

# The Open Court

A MONTHLY MAGAZINE

Devoted to the Science of Religion, the Religion of Science, and the  
Extension of the Religious Parliament Idea

Founded by EDWARD C. HEGELER

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VOL. XXXII (No. 5)

MAY, 1918

NO. 744

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## The Open Court Publishing Company

CHICAGO

Per copy, 10 cents (sixpence). Yearly, \$1.00 (in the U.P.U., 5s. 6d.).

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# THE GOSPEL OF BUDDHA

By

DR. PAUL CARUS

*Pocket Edition. Illustrated. Cloth, \$1.00; flexible leather, \$1.50*

This edition is a photographic reproduction of the *edition de luxe* which was printed in Leipsic in 1913 and ready for shipment in time to be caught by the embargo Great Britain put on all articles exported from Germany. Luckily two copies of the above edition escaped, and these were used to make the photographic reproduction of this latest edition. While the Buddhist Bible could not in any way be considered a contraband of war yet the publishers were forced to hold back many hundred orders for the book on account of orders in council of Great Britain.

When the book was first published His Majesty, the King of Siam, sent the following communication through his private secretary:

"Dear Sir: I am commanded by His Most Gracious Majesty, the King of Siam, to acknowledge, with many thanks, the receipt of your letter and the book, *The Gospel of Buddha*, which he esteems very much; and he expresses his sincerest thanks for the very hard and difficult task of compilation you have considerably undertaken in the interest of our religion. I avail myself of this favorable opportunity to wish the book every success."

His Royal Highness, Prince Chandradat Chudhadharn, official delegate of Siamese Buddhism to the Chicago Parliament of Religions, writes:

"As regards the contents of the book, and as far as I could see, it is one of the best Buddhist Scriptures ever published. Those who wish to know the life of Buddha and the spirit of his Dharma may be recommended to read this work which is so ably edited that it comprises almost all knowledge of Buddhism itself."

The book has been introduced as a reader in private Buddhist schools of Ceylon. Mrs. Marie H. Higgins, Principal of the Musaeus School and Orphanage for Buddhist Girls, Cinnamon Gardens, Ceylon, writes as follows:

"It is the best work I have read on Buddhism. This opinion is endorsed by all who read it here. I propose to make it a text-book of study for my girls."

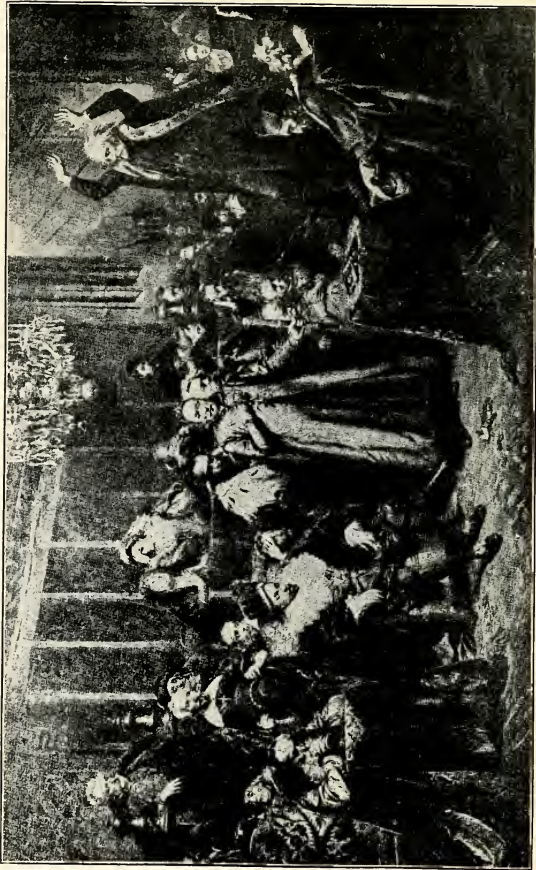
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Key: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12.

A SERMON OF SKARGA'S.  
(See pages 289 and 290.)

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## THE SECULAR OBJECTION TO RELIGION IN THE PUBLIC SCHOOLS.

BY THE HON. JUSTIN HENRY SHAW.

Trial Justice, Municipal Criminal Court, Kittery, Maine.

THE *Open Court* for February, 1918, finds some considerable space for two interesting articles which rather unexpectedly continue the historic attempt to meddle with the public schools by a union of the religious cults if it were possible that such a union might be accomplished. The first is under the quite familiar title of "Bible-Reading and Religious Instruction in the Public Schools; from the Catholic Point of View," which is entirely an anonymous statement only of the Catholic position. The other, probably intended as a sort of concurrent contradiction and of immediate balance, is a Protestant plan of momentum, and entitled, "Religious Education in the Public Schools," by Mr. C. E. Sparks.

One cannot say that either of these articles is of intimate consequence on these questions. These religionists come to us even in the same number of this magazine, with the customary different meanings to their religions; differences of authority, differences in what they please to call their text-book; independent and separate interpretations; and obviously with a religious quarrel among themselves that cannot possibly be concealed. It is plainly admitted by the Catholic and emphasized by the Protestant. They necessarily present themselves under the motive of *morality*, because one must approve of morality, although neither seems to know just the meaning of the term; but they appear together with a theological, sectarian disturbance which is not a new one, and ask to have a hand in the public schools. Of course they will not be more generally permitted to do so, and I shall perhaps hastily attempt to tell them

why, and the reasons are substantial and convincing ones, I think—historical, legal and moral. They involve briefly the purpose of education, the purport of our national and many state constitutions, and some better ethical considerations.

Therefore, in view of the more clearly recognized absolute separation of the Church and State in America, as intended by our National Constitution, and with some better knowledge of recent state constitutional provisions and of decisions in the courts thereunder; and particularly in the face of the unprecedented expulsion of religion from the affairs of the commonwealth in a leading state like Massachusetts in the adoption of its sweeping Forty-sixth Article of Amendment to the Constitution, which I append,<sup>1</sup> one must gladly feel that these religious articles are to be regarded as untimely, and to a great extent socially as almost impudent.

The religious standpoint in these times can never be a very cheerful one. Everything is usually very nearly all wrong with the world. The religionist usually has the attitude of Dean Mansel, that "the adversity of the good, the prosperity of the wicked, the tardy appearance of moral and religious knowledge in the world, are facts which no doubt are reconcilable, we know not how, with the infinite goodness of God."

"Irreligion and religious indifferences are gaining day by day an increasingly firmer hold upon society here in America," is the

<sup>1</sup> ARTICLE XLVI, CONSTITUTION OF MASSACHUSETTS.

(In place of article xviii of the articles of amendment of the constitution ratified and adopted April 9, 1821, the following article of amendment, submitted by the constitutional convention, was ratified and adopted November 6, 1917. Effective October 1, 1918.)

Article xviii. Section 1. No law shall be passed prohibiting the free exercise of religion.

Section 2. All moneys raised by taxation in the towns and cities for the support of public schools, and all moneys which may be appropriated by the commonwealth for the support of common schools shall be applied to, and expended in, no other schools than those which are conducted according to law, under the order and superintendence of the authorities of the town or city in which the money is expended; and no grant, appropriation or use of public money or property or loan of public credit shall be made or authorized by the commonwealth or any political division thereof for the purpose of founding, maintaining or aiding any school or institution of learning, whether under public control or otherwise, wherein any denominational doctrine is inculcated, or any other school, or any college, infirmary, hospital, institution, or educational, charitable or religious undertaking which is not publicly owned and under the exclusive control, order, and superintendence of public officers or public agents authorized by the commonwealth or federal authority or both, except that appropriations may be made for the maintenance and support of the Soldiers' Home in Massachusetts and for free public libraries in any city or town, and to carry out legal obligations, if any, already entered into; and no such grant, appropriation or use of public money or property or loan of public credit shall be made or authorized for the purpose of founding, maintaining or aiding any church, religious denomination or society.



lament of the Catholic author in *The Open Court*, and fear is expressed "that we are reverting to the Greek type of paganism," and paganism is intentionally made a common name for evil, in self-defense. I shall hope to add a little to the religious disquietude, from Pagan motives.

This must be a very strange condition, if true, with approximately 175,000 Christian priests and ministers in the land; probably 200,000 untaxed churches and billions of dollars in church buildings and endowments and advantages; with the influence and activities of 35,000,000 organized Christians in the country, with numberless Christian institutions, missions, parochial schools, parish settlements, Bible publishing houses and unlimited opportunities. Something would seem to be wrong with Christian "education," if the pessimistic complaint were well founded, and that it were important some other plan of teaching should be worked out. It would be a great satisfaction if we could feel that this religious depression were entirely justified. For religion to have thus fallen is indeed a great gain. But I suspect that religion were never more contemptible than it is at the present moment.

One can only regard the Catholic article as showing how impossible it is for the educated world at this time to seriously consider its theology or its theory of education. The Church would appear by its admission not only to have failed in its plan of salvation, but also in religious education and in promoting what it terms as morality. This is a serious admission to make for the purpose of asking the privilege to introduce religion in the public schools, so far as the Catholic is concerned, if he intends to do so.

One must say that the Catholic article is apparently intended to be entirely frank and consistent, and of course religious. It is impossible to credit the Protestant writer with such consistency or with very much social integrity, as I shall show, because he intends that his terms shall be deceiving. The Catholic writer does not. He has nothing to say about the "ungodly American public schools," nor any intimation of their "immoral output." The article is fair and without unkindness. One may question, however, how far this Catholic is permitted to suggest any cooperation or agreement with any Protestant plan for religious instruction in the schools, as the article at least in a way implies, but this may be treated as a defect in any Catholic plan. It says nothing new about the Catholic standpoint, except perhaps in this one implied particular, and it very honestly states apparently the Catholic position, but of course in a hopeless way to ever make this religion intelligible

or sensible. It does not attempt to say that if Catholics were allowed to introduce religion in the public schools that Catholics would teach the Protestant religion. But Mr. Sparks plainly wishes to teach the Protestant religion in the schools and would call it "morality."

The Catholic writer very properly recognizes and also honestly admits that "Our public schools have been made non-sectarian by legislative act. There can be no question," he says, "of promoting religious life in these schools at present." And then he obviously observes that "in certain quarters Bible-reading has been recommended to remedy this defect (and I will emphasize his comment) —*Bible-reading as it is practised by certain Protestant denominations.*" And so he raises the question now "whether Catholic pupils can take part in this reading without doing violence to their religious convictions." Of course it hardly ever occurs to the religionists that the intrusion of their religions where religions are not wanted and are not intended, might be a violence to the conscience or conviction of the secular American rationalist. Happily *The Open Court* is such a publication where this may be freely discussed. But I have no interest in what is regarded by Dr. Carus in his philosophy as the "purification" of religions, although I must acknowledge with gratitude his tremendous service to liberalism in all thought.

I do not believe that these two religious articles should be considered with any great concern by Americans. The efforts have been simultaneous suicides, and I think I might very well be in a better business just now in the more serious affairs of the country than in taking the time to attempt a reply to these religionists. I should suppose that if religion were good for peoples that Spain, Russia, Mexico and other religious and Christian communities ought to be most beautiful countries and that there could be no great objections to the Christian religion in this country. But I would hopefully prefer to reach if possible those of *The Open Court* readers who perhaps may still have an undecided interest in the question, and I cannot think that there are many who would care to see the plan of these sectarians promoted in the least in our schools. I would prefer to win those who may be reached with what I am pleased to think are sufficient reasons for the opposition, if they may care to consider them.

I doubt very much if regular readers of *The Open Court* are likely to become greatly befuddled by the medieval theology of these articles. Regular readers of this magazine or of general modern literature are likely to leave it wholly alone. For instance, what

can one say to this religious recognition by the Catholic writer? (and I have copied it carefully, it being somewhat of an exertion even from the mechanical standpoint :) "Theology recognizes gladly and frankly that the concepts which express revealed, supernatural reality do not represent it in its own peculiar way but only by analogy. The analogy between revealed supernatural reality and the concepts which express it is not an attributive analogy but an *analogia proportionalis*, and in certain cases only *proportionalitatis*, as P. Sertillanges calls it (*'Agnosticisme et anthropomorphisme.'*)"

I should suppose good-naturedly that the theological case had never been more scholarly expressed than in this ponderous quotation. But one must leave that to the use of the theologians. By this sort of analogy one could hardly be more successfully direct in teaching the law of gravitation than by employing the pigs-in-clover problem, and perhaps without the pigs, "*Depositum custodi.*"

"The Catholic Church," it is again authoritatively explained, "alone possesses the whole of the divine revelation and regards it as her most sacred duty to preserve it faithfully and without modification." Consequently, "the Catholic Church is likewise opposed to every sort of pure and exclusive voluntarism, which deprives the theoretic truth of all its static element and degrades the truth to an exclusive instrument of action." The most positive injunction, from the Catholic standpoint of authority is that "*there must be no Protestant Bible-reading* (in the public schools) because, (a) Protestant Bible-reading is founded upon an entirely false idea of inspiration which, *a posteriori* at least, has proved untrue; and (b) no Catholic layman may read any Bible whose text has not been approved by the competent ecclesiastical authorities and accompanied with the required commentaries." Here is the positive asserted authority of the Catholic Church against the Protestant pretense, and its reasons. Obviously its authority must be true, or else it is not true. The religious dispute therefore begins here. If it affected them only, we would not be further concerned.

Then we turn to the lubricated Protestant plan and "the dominating note in (his) religion is authority," says the Protestant Mr. Sparks, which is a strange suggestion for a Protestant to make. And again he makes the same sort of blunder for a Protestant to make in an article that appears concurrently with a Catholic article, in saying that "in moral training it is *absolutely necessary to develop a reverent respect for authority.*" (A part of the italics are unwisely his own.) "And the first point in this (Protestant) plan that is now presented is the introduction of (Protestant) Bible-study

into the curriculum of the public school. And again he says, unguardedly, or unblushingly as I regard it, that "The Bible is *the* text-book of ethics." This has been forever disposed of by better scholars and moralists than I. There remains the task of more general education.

When the Catholic writer may be able to show conclusively to his Protestant friend that the Catholic Church still possesses the entire "divine revelation" and that Mr. Sparks has none of it; or when the Protestant Mr. Sparks may submit properly to the "divine" authority conferred upon the institution of his Catholic friend, and feels that a parochial religious school is better than an American public school, then these gentlemen will be in a better position to argue together effectively in the same number of *The Open Court* about the benefits of religion in the schools, and the argument will be entirely Catholic. It is necessary to kindly remind our religious friends of this before they reach the schoolhouse doors with an unended quarrel of three hundred years.

But a single comment should be made on one of Mr. Sparks's assertions. "The Bible is *the* textbook of ethics," he says. One must simply say and make it plain that the man either knows nothing of the Bible or does not know the meaning of the term ethics. He is not in any sense an educator.

And I need go no further than the same February issue of *The Open Court* to remind our Protestant Mr. Sparks of the contention of the Catholic writer that "religious instruction is the particular function of the ecclesiastical office (Matt. xxviii. 19) and may not be exercised by any person without the canonical permission of the bishop."<sup>2</sup> It would be better, as it seems to me, to acknowledge that the teaching of the only true revealed and divinely authorized religion should be left to those who have received the revelation and the authority. One can therefore have no discussion with our Catholic friend in his sincerity in this respect. And I would like to remind the Protestant Mr. Sparks of the suspicion of his Catholic friend that "the Bible is not a children's reader."<sup>3</sup>

<sup>2</sup> It is plainly the intention of the Catholic writer to regard the Protestant Mr. Sparks as of no consequence as an authority on religion, inasmuch as the same gospel (Matt. xviii. 17) provides in case of a dispute between religious brothers: "If he neglects to hear the church, let him be unto thee as an heathen man and a publican."

<sup>3</sup> The qualifications for teaching the Protestant religion are more amusingly and applicably discussed by Mr. Eugene Wood in one of his delightful essays, on "The Sabbath School," (*McClure's Magazine*), in which it is suggested that "for some eighteen centuries it was supposed that a regularly ordained ministry should have exclusive charge of this work. At rare intervals now-

The Constitution of the United States is a superlatively moral and broad basis of government. "It is in no sense founded on the Christian religion," or any other religion. "It was the spirit of the eighteenth century, a century of philosophical inquiry which gave our revolutionary leaders their broader views. Had they been susceptible to clerical influences, or had they consulted Moses and Paul, there would have been a king here, 'by the grace of God,' as there is in most Christian countries." For "there is not a single text either in the old or new Testament which may be fairly quoted in defense of popular or republican government."<sup>4</sup>

To live under this American Constitution and to accept its opportunities of religious freedom and religious liberty is the finest privilege that man has ever inherited and enjoyed from his government. It also imposes an obligation not to use any governmental or state means for the promotion of any religion whatsoever. The text of the Constitution in this respect has become so well known to scholars and lawyers that it is unnecessary to repeat it. No comment ought to be necessary to make the purport of this provision more manifest than the text of the provision itself. Only the lowest type of American religionist would attempt to modify it, or evade it. And this "proudest product of the pen and brain" of man was not the work of religionists.

"This is a Freethought nation," says the scholarly Freethought author, Mr. John E. Remsburg, writing as President of the American Secular Union and Freethought Federation. "Freethinkers have preserved it. The Fathers of our Republic—Washington and Franklin and Paine and Adams and Jefferson—were Freethinkers. The saviours of our Republic, Lincoln and Grant, were Freethinkers. The man who first proposed this nation was a Freethinker. The man who wrote the Declaration of Independence was a Freethinker. The man who led the armies of the Revolution to victory was a Freethinker. The man who presided over the Convention that framed our Constitution was a Freethinker. The man who drafted

adays a clergyman may be found to maintain that because a man has been to college and to the theological seminary, and has made the study of the Scriptures his life work (moved to that decision after careful self-examination), that therefore he is better fitted to that ministry than Miss Susie Goldrick, who teaches a class in Sabbath-school very acceptably. Miss Goldrick is in the second year in the High School, and last Saturday afternoon read a composition on English Literature, in which she spoke in terms of high praise of John Bunion, the well-known author of 'Progress and Poverty.' Miss Goldrick is very conscientious, and always keeps her thumb-nail against the questions printed on the lesson-leaf, so as to not ask twice, 'What did the disciples then do?'"

<sup>4</sup> *A New Catechism*, (M. M. Mangasarian), pages 193-198.

that instrument was a Freethinker. Its ablest exponents were Freethinkers. The Declaration of Independence and the Constitution of the United States are both Freethought documents, the one Deistic, the other Agnostic.

"For a period of one hundred years from the accession of our first President, Washington, to the retirement of the twenty-second, Cleveland, not one Christian communicant occupied the Executive chair; for Garfield, while he had not ceased to commune, had ceased to believe. Our greatest statesmen and orators, scientists and inventors, authors and poets, have been Freethinkers. Free thought, free speech, a free press, and free schools, the products of Freethought, are the pillars upon which our national fabric rests."<sup>5</sup>

We are very much indebted to that great achievement of American law work now in publication, our first available comprehensive summary of the substance of American Law, *Corpus Juris*, for a sufficient survey of the history and application of our Constitutional Law which covers this religious issue. The constitutional separation of Church and State was intended to be absolute. The history of this important measure clearly shows this united purpose of the early American people to put an end to the existing religious evil in state affairs, and one may feel that the following citation fairly represents the accepted view of the American courts as a recital of the circumstances and influences of those times:

"Before the adoption of the Constitution (in this citation used), attempts were made in some of the colonies and states to legislate not only in respect to the establishment of religion, but in respect to its doctrines and precepts as well. . . . The controversy upon this general subject was animated in many of the states, but seemed at last to culminate in Virginia. In 1784, the House of Delegates of that state having under consideration 'a bill establishing provision for teachers of the Christian religion,' postponed it until the next session, and directed that the bill should be published and distributed, and that the people be requested 'to signify their opinion respecting the adoption of such a bill at the next session of assembly.' . . . At the next session the proposed bill was not only defeated, but another, 'for establishing religious freedom,' drafted by Mr. Jefferson, was passed. (Jefferson's *Works*, II, 45; 2 Howison, *History of Virginia*, 298.) . . . In a little more than a year after the passage of this statute the convention met which prepared the Con-

<sup>5</sup> *The Chicago Bible*, (a pamphlet against religion in the schools of that city 1896). See also Remsburg's *Six Historic Americans*, (The Truth Seeker Co., New York).

stitution of the United States. Of this convention Mr. Jefferson was not a member, he being then absent as minister to France. As soon as he saw the draft of the Constitution, proposed for adoption, he, in a letter to a friend, expressed his disappointment at the absence of an express declaration insuring the freedom of religion (Jefferson's *Works*, II, 355), but was willing to accept it as it was, trusting that the good sense and honest intentions of the people would bring about the necessary alterations (Jefferson's *Works*, I, 79). Five of the states, while adopting the Constitution, proposed amendments. Three—New Hampshire, New York and Virginia—included in one form or another a declaration of religious freedom in the changes they desired to have made, as did also North Carolina, where the convention at first declined to ratify the Constitution until the proposed amendments were acted upon. Accordingly, at the first session of the first Congress the amendment now under consideration was proposed with others by Mr. Madison. It met the views of the advocates of religious freedom, and was adopted." Reynolds v. U. S., 98 U. S. 145, 162; 25 L. ed. 244. (See also *Life of Madison*, or biographical article in *Nelson's Encyclopædia*.)

It is very helpful to have an impartial and a very full statement following therein of all the American law upon this constitutional question, such as we have in *Corpus Juris*. In this accomplishment one gets the whole of the law exactly as it is, the object being neither for nor against religion. It is a strictly judicial recital, with every sentence of the text based carefully upon selected citations; and the "reason for the rule" in support of each decision is appended. It is gratifying in this to be sure that "the weight of authority and of reason" is with the secularist; that instruction from a sectarian book has been held to be sectarian instruction; and that the only way to prevent sectarianism is to exclude it altogether. This is therefore the best constitutional law and common sense.

Continuing the statement of the law relating to the Church and the State, we find, as a matter of exact facts, that:

"There is considerable variety in the constitutional provisions of the *various states* affecting the right to hold religious exercises in the public schools, and equally great variety of opinion in the decisions of the courts in regard to the matter.

"In some states the constitutional provisions forbidding compulsory attendance on religious worship and taxation for sectarian schools have been construed not to prohibit religious exercises in the public schools, such as reading the Bible, offering prayer and singing devotional songs.

"The tendency of recent constitutions, however, and also of judicial decisions construing and applying them, *has been in favor of extending the scope of constitutional guaranties to the exclusion of religious exercises from the public schools.*

*"And the weight of recent authority and of reason would seem to be with those cases which hold that prayer and the singing of hymns as a part of the public exercises of the school are in violation of constitutional provisions against taxation for the support of religion, even though pupils may be excused from attending such exercises on application by themselves or their parents."*

*The reason for the rule is: "Prayer is always worship. Reading the Bible and singing may be worship. . . . If these exercises of reading the Bible, joining in prayer and the singing of hymns were performed in a church there would be no doubt of their religious character and that character is not changed by the place OF THEIR PERFORMANCE. . . . The wrong arises, not out of the particular version, of the Bible or form of prayer used—whether that found in the Douay or the King James version,—or the particular songs sung, but out of the compulsion to join in any form of worship. The free enjoyment of religious worship includes freedom not to worship." Per Dunn, J., in People v. District 24, Board of Education, 245 Ill. 334, 339; 92 N. E. 251; 29 L. R. A. N. S. 442; 19 Ann. Cases 220. (12 Corpus Juris 943, under Note 67.)*

(My comment on this is: It is shameful that any sort of exercise should be permitted in a public school where it might be considered necessary or proper to excuse any pupil from participating in it, from a question of conscience. The reason for the rule in this case is therefore a destruction of the whole religious proposition.)

*"The mere reading from a particular version of the Bible, without comment, has been held not to constitute an infringement of the constitutional guaranty, and this has been conceded by some authorities that held otherwise as to prayer and devotional singing."*

The reason for the rule: "But the fact that the King James translation may be used to inculcate sectarian doctrines affords no presumption that it will be so used. The law does not forbid the use of the Bible in either version in the public schools; it is not proscribed either by the constitution or the statutes, and the courts have no right to declare its use to be unlawful because it is possible or probable that those who are privileged to use it will misuse the privilege by attempting to propagate their own peculiar theological or ecclesiastical views and opinions. The point where the courts may rightfully intervene, and where they should intervene without



hesitation, is where legitimate use has degenerated into abuse,—where a teacher employed to give secular instructions has violated the constitution by becoming a sectarian propagandist. *That sectarian instruction may be given by the frequent reading, without note or comment, of judiciously selected passages, is of course obvious.*” Per Sullivan, C. J., in *State v. Scheve*, 65 Nebr. 853, 883; 91 N.W. 846; 93 N.W. 169; 59 L.R.A. 927. (12 *Corpus Juris* 943, under Note 70.)

“But other authorities hold that the Bible is a sectarian book and that the reading in the public schools of any portion or any version of it for religious purposes is a violation of constitutional guaranties.”

*The reason for the rule: “The only means of preventing sectarian instruction in the schools is to exclude altogether religious instruction, by means of the reading of the Bible or otherwise. The Bible is not read in the public schools as mere literature or mere history. It cannot be separated from its character as an inspired book of religion. . . . If any parts are to be selected for use as being free from sectarian differences of opinion, who will select them?”* Per Dunn, J., in *People v. District 24, Board of Education*, 245 Ill. 334, 348; 92 N.E. 251; 29 L.R.A.N.S. 442; 19 Ann. Cases 220. (Cited in 12 *Corpus Juris* 943, under Note 71.)

Earlier Illinois cases inconsistent with above were “practically overruled thereby.”

“It is unanimously agreed that a law or regulation which forbids religious instruction or the reading of religious books, including the Bible, in the public schools is valid.”

The principle that no one may impose his religious beliefs or practices amounting to a religious nuisance to others has been well expressed in *In-re: Frazee*, (63 Mich. 396, 405; 30 N.W. 72; 6 Am. S. R. 310) by Chief Justice Campbell: “We cannot accede to the suggestion that religious liberty includes the right to introduce and carry out every scheme or purpose which persons see fit to claim as a part of their religious system. There is no legal authority to constrain belief, but no one can lawfully stretch his own liberty of action so as to interfere with that of his neighbor, or violate peace or good order. The whole criminal law might be practically superseded if, under pretext of liberty or conscience, the commission of crime be made a religious dogma. It is a fundamental condition of all liberty, and necessary to civil society, that all men must exercise their rights in harmony, and must yield to such restrictions as are necessary to promote that result.”

These cases make no mention of the disturbance that inevitably arises over the attempt to introduce religion of any particular kind in a public institution like the public schools, and these disturbances have been a Protestant disgrace in the schools. The American schools are for the children of all the people of every religion and of no religion. The rights of Catholics, Jews and infidels, agnostics and atheists are just as much to be regarded and respected as the rights of Protestant Christians, which latter are only a Christian sect, or who constitute many sects of as many different beliefs. Either is in duty bound to respect the Constitution which protects the rights of all. Freethinkers claim the right to teach Freethought, but do not ask that Freethought be introduced in the schools to disparage religion, at the expense of the State; or to the violence of the conscience of religious children or their parents. The schools are for the imparting of necessary information, according to what may be regarded as the best systems of education by real educators. Morality will come from knowledge, and from the better conditions resulting from knowledge obtained in the schools, and not from the teaching of any particular form of dogma or belief, or from any sectarian teaching of sectarian morality. Otherwise the schools and knowledge were of no use, and only religion were useful.

Protestant clergymen may deliver nonsectarian prayers (if such a performance were possible!) at graduation exercises and the exercises may be held in churches in those communities where there may be no town hall or theater, and when permitted by the school board, without seriously violating the constitutional guaranty. This is only a form of Protestant ministerial impoliteness and an intrusion. But Jewish children, or the children of agnostics, or Catholic scholars of the public schools are quite justified, from social reasons, in refusing diplomas when handed to them by a Protestant preacher officiating where he is not desired and where he ought not to appear as a religionist. Religion is not an affair of the state.

It is natural to anticipate the religious chaos that would result if Protestantism were allowed to operate and develop without restraint, or if it were permitted to extend the plan proposed by Mr. Sparks. The public schools are not to be made ultimate Protestant parish schools, as desired by him, with credit for Bible study or Bible work. "Pastor" Russell's Bible classes, an influence of this religion, or other kinds of Bible-classes have no place in state-supported schools, nor any connection with them. It is not the purpose of the schools to train children or inspire them for the ministry or for missionary fields. There should be no preparatory

grades or primary lessons in any superstition, or any credit that tends to reverence or respect for the outrageous religion of Evangelist Sunday or the fanatical religion of the German Emperor. Parsons and preachers and book agents and peddlers should be excluded from the schoolhouse. It is necessary to say this, because we have the afflictions.

The Catholic writer proposes "an interdenominational school" for religious instruction, and proposes "in this respect (that) Germany's schools might serve as a model." I think the present righteous temper of the American people would have disposed of that suggestion had not the abomination of religion and state in Germany been specifically and sufficiently exposed in Mr. Heyn's timely and informative article in the March number of this magazine, which has fortunately come to hand before the preparation of this reply.<sup>6</sup> And I do not believe that we are yet ready to have "*Ein feste Burg ist unser Gott*" as the American national anthem.

It is hardly worth while to go into the details of Mr. Sparks's proposed tentative religious plan. His whole proposition is fundamentally and essentially and morally wrong, and it has been the intent of the Constitution to prevent this moral wrong. And "moral considerations are of more importance" to the moral Rationalist "than either the ecclesiastical or legal considerations." If it has appeared that I have been severe in criticism of the moral and intellectual integrity of this Protestant religious writer I wish to call attention to this statement of his: "Where Bible selections even are barred from the schools, arrangements could be made to have this material taught by representatives of the religious bodies outside the schools and after satisfactory examinations have been passed, credit given the pupils on their school work." There could hardly be a more deliberate and constructive scheme to violate the intent and practice of the law than this. I cannot think the man is so much interested in teaching "morality" as he is in introducing this "Bible material," from a religious incentive, and where it has been particularly barred, and this can only be treated as a piece of becoming sectarianism. We can accept Mr. Sparks's confident exhibit that the Bible is *the* text-book of his morality without further comment.

Outside the narrow realm of Protestant religious thought the Bible is considered at its true value. It is no longer an authority

<sup>6</sup> See *The Open Court* for March, 1918, and "The Centrum Party's Influence in German Affairs," (particularly page 188) for the failure of liberal government. By Hon. Edward T. Heyn, former American Vice-Consul.

on any question of importance to mankind. And it is now an obstacle to Protestant education and consequently capable of great harm so long as it may be treated otherwise in trying to explain our affairs or in helping in any of the problems of our American life and progress. It has been progressively and completely driven out of the halls of learning. "It is no longer an authority, for example on questions of science—geology, astronomy, chemistry, biology and all other branches of one of the principal pursuits of man," the pursuit of *knowledge*. Better books have replaced the Bible. "What is true of science is also true of history, politics, government, education, commerce; in all these departments and activities of life better books have relegated the Bible into the background." The framers of the American Constitution did not consult this religious book for their work.

The American secularists also object to this book on strictly moral grounds. There is no book in existence that as a whole has so many objectionable features. And the wish to give these things the appearance of authority is especially pernicious and must be withstood so long as ignorance persists.

"The claim that the Bible is the only moral guide," says Mr. Remsburg of the American Secular Union, "is a very foolish falsehood. The claim that it is the best moral guide is untrue; and the claim that it even is a good moral guide is untrue. The Bible contains some worthy precepts, but it also sanctions nearly every vice and crime." In proof of this he cites a solid magazine page of Bible references which are known to every scholar showing the approval of lying, cheating, murder, slavery, witchcraft, cannibalism, human sacrifices, injustice to women, cruelty to children, intemperance, religious persecution and obscenity."<sup>8</sup> It is a book filled with unnatural thoughts and perversions. The churches of course do not directly teach these vices, I should hope. What a monstrous book then to be made such a fetish of, and to have the unqualified approval of such an organization.

The prison statistics of the country involving the religions of criminals would astonish even the thoughtful religionists. The worst recent criminals have been Christian ministers. There are 60,605 Christians in the state penitentiaries of the country; 5420 Jews; 131

<sup>7</sup> Consult *The Bible Unveiled* (M. M. Mangasarian), The Independent Religious Society, Chicago, publishers, 1911.

<sup>8</sup> And if I am not mistaken an able writer in *The Open Court*, less than two years ago, has discussed this question along the same lines, and given similar references and if so, readers have access to this information.

pagans; 3 infidels and 4,887 giving no church affiliation, but a great many of undoubted religious training. "The assertion that the church is the mainstay of morals is proven to be an exploded fiction," says Mr. Franklin Steiner, in his compilation of these figures in *Religion and Roguery* (The Truth Seeker Co., New York). "Like every claim made by that institution it will not bear the light of day." The word "morality" does not appear in the Bible. It is an Asiatic cult book, and not an American text-book. The approval of the horrors and cruelty of the present war may be found in this collection of Hebraic-Christian literature, and one is forced to seriously wonder to what extent the book is directly responsible for the actions of those barbarians who have threatened our civilization. The authority of this Protestant book originated in the country with which this nation is at present engaged in a struggle for the life of democracy. One cannot overlook this important fact.

The American question is not one of majorities. That is not the issue at all. If it were a matter between the Church and the unchurched the latter would be in a position to prevail overwhelmingly, probably two to one, and might succeed in reaching anti-religious determinations with natural injustice to religions. But it is the principle of the nation that must be considered. If it were a matter between Catholics and Protestants the latter would be able to dictate in religion and in dogma, if it could, so far as the public recognition of religion were concerned, as Protestants have done, with natural injustice to all *other* religions. But the Constitution has removed the possibility of this shifting of religious influence or interference consequent on numbers. Religion must not be an elementary part of the American state, and it is fortunate for the United States and for the world that it is not. The religious beliefs of any cult, or the teachings of any prophet, ancient or modern, or the teachings or practice of any ascetic or medicine-man, such as we experience, are not in any instance a subject for the minds of American children in the American schools. Religion is safe and protected under such a principle and the state should be maintained upon this splendid idea of independence and freedom. And there are better moral ideas than those preached or practised by religionists from religious motives.

There are millions of Roman Catholics in America who have Constitutional rights that Protestants are bound to respect. There are millions of Jews who have equal rights. There are hundreds of thousands of atheists, agnostics, infidels, Freethinkers, and undoubtedly millions of no religious belief one way or another. Our

American morality is undoubtedly the best the world has ever seen. It is free, healthy, intelligent and generous. Religionists have also intelligently contributed their share to this increasingly satisfactory condition of American life.

But "ethics is the science of right human character and conduct. It is in no wise primarily dependent upon religion but has suffered immeasurably by having been associated with it through all the ages."<sup>9</sup>

To put an end to the confusions of religion in state affairs The American Secular Union (a national organization) was organized July 4, 1876, and exists for the purpose of making effective the first amendment of the Constitution, concerning which I have tried to make some of the provisions better understood. This American organization in perfectly clear language proposes a complete separation of religion and the state in every particular, and submits what it has called "nine demands" to bring about our American ideals under the Constitution. It is encouraged with more recent events, and expects that others favorable will follow education and enlightenment. The organization will live until this has been accomplished. Its methods are lawful, its purpose is unselfish, and it asks the consideration of the American people as a whole. I am pleased to attach the statement of this organization:<sup>10</sup>

*The Nine Demands of Liberalism.*

1. We demand that churches and other ecclesiastical property shall be no longer exempt from taxation.

2. We demand that the employment of chaplains in Congress, in the Legislatures, in the navy and militia, and in prisons, asylums and all other institutions supported by public money shall be discontinued.

3. We demand that all public appropriations for educational and charitable institutions of a sectarian character shall cease.

4. We demand that all religious services now sustained by the government shall be abolished; and especially that the use of the Bible in the public schools, whether ostensibly as a text-book, or avowedly as a book of religious worship, shall be prohibited.

5. We demand that the appointment by the President of the United States or by the governors of the various states, of all religious festivals and feasts shall wholly cease.

<sup>9</sup> *The Development of the Ethical Idea* (S. S. Knight), R. F. Fenno & Co. New York.

<sup>10</sup> The Secretary of the American Secular Union is Mr. E. C. Reichwald, 79 West South Water St., Chicago, Ill., who may be addressed by all interested.

6. We demand that the judicial oath in the courts and in all other departments of the government shall be abolished, and that simple affirmation under the pains and penalties of perjury shall be established in its stead.

7. We demand that all laws directly or indirectly enforcing the observance of Sunday as the Sabbath shall be repealed.

8. We demand that all laws looking to the enforcement of "Christian" morality shall be abrogated and that all laws shall be conformed to the requirements of natural morality, equal rights, and impartial liberty.

9. We demand that not only in the Constitution of the United States and of the several states, but also in the practical administration of the same, no privileges or advantages shall be conceded to Christianity or any other special religion; that our entire political system shall be founded and administered on a purely secular basis; and that whatever changes shall prove necessary to this end shall be consistently, unflinchingly and promptly made.

## MACAULAY'S CRITICISM OF DEMOCRACY AND GARFIELD'S REPLY.

BY CHARLES H. BETTS.

SOME time ago I called on the editor of *The Open Court* at his office and while we were discussing the world-wide conflict in which this country is now engaged, Dr. Carus asked me if I had ever happened to see a letter written by Lord Macaulay criticising Jefferson and democracy. I replied that I had the Macaulay letter, one copy in my scrap book and another copy in one of General Garfield's speeches.

I then related that on a recent visit with Dr. Andrew White at his home in Ithaca, while we were discussing the war, he asked me the same question asked by Dr. Carus relative to the Macaulay letter. I informed Dr. White that I had a copy of the letter whereupon he related how in a campaign when General Garfield was a candidate for president he spoke at Cornell University and in his speech quoted Macaulay's letter. Dr. White said he had always wanted to secure a copy of it and then described how General Garfield after quoting the letter had answered the criticism of democracy therein contained and concluded his speech by appealing to the audience to see to it that Macaulay's prophecy relative to our demo-