or rule over Israel as a nation, was from Heaven, because their government was originally a theocracy. But the throne of David was in every respect distinct from the throne of universal power whereon Christ now sits.

3. It is counted Christ's own throne, because he was born heir to it, and his genealogy from David had to be preserved in order that his claim to it might be recognized.

4. His reign upon this throne will never end. "The Lord God shall give unto him the throne of his father David; and he shall reign over the house of Jacob forever; and of his kingdom there shall be no end." Luke 1:32, 33.

5. Jehovah promised to establish the throne and seed of David forever. "Also I will make him my first-born, higher than the kings of the earth." Ps. 89:3, 4, 27. The Revision says: "The highest of the kings of the earth." Therefore it was prophesied of Christ, David's son, that, when the kingdom is given to him, "all people, nations, and languages should serve him." Dan. 7:14.

6. David had no priesthood, and his son and heir can have no priesthood on his throne. As has been proved, the priesthood of Christ is on the throne of his Father in Heaven. Hence his reign upon the throne of David is not a priestly reign. When he is given power over the nations, according to the promise of the Father, the fulfillment of which he has yet in expectation, he will no longer be a mediator or Saviour of sinners.

The points of difference between the *two reigns* of Christ, and of the *two thrones* upon which he reigns, are plainly brought to view in the Scriptures. It is only by confounding the circumstances of the two reigns, and misapplying the Scriptures in reference thereto, that the "National Reformers" make their positions appear somewhat plausible.

It must be remembered that "*his enemies* are put under his feet." When the nations are subdued under him, they are his enemies still. And what will he do with them when they are given to him? The second psalm answers this question: "Ask of me, and I shall give thee the heathen for thine inheritance, and the uttermost parts of the earth for thy possession. Thou shalt break them with a rod of iron; thou shalt dash them in pieces like a potter's vessel." And with this agree all the prophecies. Thus in Dan. 2, the kingdom of Christ is represented—not as converting the nations and incorporating them into itself, but—as breaking in pieces and destroying them. They are not brought into subjection to a mild sway of gospel peace; for there is no gospel grace offered to sinners after Christ ends his priesthood and receives his power over the nations. The kingdoms of earth will be dashed in pieces, broken, destroyed; they become as the chaff of the summer threshing floors, driven away by the wind, so that "no place is found for them." To represent all this as the conversion of the nations, and their adopting the gospel of the kingdom as their "national religion" is to greatly pervert the Scriptures. It is crying "peace and safety" when destruction is impending. 1 Thess. 5:1-3.

Jesus said the saints will be rewarded at the resurrection of the just. Luke 14:14. The resurrection of the just takes place when Christ

himself returns to the earth. 1 Thess. 4:15-17. At the coming of Christ, the saints inherit, or enter into and possess, the kingdom. Matt. 25:31-34. And they can not inherit it before the resurrection; for Paul says "that flesh and blood [man in a mortal state] can not inherit the kingdom of God; neither doth corruption inherit incorruption." 1 Cor. 15:50. Christ's kingdom is an everlasting kingdom, which can not be inherited by dying people; they must first be immortalized by the resurrection or a translation. God hath "chosen the poor of this world, rich in faith, heirs of the kingdom which he hath promised to them that love him." James 2:5. They who are rich in faith, and love God, are now *heirs* of the kingdom, and they will *inherit* it when Jesus comes and redeems them from the bondage of corruption. See Rom. 8:23 and 2 Cor. 5:4.

This brief view will suffice to show the errors of the Woman's Christian Temperance Union, and other National Reformers, in their application of the prophecies. They propose to set up the kingdom by a majority vote; but God will in his wrath destroy the majority and give the kingdom to a "little flock."

December 17, 1891

"The Logic of Judge Hammond's Position" *The American Sentinel* 6, 49 , pp. 385, 386.

IN an unofficial communication of later date than his *dictum*, in the King case, Judge Hammond has gone over the same ground again, and has made some additional statements which are of interest. as well as of importance in connection with the statements which we have already noticed from the *dictum*.

After reiterating one of the main propositions of the *dictum*—that "the institution of Sunday, like the religion upon which it is founded, belongs to the people as a characteristic possession," that therefore religion is essentially a part of the laws, and its preservation as such "a necessity of statesmanship"—he makes the following important admission:—

The logic of this position may lead to a union of Church and State, undoubtedly; but it is not essential, nor always useful, indeed often otherwise, to go to the end of one's logic.

In the review of the *dictum* of Judge Hammond we have demonstrated again and again by his propositions, that a union of Church and State is logically inherent in the positions assumed

throughout that document. It is well therefore for our readers to know that he sees and acknowledges the same thing himself. And from this it is perfectly proper, as well as logical, to inquire, Is it the province of a judge of a United States Court to inculcate from his official seat the doctrine of a union of Church and State in these United States? At his induction into that responsible office he took a solemn oath to support the Constitution of the United States, which, both in its principles and its specific precepts, is diametrically opposed to a union of Church and State and to every position the logic of which would lead to a union of Church and State.

His plea, that it is not essential to go to the end of one's logic, is as puerile as is his other position that government may prohibit a thing harmless in itself to prevent "breach of the peace." It is a pitiable thing indeed when a person insists upon maintaining a position, the logic of which he is unwilling to follow to its legitimate end. But this is not all there is in this case. It would be bad enough were this so only with him as an individual. But this is not so. He occupies the place of a judge of the United States, a representative of the judicial department of the Government of the United States. As such he has spoken; as such he has taken this position; and as such he has given to the position, as far as in him lay, the weight of the authority of the high office which he holds. And just as certainly as the position which he has taken, should be confirmed by the higher court as the position of the Government, just so certainly it would be entirely and forever beyond his power either to check or to control the logic of it in any way; and just so certainly would the religious element that is enlisted and favored in this thing, see that the logic of the position was carried fully to the end which even he sees and acknowledges is involved in it. The truth is that government is one of the most intensely logical things in this world. A

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position taken to-day, may not reach the end of its logic in a generation, or in two generations, or even in a hundred years. But if it be a position involving an important principle such as this, it *will* reach the end of its logic as certainly as the Government continues.

Yet Judge Hammond, not content with such a display of logical acumen as the above, and as though to annihilate all basis for any logical deduction of any kind whatever, proceeds to lay down as "the truth" this astounding proposition:—

The truth is that no principle or dogma of government, or of any other human conduct, can be applied according to the inexorable tendency of its logic.

Briefly stated this says that, no principle of human conduct can be logically applied. But it is difficult to conceive how any person, who ever drew a single conclusion in his life and acted upon it, could soberly make such a statement. It is true that some men in some things are erratic, inconsistent, illogical. But all history demonstrates in a thousand ways that with humanity, whether viewed in the individual or in government, principles of human conduct are applied strictly according to the inexorable tendency of their logic. Indeed, it would be an easy task to develop the principle of human conduct, the inexorable tendency of the logic of which has produced this very *dictum* upon which we have been required to bestow so much attention.

As a matter of fact to admit the truth of the proposition here quoted, would be to renounce the very faculty of reason or intelligence itself; which, by the way, is but the inexorable tendency of the logic of Judge Hammond's position.

Another important statement in emphasis of positions taken in the *dictum* is the following:—

It is a somewhat humiliating spectacle to see the Sunday advocates trying to justify the continuance of Sunday legislation, . . . upon the argument that it is not in conflict with the civic dogma of religious freedom. *It surely is.*

Yet in the face of every constitutional provision, State and national, touching the question, he persists in justifying this palpable conflict with the civic dogma of religious freedom, by still arguing that,—

The bare fact that the mass desires Sunday as the public day of rest, is enough to justify its civic sanction; and the potentiality of *the fact that it is in aid of the religion* of that mass might be frankly confessed and not denied.

This is again but to justify every piece of religious persecution that ever was inflicted hit this world. And under such dogma as this, all that is required for this whole line of enforced religious observances and persecution to be taken up and carried forward again, is that "the mass" shall demand it, and so far as Judge Hammond's jurisdiction could be made to extend, the whole power of the Government, whether State or national, would be exerted in behalf of this mass who should choose to pursue a course "in conflict with the civic dogma of religious freedom." In view of these statements we should

like the Judge to explain just what is the civic dogma of religious freedom.

Yet further, and in his very last words, so far, on the subject, he still justifies the doctrine of persecution in the following sentence:—

It is also noticeable that the early Christians commenced their assaults upon the old religions by a disregard of their holy days; and for this they were first persecuted by the law as they [*sic*] now persecute therewith the Jews and the Seventh-day Adventists.

We are not by any means ready to admit that it is the early Christians who *now* persecute the Jews and the Seventh-day Adventists. Neither the early Christians nor any other Christians, either now or at any other time, ever did persecute. If any man persecutes he is not a Christian. It is true that the early Christians were persecuted, by "due process of law" too, precisely as the Jews and the Seventh-day Adventists are now persecuted by "due process of law." The persecution then was heathenish, and so it is now. The "due process of law" by which the persecution was then legalized and justified, was but the manifestation of the "inexorable tendency of the logic" of the pagan "principle of human conduct," and such only it is now.

And with the persecuted Jews and Seventh-day Adventists, THE AMERICAN SENTINEL, with all its corps of workers from editor-in-chief to office boy, is glad to stand, and to be classed with the early Christians, to bear their reproach and to share their sufferings; as we know that in suffering with them we are suffering with Him with whom they suffered. And "it is a faithful saying, If we suffer with him we shall also reign with him." And he is the Author of a religious liberty which is absolute and eternal.

A. T. J.

December 24, 1891

"Whence Came It All?" *The American Sentinel* 6, 50 , pp. 393, 394.

FROM the extracts which we have made and discussed, in our review of Judge Hammond's *dictum*, we have no doubt that many of our readers have wondered where in the world a judge of a United States court ever could have got such an abundance of such strange principles. He was sitting in the place, and speaking officially from the bench, of a judge of a court of the Government of the United States. It were to be expected, therefore, that he would announce the

principles of the Government of the United States. Instead of this, however, he boldly sets forth propositions and principles that are utterly subversive of every principle of the Government of the United States, as that Government was originally established, and as the people have supposed it was being maintained.

Where did the Judge get them? We are not left to answer this question ourselves, nor in a way in which there need be any fear of making a mistake. The answer is already and abundantly made, and furnished ready to our hand. All we need to do is to transcribe such portions as may be required to answer the inquiry that has been raised.

The decision of the Court and the *dictum* of the Judge, were filed at Memphis, Tennessee, August 1, 1891, and were printed in full in the Memphis *Appeal-Avalanche*, of the next day, August 2. Then in the same paper of August 30, there is a communication nearly four columns in length, entitled, "The Sunday Habit," upon the same subject, covering the same ground, signed "E. S. Hammond" and dated "August 12, 1891." The headlines of the communication show that the E. S. Hammond, whose name is signed to it, is the same one who as Judge E. S. Hammond filed the *dictum* August 1, which was printed August 2. And every line of the communication plainly shows that it was from *Mr. E. S. Hammond, the individual*, that *Hon. E. S. Hammond the Judge* obtained the principles and propositions which are set forth in the *dictum*.

Nor were they simply gotten up for the occasion, or prepared on short notice. By *Mr. Hammond's* express statement they are shown to have been of long standing, if not inherent, in the individual. After stating again some of the leading thoughts of the *dictum* of the judge, *Mr. Hammond*, with a satisfaction that is clearly apparent, announces that:—

Upon this line of argument, the writer *some years ago*, being invited to lecture before his Jewish fellow-citizens, upon the question whether Christianity can be a part of the law of the land, sought to reconcile them to the civic doctrine of obedience to a dominant, though distasteful custom, even at the economic sacrifice of another day of labor, rather than attempt to overthrow a habit so fixed as the Sunday habit, by the comparatively weak process of individual defiance of the custom, and to agitate the incorporation of an exception in the Sunday laws in favor of him who conscientiously had abstained from labor on Saturday.

This shows that the doctrine of obedience to a dominant religious party who, by "a sort of factitious advantage" may control the civil power, and by it compel conformity to their religious opinions or dogmas, is an old and favorite doctrine of Mr. Hammond's; and he seems to be so smitten with his despotic principles that he not only seizes every opportunity to air them and parade them before the public, but must needs use the judicial office of the United States to create an opportunity.

As for his effort to reconcile his Jewish fellow-citizens to his doctrine, we can say *first*, Unless his Jewish fellow-citizens of Tennessee are much more financially liberal than they are in any other part of the country, they would hardly appreciate his

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request that they pay sixteen and two-thirds per cent. of their income for the privilege of being reconciled to "the civic doctrine" of obedience to a dominant and distasteful religious custom; and *second*, and above all, Unless they are entirely lost to the religious integrity that has always characterized their race, they would still less appreciate his invitation that for the privilege of being so reconciled, they surrender to a dominant party, and to a distasteful custom, all their rights of conscience.

For, to surrender all their rights of conscience is just what he asks them to do. For when an exception is either asked or granted, upon the condition that those who are excepted shall "conscientiously" abstain from labor on another day, it then becomes a matter of judicial decision as to what is conscientious abstinence or observance. This has already been declared by the courts of those States which have exemption clauses in their Sunday laws. The decisions have declared that the burden of proof of conscientious action rests upon him who makes the claim of exception on account of conscientious observance of another day, and the proof must be such *as will satisfy the court*.

Thus it is demonstrated that Mr. Hammond's proposition, of which he seems to be so proud, is simply a proposal that citizens of the United States and of the State of Tennessee, shall surrender to the control of courts and juries their conscientious convictions, their conscientious beliefs, and their conscientious observances; that they shall no longer observe the Sabbath according to the dictates of their own consciences, but only according to the dictates *of the courts*.

This is precisely the doctrine of the *dictum* of Judge Hammond, and it is evident that it was derived from Mr. E. S. Hammond, *the individual*; for it is in open contradiction to both the Constitution of the United States and of the State of Tennessee, both of which were specifically before the Judge when he set forth his *dictum*.

The Constitution of the State of Tennessee, whose citizens Mr. Hammond was endeavoring to reconcile to the dictates of a dominant religious party, by asking them to surrender to the courts their rights of conscience, plainly declares that "No human authority can, *in any case whatever*, control or interfere with the rights of conscience." Therefore it is plain that in the proposal which Mr. Hammond made to his Jewish fellow-citizens of Tennessee, he spoke in open contradiction to the Constitution of that State, as well as in total oblivion of every principle of the rights of conscience; and actually advised his Jewish fellow-citizens to surrender their explicitly declared Constitutional rights as well as their own individual and divine rights of conscience.

The Constitution of the United States which Judge Hammond is empowered to construe, which he is sworn faithfully to maintain, and which is intended to be the supreme guide in all the deliverances which he renders from the bench upon which he sits—"the American Constitution, in harmony with the people of the several States, withholds from the Federal Government the power *to invade* the home of reason, *the citadel of conscience*." It is evident therefore that the principles of that *dictum* were not derived, in any sense, from the Constitution which the judge is sworn to maintain and which is intended to be his guide; nor were they derived from the Constitution of Tennessee which at the time was subject to his cognizance.

Therefore, as the principles of Judge Hammond's *dictum* are *not* the principles of either the Constitution of the United States, or the State of Tennessee, both of which were the direct subject of his judicial cognizance, and as they *are* explicitly the principles of Mr. E. S. Hammond, *the individual*, as expressed in his communication, of August 12, 1891, to the *Appeal-Avalanche*, and as set forth "some years ago" from the lecture platform; it logically follows that the principles announced in the *dictum* of Hon. E. S. Hammond, *the judge*, were derived solely from Mr. E. S. Hammond, *the individual*. And from this it follows inevitably that upon the question of religious right, Hon. E. S. Hammond of the Circuit Court of the United States, has not hesitated to set forth, from the judicial bench of the United

States, his own personal and individual opinions to clothe them as far as possible with the authority that attaches to such a position, and to pass them off upon the American people as the principles of the Government of the United States.

This illustrates another point, and one which all history emphasizes: that is, that whenever religion becomes in any way connected with the civil power, it is always the personal opinions, as to religion, of those who happen at the time to be in power, that are given the force of law, which all are expected to accept, and to which all are obliged, by authority of Government, to submit. And the first essay of the kind by a court of the United States, ought to be enough to awaken the people of this Nation to the wisdom of the Constitution and of the governmental fathers who made it, in straightly forbidding the Government to take cognizance of religious things in any way whatever.

Mr. Hammond presumes to announce, for the Jews, that which of course he declares to be to their "credit," that "they adopt this [his] plan of compliance." But we are very happy to know and to publish, that he also announces that the "Anglo-Saxon, who follows the tenet of the Jews as to the Sabbath, is more irreconcilable to the sacrifice he is called to make." All honor to such Anglo-Saxon then. We sincerely hope that every one of them will forever remain completely irreconcilable to any such sacrifice or compliance. Better a thousand times to die as poor King, the victim in this case did, condemned by such "process of law" and under one thousand dollars bail, or even in a dungeon, than to comply with bigoted demands of a religious party who, "in spite of the clamor for religious freedom and the progress that has been made in the absolute separation of Church and State," and by "a sort of factitious advantage," "have secured the aid of the civil law." Better to die the freemen of Jesus Christ, than to live the slaves of a religious despotism.

R. M. King, the victim of this persecution, is dead. He died as he had lived, a humble, harmless man, and sincere Christian. He died condemned by the courts of Tennessee, and the Circuit Court of the United States, and bound in one thousand dollars bail on appeal to the Supreme Court of the United States. By his death his case has passed from earthly courts and stands appealed to the Supreme Court of the Universe.

That Court will surely sit, for "God hath appointed a day in which he will judge the world in righteousness." In that day there will sit a

Judge with whom neither "factitious advantage" nor "public opinion," but only *justice*, shall have any weight. And in that day we would far rather stand in King's place than in that of his persecutors; for He who shall sit as Judge that day, has long ago declared, "Inasmuch as ye have done it unto one of the least of these my brethren, ye have done it unto me;" and "Whoso shall offend one of these little ones which believe in me, it were better for him that a millstone were hanged about his neck and he were drowned in the depth of the sea."

A. T. J.