

# The FREETHINKER

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## The Blasphemy Trial.

ELSEWHERE in this issue we commence a full report of the two trials of J. W. Gott for having published a "blasphemous libel concerning the Holy Scriptures and the Christian religion." The issues raised by these two trials—the jury could not agree on the first trial—are more important than may seem at first sight, but their significance will appear later. But to remove any misunderstanding I may say at once that there was nothing about "indecent" or "obscenity" in the indictment, nor were there any suggestions of that kind made by the prosecution at any time during the two trials. It is as well to get that suggestion out of the way at once. And this week, for very pertinent reasons, for the case may be in a certain sense still *sub judice*, I refrain from calling attention to certain aspects of the Judge's action on which I may comment more freely later.

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There were two trials, and these may well make the prosecution think twice before they attempt another prosecution. And I think it is clear the prosecution imagined securing a conviction would be much easier than it was. If the Crown, prosecuting in a case of blasphemy, and with a defendant who offers them the most favourable of targets, and with a judge whom no one could say was out of sympathy with the prosecution, if under this favourable conjunction of circumstances the prosecution cannot prevent a disagreement in a first trial, and only narrowly escapes a similar result in a second trial, it may well suggest itself to the authorities that the rusty machinery of the Blasphemy laws, although it may be ciled up for an occasional spasm of work, is about worn out.

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Mr. Curtis Bennett and Mr. Harold Murphy had charge of the defence, and, in my opinion, the case was fought as well as it ever will be fought in a criminal court by counsel. There are certain technical difficulties in the way of a counsel defending a blasphemy charge which do not exist when a layman is defending himself. And for that reason my conviction is confirmed that it is a layman, backed, of course, by competent legal advice on technical points, who alone will succeed in breaking down the application of the Blasphemy laws. But it is only fair to the counsel to say that he fought his case with great skill and good temper. His points were well and clearly made, and his

two speeches on each trial (it will be seen from the report there were two issues fought) were capitally designed to achieve the end aimed at. That he was able to divide the jury once, and almost did it a second time, is evidence of the effect produced. And disagreement is all that we can at present hope for. It will take something little short of a miracle to get twelve Christians to agree that a Freethinker charged with bringing their religion into contempt should be acquitted.

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Sir Richard Muir appeared for the prosecution, and, on the whole, he conducted his case with care and moderation—with the exception of one appeal to the jury on the second trial concerning women and children reading *Rib Ticklers*. The judge was Mr. Justice Avory—who, curiously enough, defended Mr. Ransey in the 1883 *Freethinker* trial—and about him I shall have more to say when my lips are unlocked. But at present it would be, perhaps, unwise to say much, and it will keep. All I will say now is that every point that could help the prosecution was well stressed by the judge after he had carefully laid down the Coleridge definition of the law of blasphemy, which, he held, rules to-day. And I may also add, that while Lord Coleridge made it very manifest that he altogether disliked the whole principle of the Blasphemy law, and other liberal minded judges have shared that feeling, Mr. Justice Avory left no one in doubt that in his opinion it was quite a good law and one that tended to preserve the health of the community.

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A word as to the jury. On the first trial there were three or four women on the jury, and one of the men was a Jew, who took the oath in the Jewish fashion. On the second trial there were no Jews, and no women. The satire of asking a Jew to give a solemn opinion as to whether a Freethinker has treated Jesus Christ with proper respect is delicious. At any rate, the jury was made up of Christians. And even then it was only after some fifty minutes' discussion that the jury could decide on a verdict of guilty, but accompanied it with a recommendation to clemency.

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But the judge had got his verdict, and he proceeded to make full use of it. John William Gott had determined to break the law. (A law which every Freethinker believes ought to be broken.) He had been imprisoned several times for the same offence. (It might have struck a judicial as distinguished from a legal mind that persistence in a course where one runs the risk of imprisonment is some indication of sincerity.) And in spite of Mr. Murphy having handed in a medical certificate showing that Mr. Gott was suffering from an almost incurable disease, requiring a special treatment, Mr. Justice Avory proceeded to pass a sentence of *nine months' imprisonment with hard labour*.

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It was the most severe sentence for blasphemy for at least a hundred years, and I felt that my analogy of the judge to the mediæval inquisitor, which I used last

week, was peculiarly prophetic. Everyone in court was surprised, and I am quite sure that had the jury known what kind of sentence their verdict would bring, the judge might have waited till doomsday for his verdict of guilty. The sentence was severe, and we hope it will come as a reminder to those who profess to think that the fight is over, nor do I envy the feelings of those Freethinkers who can stand by and see an infamous law administered in this manner. I have had that sentence ringing in my ears ever since I heard it, and the only consolation I have is that I did all I could to prevent it. What can be done to correct this act of bigotry will be done, but I cannot say more on this till next week.

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The prosecution tried the usual trick of not reading the indicted passages, and so conveying the impression that they were too horrible for publicity. As the worst of these were read out by the judge in the second trial—for obvious reasons—readers will have the opportunity of judging for themselves and deciding, however coarse some of these jokes are, whether any man in his senses could honestly say that they are so bad as to be unfit to be read in a criminal court. Now by a curious coincidence Mr. Gott's trial at Birmingham, where the same trick was tried, and his trial at the Central Criminal Court were both followed by other trials of a peculiarly disgusting nature. (I was compelled to hear both, because I was waiting for the verdict of the jury.) At Birmingham it was a revolting case of sodomy. In London it was a case of a young man charged with committing a sexual offence against a young woman who was mentally defective. In neither case was there any attempt to prevent the fullest explanation of the most disgusting details. Judge and counsel listened with the most unmoved expression of face. And in the case of the young man before Mr. Justice Avory the sentence was *two months' imprisonment in the second division*, with the comment from the judge that if the prisoner had not told a lie he would have given him a lighter punishment. What a contrast! The delicate religious sense which cannot listen to jokes about the Christian religion can listen unmoved to the details of the filthiest sexual offences! Nine months' hard labour for the man who jokes about Jesus Christ. Two months in the second division for the young man who takes sexual advantage of a half-witted girl! What a rare moral sense Christianity does develop! And if there be a day of judgment will not that young man be able to plead that even though he did take sexual advantage of a half-witted girl he was never guilty of the much more serious offence of joking about Jesus Christ? And he may even call the ghost of Mr. Justice Avory to bear witness to his comparatively blameless life. There are people who wonder at our treating Christianity with contempt. Does it really get half the contempt it deserves?

\* \* \*

I shall return to certain aspects of the trial later. I want now to put as clearly as possible the position and purpose of the N. S. S. in undertaking, on my advice, the defence of Mr. Gott. And here let me say that, while I would give the same degree of help to Mr. Gott in trouble as I would, I hope, to others, I am not in a blasphemy case concerned with him or with anyone else. I am concerned, and the National Secular Society is concerned, with the expression and the upholding of a principle. Mr. Gott is not one of our members. We have declined to have him as a member. His campaign is of his own devising and carrying out. The National Secular Society does not support him in any shape or form in the campaign he carries on. More, we have told him quite plainly that we do not desire him to do it, and that he is calculated to do more harm than good by what he is doing. His methods are

not our methods, nor is his language our language. And whenever Mr. Gott has been proceeded against under the ordinary law—a law which affects all citizens alike—we have left him entirely to his own devices. No one could have dissociated himself more completely and more emphatically from Mr. Gott than the N.S.S. has done.

\* \* \*

But Mr. Gott has not been proceeded against under the ordinary law. And the reason for this is that, however objectionable from the point of view of a cultured taste some of his productions may be, they cannot be prosecuted under the ordinary law. *It is only when his style of language is used in connection with religion that it becomes a legal offence.* And that gives away the whole game. It is an open confession that there is one law for the discussion of religious topics, passed for the special benefit of religious people, and another law for the ordinary citizen. The Blasphemy law is a law which exists for the protection of a religious sect, and which places one religious sect in a favoured position. It is a law which every Freethinker holds is a disgrace to a civilized country, that its existence is an outrage on justice, and that every time it is put into operation it brings the name of justice into contempt.

\* \* \*

How, then, can a Freethinker stand quietly by and see this law put into operation without the most vigorous kind of protest? We do not protest against prosecutions for indecency of speech, or for inciting to a breach of the peace, or for any other offence known to the ordinary law. Our protest is against a law that is created by Christians, maintained for the benefit of Christians exclusively, and intended and used against Freethinkers.

\* \* \*

Several subscribers to the Defence Fund write saying they wish the bigots would rise to the task of prosecuting me. It sounds a curious sort of wish to come from one's friends, but I understand what is meant and I appreciate the compliment. Unfortunately, we cannot say to the prosecution whom they shall attack, when they shall attack, or where they shall attack. The choice in all these directions lies with the enemy; we can only say whether we will submit or fight. Moreover, the question of fighting a blasphemy prosecution is not ultimately one of personality. If I were prosecuted it would not be Chapman Cohen that was being defended, and in this case it was not J. W. Gott that was being defended. Whoever the person, he is a mere accident in the situation. It is the Blasphemy law that is being fought. That is the essential question that all Freethinkers should keep before them. Do you believe in the application of the Blasphemy law or not? To say, I will permit its application if it is in the case of someone of whose methods, or language, or style I do not approve, and only resist it when I approve of what has been said or done, does not meet the issue at all. That is precisely what the Christian says. He says, I do not believe in the application of the Blasphemy laws when it is decent controversy that is being carried on, but I do believe in its application when what I consider indecent advocacy is being pursued. The Freethinker who stands on one side because he does not approve the methods of the man convicted is acting substantially in the same way. He makes the question of his resistance to an unjust and a sectarian law depend upon whether he agrees or not with the style or methods of the man who is punished by it. And that is certainly not the way in which the battles for freedom have been won. Voltaire, and Paine, and Carlile, and Hetherington, and Holyoake, and Bradlaugh, and Foote did not say to the bigots, "You may persecute for religious offences so long as you confine your

persecution to those persons of whose style or methods we do not approve, but we will oppose you if you persecute anyone whom we hold in respect." What they said was that the whole principle of persecution was bad, and whether it was put into operation against rich or poor, against educated or uneducated persons, against coarse or refined persons, they would resist it until they had wiped so vile a thing from the face of society.

\* \* \*

I am more pleased than I can say to find that the only surviving child of Charles Bradlaugh, Mrs. Bradlaugh-Bonner, endorses the attitude I have expressed. In forwarding a contribution to the Defence Fund, she says:—

I thoroughly detest Mr. Gott's methods, and were he alone concerned I should not feel justified in lifting a finger to help him, for I think he brings serious discredit upon the Freethought cause. But much as I detest Mr. Gott's coarse vulgarities I detest the Blasphemy laws still more. Therefore, I should be glad if you will kindly add the enclosed small subscription to the Blasphemy Defence Fund.

That is what one would expect from the daughter of Charles Bradlaugh, and I feel that I should be unworthy of being the President of the Society he founded if I had acted otherwise than I have done. When Bradlaugh felt there was a principle at stake he never stepped to count whether his action would lose or gain him supporters, whether it would add to or detract from his reputation for respectability, or whether it would mean financial loss or gain. He did it, content that ultimately all right thinking men and women would appreciate to the full his motive in so acting. And I am proud to think that the National Secular Society has never failed to act up to that principle and to that tradition. Those that are in the front must expect blows and misunderstandings, and they must expect to be of the few. The tail end of the procession will follow on when the road has been smoothed a little. One wishes it were otherwise, but one must take human nature as one finds it, and recognize that for one who can fight for a pure principle there are a hundred who will derive their chief consolation from the respectability of numbers, or estimate the importance of principles by the process of counting noses.

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Finally, another Blasphemy prosecution has been fought and—? True, a conviction has been secured, but I do not feel inclined to say that we have lost. Blasphemy prosecutions never fail, and never will so long as a jury of Christians are set to try a Freethinker. There cannot be a fair trial under such conditions. Every element of bias and prejudice is on the side of the prosecution. But it is quite evident that the prosecution narrowly escaped a disaster. Those who watched the jury could see that in the second trial getting a verdict of guilty was the mere toss of a button. And as it was, the accompanying rider of the jury showed that, although the decision had to be put in a definite form, it was a compromise verdict. That the sentence was so unprecedentedly severe was due to the judge. The jury had nothing to do with that, and took what they considered steps to prevent its occurring. They will know better if they are ever called again on a similar case, and one at least will in future stand out for not guilty. We came within as near pulling off a victory as we have ever done.

\* \* \*

In the next place readers of the report will observe that the counsel in his submission of "no case" raised a point of which more will be heard later, and which may ultimately render these laws quite ineffective. That point was based on the deliverances of Lords Parker and Sumner, whose opinions cannot be easily

dismissed, and although the judge brushed it on one side it may ultimately lead to as great a change in the interpretation of what constitutes blasphemy as did the decision in the case of G. W. Foote in 1883. What use can be made of this point, and others, in carrying the case further will be decided by the time this issue of the *Freethinker* is in the hands of its readers.

\* \* \*

Finally, we must all do what we can to make the bigots pay the fullest price for their sport. Remember that every Freethinker we make counts as a possibility on a jury summoned for future cases. Every additional reader we get for this paper counts as a new force in the right direction. We shall only abolish the privileges of Christians and establish a genuine equality of opinion before the law when we have made Freethinkers in the community numerous enough to become a real power. The reply of the Freethought party should be an intensified campaign against one of the most demoralizing superstitions that have ever attacked civilized humanity. It will not be the first time that the Freethought party has snatched triumph from an apparent defeat and made the bigots regret their hour of victory. And if we all set ourselves to the task we can make this case a starting point for a veritable revival of Freethought propaganda. We shall not be making the most of our opportunities if we fail to do so. "Make the Bigots Pay!" should be our motto for 1922.

CHAPMAN COHEN.

### Christmastide.

DR. FRANK CRANE utters a vastly important truth when, in his *Footnotes to Life* (pp. 26, 27), he declares that the emotions are constructive while the intellectual faculties are largely destructive. "The critics of an organization," he observes, "are always more intellectual than the makers of it." The intellect is essentially a critic or judge of the systems and institutions erected by the emotions. "Feeling is absurd as a judge; intellect is impotent as a creator." This statement is specially true in its application to religion, as Dr. Crane himself points out. Religion, in the historical acceptance of the term, is almost exclusively an emotional product; and it is an absolute certainty that feeling has been its food and drink in all ages. Now, Christmastide, as we all know, is an unusually emotional season of the year. It is the supreme turning-point in Nature, the time when darkness and death receive their annual notice to quit, which they never fail sooner or later to obey. It is the period in which to rejoice and be glad, because April, May, and June are potentially already ours. Therefore, as Thomas Tusser, the sixteenth century poet, recommends:—

At Christmas play, and make good cheer,  
For Christmas comes but once a year.

At Rome, in pre-Christian times, this season of the year was celebrated as a merry-making holiday, known as the Saturnalia. One would naturally infer that the Saturnalia was a festival in honour of the god Saturn. Indeed, Augustus decreed that the 17th of December should be sacred to Saturn, and the 19th to Ops, his wife; but there is evidence that originally the festival was a celebration of the winter solstice. For seven days the people gave themselves to merriment. No business was transacted, schools closed, all social distinctions vanished, slaves were freed and treated as their owners' guests, gifts were exchanged by all, war ceased, and no punishment was inflicted. The streets were crowded with thousands of joyous people, who for the time forgot their sorrows and sufferings, nominally in honour of a deity, but in reality because

the sun was standing still in preparation for its return to gladden the earth.

During the Saturnalia emotionalism had full play, and the intellect was on holiday. Now, when the Saturnalia was converted, in the fourth century, into a Christian festival, the change was more nominal than real. In the pre-Nicene literature of the Christian Church there is no mention whatever of Christmas, nor is there any special desire shown to ascertain the date of the new Saviour-God's birth. Clement of Alexandria, for example, writing at the close of the second century or the beginning of the third, says: "There are some who *over curiously* assign not only the year, but also the day of our Saviour's nativity, which they state was in the twenty-eighth year of Augustus, on the 20th of May." Curiously enough, all prior Saviour-Gods had been mythically born on the 25th of December, and the Christian theologians eventually came to the conclusion that it would be their wisest plan to adopt the same date for their Saviour's birth, probably fully as mythical as that of any of his predecessors. So the 25th of December became the official birthday of Jesus Christ, and the Pagan festival was adopted and renamed Christmas, or Christmastide, which extends from Christmas eve to Epiphany (January 6). That the theologians acted prudently is self-evident, for by no other policy could they have better served their conquering cause.

But something else, it seems to us, is equally self-evident to any serious-minded student; namely, that the founders and disseminators of Christianity were governed and guided by emotion rather than intellect, intellect playing the part of emotion's servant only. In other words, Christianity is a child of the emotions, and to the feelings does it make its supreme appeal. Even the birthday of Jesus Christ had to be emotionally fixed. We go further still and maintain that Jesus Christ himself, as portrayed in the New Testament and the creeds of the Church, is an emotional creation. At last the intellect, as the result of its partial emancipation, is gradually pulling that creation to pieces. Since his dramatic return to comparative orthodoxy, Dr. R. J. Campbell, of City Temple fame, has been exceedingly silent so far as the general public is concerned; but in an address entitled "Christ and Criticism," published in the *Christian World Pulpit* for December 7, even he, orthodox as he is, admits that Jesus Christ, after nearly two thousand years, is still "a problem." He says:—

The problem, who and what was Jesus Christ, is one that none of us can afford to pass lightly by, and we may truly say that there never would have been any such thing as the higher or the lower criticism of Holy Scriptures, nor would there have been the amount of archaeological investigation that is proceeding in the Holy Land and elsewhere at the present time, but for the interest that is excited in nearly every mind by this vital subject. Criticism has passed through several phases, and certain very definite schools of thought have successively emerged in the last fifty years in connection with this theme.

That is a most astounding admission at this time of day, but more astonishing still is its truth. Jesus Christ is still a problem concerning the right solution of which those who call themselves by his name are quarrelling among themselves. In the Anglican Church alone there are several antagonistic schools of Christology. After many years of strange and inexplicable theological meanderings Dr. Campbell has settled down as a member of the orthodox party in the Church of his adoption, on joining which he disowned and condemned his notorious New Theology campaign. Now he blesses what then he cursed, praises what once he denounced, and has taken into his heart those theologians he once dubbed "liars." His has been a highly interesting and significant summersault.

Although he believes that he has satisfactorily solved the problem as to "who and what was Jesus Christ," he acknowledges that it still exists for multitudes, most of whom, however, he imagines, are travelling in his direction. We must do him the justice of saying that, in our opinion, his interpretation of the Four Gospels is much more accurate now than it was when he sowed his wild oats at the City Temple. Whatever the Modernist or Liberal theologians may say to the contrary, the Jesus presented to us in the Gospels is certainly a superhuman being, as were all the mythological Saviour-Gods. Not one of them was a mere man. The Gospel Jesus is described in terms quite inapplicable to any but a Divine Being. He came to do a work beyond the capacity of a mere man. Such is undoubtedly the Christ of the Gospels whom Dr. Campbell accepts now as his own. Of course, like all orthodox theologians, the reverend gentleman regards him as both God and man in one, a view which to ordinary people is extremely absurd. Dr. Campbell illustrates its absurdity in the following passage:

He meets our needs as no purely human Christ ever could. Do recognize that. I am continually meeting men who say, The Christ who is precious to me is the Christ who was tempted like me, who had the same battle with life to fight that I have to fight, who asked questions as I have to ask them about the mystery of existence, and so on. Yes, my brother, all that is perfectly true, but if you did not feel that at the back of that same Christ was the authority of Deity, he would not long remain precious to your experience.

Fancy a Divine person puzzled and perplexed by the mystery of existence and having to ask questions about it! The idea of a Divine person being tempted as mere men are being tempted is simply unthinkable. Was his humanity strong enough to put limitations and restrictions upon his Deity? Does Dr. Campbell really think that the Christ of Unitarians is not precious to their experience? Does he imagine that Liberals like Professors Schmiedel and Bacon are not so satisfied with their theory as he is with his? Our view is that the Gospel Jesus, out of whom the Christ of theology grew, never existed at all except in the imagination of those who created him and of those who have since believed in him. The intellect, when once brought seriously to bear upon the conception, shatters it to atoms. Here is an apposite passage from Dr. Crane's *Footnotes to Life* (p. 27):—

Significantly, Jesus is called by the Apostle "the power of God and the wisdom of God." It is because in the Nazarene was a tremendous force of emotion that goes on forming system after system, institution after institution; and also a marvellous wisdom which by and by removes these systems and institutions and makes way for better ones in their stead.

The truth is that a tremendous force of emotion may reside in and be exercised by a purely imaginary being, if believed in with sufficient energy and enthusiasm; but a purely imaginary being has never succeeded in governing the world in righteousness and truth. This is the discovery which thousands made for the first time during the Great War. Such a creation may and does become very precious indeed to the experience of ardent believers; but that is all it has ever become.

J. T. LLOYD.

(To be Concluded.)

When it was proposed to create yet more public offices, the stupid masses were made suspicious. "There is no work for more offices!" protested the masses. But, fortunately, constructive statesmen were not lacking. "More offices," explained these, "will necessitate the erection of additional public buildings, which means a graft for about everybody." Now the masses changed their tune, and filled the air with pæans of thanksgiving, in that there was somebody at hand to tell them what was what.—Puck.

## When is Blasphemy a Crime?

A more troublesome or disagreeable business (than a trial for blasphemy) can never be inflicted upon me.

—Chief Justice Coleridge.

I for one think it abominable that any man in modern England should be prosecuted for blasphemy.

—G. K. Chesterton.

WHEN is blasphemy a crime? This is an important question, because under the Blasphemy Laws men and women may be prosecuted and imprisoned in the name of a religion, the followers of which profess to love their enemies. When George Foote was on trial for blasphemy before Chief Justice Coleridge he asked why should the blasphemers who addressed the classes be patted and admired by society, and the blasphemers who wrote for the masses be cast into the wilderness. He then quoted telling passages from such famous writers as Byron, Shelley, Matthew Arnold, John Stuart Mill, Huxley, Spencer, and others, and urged upon the jury that the only real difference between the passages quoted and the incriminated parts of his own writings consisted in the different prices at which they were published.

Lord Coleridge, in his memorable summing-up, had to admit the force of this argument. His own words were: "They (the passages) do appear to me to be open to exactly the same charge and the same grounds of observation that Mr. Foote's publications are." Yet, curiously, all the many later prosecutions for blasphemy have been directed invariably against poor men and not against any other. Matthew Arnold, Swinburne, the Duke of Somerset, the Marquis of Queensberry, Viscount Amberley, and other offenders, were never proceeded against, although their offence was "gross as a mountain, open, palpable." In poem after poem, Swinburne treated the fundamentals of the Christian religion with fearful derision, and Matthew Arnold did not hesitate, with a polite smile, to compare the Holy Trinity with "Three Lord Shaftesburys."

Let there be no misunderstanding on this point. People above a certain social position appear to be able to say or write what they like on religion. Even clergymen have occasionally let themselves go, and the Rev. R. J. Campbell, in one of his famous City Temple sermons "out-Heroded Herod." His text was the famous one in Genesis concerning "God" creating man in his own image, a compliment which Voltaire said that man had thoroughly reciprocated. The preacher elaborated his subject, and said:—

The ordinary pre-suppositions of evangelical Christianity are utterly absurd, and every one of us must have felt their unreality from time to time. The fact is, we seem to have two Gods, whom we call one, but who, by no possible stretch of the imagination, could be combined in one personality. The first is a sort of old woman, who made the world and man as though He expected everything to go right and no evil or mischief to mar the work of His hands. But He laid His plans so badly that the whole scheme went awry and heaven has been mourning ever since.

Poor God! He is not to blame, the theologians tell us; it is wicked man, more especially woman, who has put everything wrong. God has done His best, and the result has been untold ages of chaos and unimaginable suffering. All God can do is to provide a redeemer to save a few out of the wreck, and to keep on pleading with humanity—"O prodigal child, come home." You will, I am sure, forgive me for the seeming irreverence of saying that that kind of God is a fool. And the other God, or God with the other face, is not much better. This other God has prepared a hell for the poor, helpless victims of what is called His righteous wrath. He has made it big enough to contain the whole race, and into it the whole race will have to go unless they repent in

time and avail themselves of the sufferings which He has graciously inflicted upon somebody else for their benefit. He has been sitting up there in heaven ever since creation first went wrong, brooding darkly over what He means to do to perverse and rebellious man when his time comes.

This is uncommonly like blasphemy, but better followed. Mr. Campbell imagined "God" to be listening, and addressed the deity:—

Look down upon the world as it now is, and tell me what you are going to do. Will the "prodigal-child-come-home" business satisfy you? Can you hear the sobs of little children who are hungry and cold, or ill-treated, or dying of painful disease? Can you watch with equanimity yonder strong man battling against heavy odds and yet feeling the ground give away beneath him as he struggles?

Could you have saved him—you, God, you!—or did you think it was not worth while? Are you going to tell me that you are very sorry for humanity, but that, of course, it has brought all this upon itself? Are you going to maintain that we have sinned against you? Are you not sinning against us?

What do you mean by your marvellous love? You have plenty, and we are starving! You can see, and we are blind! You have omnipotence, and we are crushed by pitiless fate! And what about that hell of yours? Ought you not to be in it for awhile yourself? Bah! You are contemptible, you King of Kings and Lord of Lords, if you have nothing more to say than that you will accept our penitence and remit our tortures when we are dead if only we believe! I would rather trust my own humanity than such a divinity as you.

We may say of this, in the words of G. W. Foote, if this is not blasphemy what is? We do not object to it ourselves, but what of the Blasphemy Laws? Are the police to suppress "blasphemy" at street corners and let it run riot in places of worship?

Men of genius often write astonishing things concerning religion. Mr. Rudyard Kipling, for instance, has written in startling fashion of the amazement of the Hindoo brought face to face with the dogmas of Christianity:—

Look, you have cast out love! What gods are these  
You bid me please?  
The Three in One, the One in Three? Not so!  
To my own gods I go.  
It may be they shall give me greater ease  
Than your cold Christ and tangled Trinities.

No policeman calls attention to this outburst, but if Mr. Kipling had uttered them at a street corner, we wonder!

The late Mr. John Davidson, the poet, rightly enjoyed a Civil List pension during the last years of his life. Yet he had described "Jesus" as—

a sloppy word,  
Mainly a sponge to wipe the tiresome tears  
Of foolish people.

And he had also said that "God" is:—

The shutters of the mind;  
A fire-proof curtain, ghastly cul-de-sac;  
A last excuse; sublime taboo; a tip;  
A patent medicine; an accepted lie.

Mr. Davidson actually enjoyed government favour, but other men have had imprisonment for less, which shows the difference between "blaspheming" to the classes, and "blaspheming" to the masses. It is only poor men's infidelity that is in danger. Prosecution for opinion is always the resort of the rich and strong against the poor and defenceless.

One of the most pressing legal reforms is that of making a clearance of all those unrepealed statutes which are either superseded, obsolete, or no longer in harmony with the present age, and which remain in evidence of the barbarity and tyranny of the past. That in this much-belauded twentieth century persons should be subject to imprisonment for impugning the Christian religion is simply monstrous, and would be

incredible were it not true. English law is saturated with priestcraft. It is, according to law, a misdemeanor to say anything in derogation of the Book of Common Prayer. It is an offence to speak against the Church of England, as by law established. Yet in the famous trial before Lord Coleridge George Foote argued that it was absurd to declare that Christianity was any longer part and parcel of the law of England. As Jews had been admitted to Parliament the plea was a sound one. The Chief Justice supported this argument in his masterly summing-up in what was then hoped would be the last prosecution for liberty of speech in matters of religion. It is therefore humiliating to think that there have been more prosecutions for blasphemy during the present century than during the previous fifty years. There have been more prosecutions for spoken blasphemy during this century than during the previous hundred years, and, in no single instance, have other than poor men been prosecuted. What has become of our boasted freedom of speech? What irony there is in the plain fact that the days of religious persecution are not past, and that persons in authority should use a cruel law which ought to have been erased long ago from the Statute Book of a civilized country. It is a blot upon our civilization that there are still in existence such laws which the late Judge Stephen characterized as "essentially and fundamentally bad." Freedom is one of the most cherished of human possessions. Milton prized "the liberty to know, to utter, and to argue freely according to conscience, above all other liberties." It is monstrous that any man should be prosecuted for the priest-made crime of blasphemy. It is still more monstrous that poor men should be selected for attack whilst those in a superior position in life should be safeguarded.

MIMNERMUS.

## Freethought Eighty Years Ago.

### II.

(Concluded from page 796.)

This article gave the bigots the opportunity they wanted. Within a few hours from the appearance of the paper the author was dragged to a cold dungeon. Legal and respectable bail was refused as long as possible, and Southwell remained for seventeen days in solitary confinement. Meantime Chilton continued the *Oracle* and raised money for the defence. He printed and sold at one halfpenny each, copies of the warrant—a document that set forth all the passages indicted. These included one in which, as the Recorder reminded the jury, Atheism is promulgated. It read:—

Metaphysics teach us that God is a pure spirit; but wherein is modern theology superior to that of savages? The savages acknowledge a great spirit for the master of the world. The savages, like all ignorant people, attribute to spirits all the effects of which their experience cannot discover the true causes. Ask a savage what moves your watch, he will answer it is a spirit. Ask our divines what moves the universe, they answer it is a spirit.

The trial took place before Sir Charles Wetherell on January 14, 1842, and occupied two days, the greater part being taken up with an exhaustive defence, occupying altogether over ten hours, in which Southwell vindicated his right to free expression of opinions. William Carpenter had been engaged to report the trial, and Southwell, convinced that he would be convicted, determined to make his defence a complete exposition of his Freethought views. "My opinions," said he, "are antagonistic to all religions, and I think that mere morality is all sufficient for human purposes." Again and again was his defence inter-

rupted by the counsel for the prosecution, a now forgotten wig and gown rejoicing in the name of Smith. The Recorder prevented him from reading from Voltaire on the ground that it would be "making this trial a vehicle for diffusing the Atheistical opinion of other men," thus showing his fitness to judge the question before him by participating in the common belief that Voltaire was an Atheist. He asked the jury if blasphemy had been defined.

Do we know as well what it is, as we know what murder, robbery, or other offences against society are? Certainly not. All men who have published new opinions upon religious matters have invariably been called blasphemers. Were not Socrates and Aristides blasphemers? Nay, was not Jesus Christ a blasphemer? That is, these great men were called blasphemers by those in authority. They were called blasphemers by the priests of those times, who acted as many priests act in these times; that is, they cried out, "Blasphemy! Blasphemy!" whenever an opinion was put forth at all likely to overturn the opinions upon which they lived.

In concluding his lengthy and able defence, Southwell said:—

Gentlemen, I trust you will do your duty. I ask for no mercy. I never beg. I ask for simple justice. If you consign me to a dungeon, it shall be without a groan from me. I will suffer cheerfully, and without the slightest complaint. Only do not suppose that by putting me in prison you will put down the opinions which I believe to be true. No; you will make men sympathise and inquire. And you will do more for the advancement of these opinions than I could do if I lived for a thousand years. As it is one of the bulwarks—nay, as *the bulwark* of English liberty—I look to the box for a verdict which shall for ever establish the right of man to exercise full freedom of opinion. I appeal to you to do an act that shall be remembered in all time, and that shall be greeted by all lips. Let not the bigots, but the liberal and enlightened men, who look on this day's proceeding with intense anxiety, say that your verdict is one which at once does yourselves honour and serves mankind.

Sir Charles Wetherell, the Recorder, in summing up the passages already given, declared the libel "the concentration of everything scandalous, blasphemous, and atrocious—a wicked attack upon everything held sacred in this country." After this the jury needed little time for meditation. After an absence of ten minutes, they returned with a verdict of Guilty, and the Recorder, declaring that "the Christian religion is part and parcel of our law and government," gave the sentence of imprisonment for twelve months, and to pay a fine of £100, to be further imprisoned until that fine was paid.

On January 15, 1842, the *Oracle* appeared with these words beneath the title: "Edited for Charles Southwell during his imprisonment by G. Jacob Holyoake." It began with "A Few Words from the Second Priest of the *Oracle*." With the foolhardy methods of Southwell Mr. Holyoake had little sympathy, but he shared his chivalrous spirit. Under his conduct the articles in the *Oracle*, though couched more in a spirit of sweet reasonableness, showed no lowering of the Freethought flag. He said: "It is intended strictly to adhere to the principles on which this paper was started. To simply pursue the same course, with singleness of heart, earnestness, and oneness of object." Mr. Holyoake, while at Sheffield soon after Southwell's arrest, delivered, on behalf of the funds for his defence, a lecture on January 9, afterwards published as *The Spirit of Bonner in the Disciples of Jesus*. This, his first pamphlet, is as eloquent, terse and vigorous as any of his numerous publications. It is full of a fine spirit of noble indignation, and urges that persecution must ever be met with a spirit of determined resistance. "Christians," he exclaims, "did your Christ disturb

no prejudices, or dress the object of his mission to suit the sickly palate of his hearers?" He declares that the persecution of his friend was "the cradle of my doubts and the grave of my religion." He was soon to share Southwell's fate. In the course of a visit to Bristol Gaol, walking from Birmingham, Mr. Holyoake stayed a night at Cheltenham to deliver a lecture on "Home Colonization." At the end of the lecture opposition was invited, and a local preacher rose and complained that they had been told of their duty to man, but not of their duty to God. Mr. Holyoake replied that religious institutions cost some twenty millions. "Worship thus being expensive, I appeal to your heads and your pockets whether we are not too poor to have a God? If poor men cost the State as much, they would be put, like officers, on half pay; and while your distress lasts I think it would be wise to do the same thing with deity." For these sentences and another (which he did not remember using), viz., "Morality I regard, but I do not believe there is such a thing as a God," a prosecution was incited by the *Cheltenham Chronicle*, then the organ of Dean Close, upon which Holyoake returned from Bristol to Cheltenham, and was there arrested. The illegality and inhumanity of his treatment before trial were so marked as to elicit special rebuke from Sir James Graham, the Home Secretary. One of the magistrates said: "Any person in the meeting would be justified in taking you up without the authority of a warrant," and upon Mr. Holyoake saying it was customary to serve a regular notice, said: "We refuse to hold an argument with a man professing the abominable principle of denying the existence of a supreme being."

Mr. Holyoake was tried at Gloucester on August 15, 1842. The trial was reported by Mr. Knight Hunt, subsequently editor of the *Daily News*; and Mr. Holyoake's lengthy defence is pretty fully set out in his own interesting *History of the Last Trial by Jury for Atheism*. Mr. Holyoake both defended his right to his opinions and showed how he arrived at them. His address was dignified and temperate throughout. Its tone may be gathered from the concluding words—"I believe that in every honest heart there is a sense of rectitude that rises superior to creeds, that respects all virtue and protects all truth; that asks for no names and seeks no precedent before resolving to do rightly; that fears no man's frowns, and dares to be just without custom's permit. To this feeling, gentlemen, only do I appeal, and by its verdict I am willing to abide." Richard Carlile, who was present, wrote—"I heard Wooler and Hone defend themselves successfully in 1817; but I would prefer to be declared guilty with Holyoake than to being acquitted on the ground of Wooler and Hone."

Mr. Justice Erskine, in summing up, said that "if the prisoner meant that the incomes of clergy should be reduced one-half, he ought to have made use of other language. If he uttered it with levity for the purpose of treating with contempt the majesty of Almighty God, he is guilty of the offence. If you entertain a reasonable doubt of his intention, you will give him the benefit of it." After a brief consultation the jury returned a verdict of guilty, and Mr. Holyoake was sentenced to be imprisoned in the common gaol for six months.

These severe sentences excited much indignation among Freethinkers, manifested in the bitter tone of some of the communications to the *Oracle of Reason*, some of the most blasphemous verses in that publication being written by a gentleman still living, who enjoys a considerable reputation as a poet, both here and in America. From Manchester was issued a little sheet, with the significant title of *The Blasphemer*. We have been told, but cannot vouch for it, that it was edited by the late Dr. John Watts.

No Freethought organization then existed. The

Socialists' meeting at the John Street Institution, where the veteran Mr. E. Truelove was then acting as secretary, were unanimous against such prosecutions. An Anti-Persecution Union was formed, with James Watson as treasurer, Malthus Questrell Ryall as secretary, and Mr. W. J. Birch as its chief financial support. Both the latter contributed to the columns of the *Oracle of Reason*, which was continued by Paterson and Chilton. No. 87 (September 10) was described as edited by Thomas Paterson, and beneath followed a statement of the names and sentences of his predecessors. The third priest of the *Oracle* tempted and received the same fate. For exhibiting "profane placards" he was arrested and sentenced at Bow Street (January 27, 1843) to three months' imprisonment in Tothill Prison. His trial was reported and published under the title of *God v. Paterson*. He insisted on considering God as the plaintiff, and in quoting from "the Jew book" to show the plaintiff's bad character. Chilton, who had been connected with the *Oracle* from the first, became fourth priest, and continued the publication till the end of 1843, when it ceased, but was followed successively by *The Movement* and the *Reasoner*. Although its publication made some sensation, the *Oracle of Reason* never became self-supporting. The prosecution of 1842 resulted in increased literary activity. Mr. Holyoake wrote in gaol, besides numerous letters in the *Oracle* and to scattered Freethinkers, his able pamphlet *Paley Refuted in his Own Words*, written in answer to Paley's *Natural Theology*, given to him by the chaplain of the gaol. J. N. Bailey edited *The Torch* and issued several anti-theological essays. The Freethinker's *Information for the People* was published in Glasgow and London. S. D. Curtis published his *Theology Displayed*, and a new edition of Voltaire's *Philosophical Dictionary* was prepared and issued in 1843. Another notable outcome of the prosecutions was the advent to the Freethought platform of Mrs. Emma Martin, a lady of culture and ability, who was incited by the sentences on Southwell and Holyoake to commit the "crime" for which they suffered. Secular societies were as yet far off, but their germs can be traced to the outburst of Christian bigotry in 1842.

(The late) J. M. WHEELER.

### Acid Drops.

We wonder what Mr. Justice Avory would think of the Conference at the Church House, Westminster, where it was recently suggested that there should be a biblical censorship established in the interests of the young. We beg to direct his attention to the fact that there are many thousands of his Majesty's subjects who would feel themselves deeply affronted by such a proposal. For the suggestion is nothing less than the one that there are things in it that are too indecent to place before the young, and other things that are revolting to a child's sense of justice. On the other hand, what would Justice Avory think of a man who acted as David, the man after God's own heart, acted? Or of another man who, possessing the power to drive out devils, transferred them to some pigs belonging to another party, and the pigs were, in consequence, drowned? One can imagine the moral exordium the judge would read these people, and how he would explain that in the very interests of society such things could not be tolerated in a civilized country. And we agree with him. But what a pity the Lord did not manifest himself to a civilized people, or make those civilized among whom he did appear!

Accidents to the ark and strife among Captain Noah's house-party upset the opening episodes of a screen version of the Bible in course of production by an American filmmaker, says a Sunday newspaper. Perhaps the elephant trod on the flea whilst marching up the gangway to the cardboard ark.

Half a million sterling has been offered for the site of All Hallows Church, Lombard Street, London. The income of the church is £1,965 yearly, and the parish contains a population of about 300, mostly caretakers and policemen. The average attendance at Sunday service is twenty-six, whilst the clergy and choir number twenty. The figures throw a searchlight upon the usefulness of the City churches, and upon the organization of the "National" Church.

The Bishop of Chelmsford said that Conservative candidates should address Liberal meetings, and Liberals should speak before Conservatives. This is not a bad idea! Perhaps the Bishop would draw the line at Freethinkers addressing Christian congregations.

More than once lately we have referred to the growing tendency in some orthodox Christian quarters to hunt for heretics. The *Record* (December 8) contains two items which, taken in conjunction with the blasphemy prosecution, are not without interest. Mr. F. J. Gough, apparently a reverend, contributes a letter on the "poisonous influence" of English Modernism in India. "People are asking if nothing can be done to dissociate the Church of England in the eyes of the world from such heresies as were put forward at the recent Conference of Modern Churchmen." The second item of interest to Freethinkers—and perhaps to some others—is the report of a meeting at Coventry on December 4, at which the Rev. J. J. Armitage addressed 2,000 people, who unanimously resolved to call upon the Prime Minister and Parliament "to close the Proletarian Sunday-schools, in which blatant blasphemy and foul sedition are openly taught." We say that this item is of interest to Freethinkers because we appear to be the only ones who are genuinely interested in freedom of speech. One day, perhaps, Socialists and others will recognize that freedom of thought is the chief thing required in all social reconstruction.

The Board of Guardians at Eastry, Kent, have decided against permitting the inmates beer at Christmas. Happily, the Guardians did not add insult to injury by offering the unfortunate inmates tracts against the evils of intemperance.

At a diocesan conference held at Church House, Westminster, the Bishop of London suggested an archbishopric of London. Presumably, the proposed position would carry a "starvation" salary of about £15,000 yearly.

A steel hangar at the Cranwell aerodrome has been converted into a church and has been dedicated by the Bishop of Lincoln. The minister should not resent being called "a sky pilot."

Everyone who knows anything about Foreign Missions knows how closely allied many of them are with trade in one way or another. Some of them own and work plantations in India, Africa and elsewhere, others derive profit in other ways. But at Greenock on December 1 the Rev. Donald Fraser put the matter very plainly to a gathering of business men. He said that he could prove foreign missions was a paying concern, "Foreign missions was one of the greatest dividend earning concerns in the world." And he went on to point out that by "civilizing" natives new markets were created. Of course, there was the usual accompaniment of the spiritual benefits derived from the missions, but it is evident that Mr. Fraser knew his audience well, and knew that to appeal to their cupidity in the name of religion was the best way to extract money from these business men—as an investment.

The defenders of the Benevolent Design Arguments might ponder the following. At a Shoreditch inquest it was stated by the doctor that a man's heart weighed thirty-eight ounces, the normal weight being about nine ounces.

Ecclesiastical ideas do not appeal to modern men and women. Since the passing in July of the measure legalizing a marriage between a man and his brother's widow, 5,000 people have been married under it. All the marriages have been civil ones, as the clergy do not favour the Act of Parliament.

Some time ago a college at Knutsford, Cheshire, was opened to train ex-service men for holy orders. Now it is proposed to close it. It looks as though the ex-service men who mistook shell-shock for the call of the Holy Ghost have discovered their mistake.

A new book of caricatures by Mr. Max Beerbohm contains a clever drawing of Mr. Hilaire Belloc in audience with the Pope, expounding with the help of diagrams how the national conversion of England will infallibly take place "some time between May and June, 1923." Those who remember Mr. Belloc's prophecies as a military critic during the late war will enjoy the joke best.

The Sunday restrictions imposed during the war are being relaxed slowly. The Natural History Museum in Cromwell Road, S.W., is to be opened to the public every Sunday from 2.30 p.m. to 6 p.m. The members of the Lord's Day Observance Society will have to pray a little louder.

The Rev. Hugh B. Chaplain, Chaplain of the Chapel Royal, Savoy, is, in our opinion, quite unfit for the position he occupies. He has taken to telling the truth, and if every parson follows his example the whole Christian Church will not last a year. He was addressing a meeting in Kensington on behalf of the Bedford College Extension of the University of London, and in the course of his remarks said, so runs the newspaper report, "The position of a preacher brought him into contact with the stupidest possible type. The religious type was a very stupid type—broadly speaking, it was rotten." Shades of Justice Avory, what is to be done to a parson who lets the cat out of the bag in this manner? That is worse than attacking the Christian religion with ribaldry, it is telling the truth. And how can anyone's religion stand that?

Thomas Oldfield, local preacher, of Sheffield, was found guilty, before Mr. Justice Salter, of embezzling £300 from the accounts of the Provident Co-operative Society. The judge said that he knew the difference between right and wrong. Certainly he had a religious training, and perhaps that may lead Justice Salter to consider whether attacking Christianity is such a reprehensible thing as he appeared to think some time ago.

The Roman Catholic Church is against birth-control. In France, which is a Catholic country, the birth-rate has fallen from 183 to 165 per 10,000 inhabitants. The Pope will soon cease to regard La Belle France as "the eldest daughter" of Christ's Church.

Lady Boscawen, writing in the *Weekly Dispatch* on "Red Sunday-schools," declares that "one mother thought that the Communist Sunday-school was bringing up her children to be good communicants." We should like to know the name and address of that mother. Communists do not usually come from Colney Hatch.

Persons sentenced for bigamy rose from 133 in 1912 to 917 in 1919. If this state of affairs gets much worse Christian England will be like Judee, "when Solly wrote the Proverbs, and David wrote the Psalms."

Canon Barnes declares that the Quakers have since the war "done more practical Christian work than any other communion." He might have added that, during the war, a number of Quakers were put in prison because they took seriously the Gospel of Christ.

**WHY NOT HAND THIS COPY TO A LIKELY**



## The Blasphemy Prosecution.

THERE is no mistaking the wide-spread indignation in the ranks of the Freethought party at the severe sentence passed on J. W. Gott at the Central Criminal Court. It has put the fighting section of the party on its mettle, and it will not be their fault—it will certainly not be ours—if the bigots are not made to pay dearly for their new experiment in persecution. In performing the evidently congenial task of sentencing J. W. Gott to nine months' hard labour Mr. Justice Avory threw out a hint that the law of blasphemy might become more rigid than it is at present, and if that happens we have little doubt but that he would regard it as a good thing. Concerning that, time will tell, and we await the future without alarm.

But, curiously, at the same time the blasphemy case was opened here, another was in process in New Zealand. We take the following from the *Times* of December 8:—

A case without precedent in the annals of the New Zealand Courts is the prosecution of John Glover, publisher of the *Maoriland Worker*, a Labour weekly, for publishing a blasphemous libel.

Counsel for the defence stated that the prosecution was initiated by the Attorney-General. The alleged libel was contained in Siegfried Sassoon's poem "Stand To: Good Friday Morn." The prosecution relied on the definition of blasphemy in Shephen's "Digest" as "any contemptuous, reviling, or ludicrous matter relating to God, Jesus Christ, or the Bible, or to the formularies of the Church of England as by law established."

In defence it was urged that the poem was extracted from a volume describing Mr. Sassoon's feelings on the battlefield. He had read complimentary references to the volume in the *Times*. The lines complained of were an illustration of poetic licence. The magistrate committed Glover for trial.

We hope members of the Labour party in this country will take due notice of the above, and that rose-water Freethinkers will also remember that blasphemy is a rather elastic term, and Christian feelings very susceptible. The bigots prosecute to-day what they can, and they will draw the line a little tighter to-morrow if they see their way clear to do so.

We mention elsewhere the indignation felt in the court when the judge pronounced his severe sentence. One man so far lost control of himself as to give vent to his indignation by calling out "seventy times seven." On this (we follow the report in the Press)—

the Judge ordered him to be brought forward. He gave his name as Edward Leggatt, a trades union official and organizer of the Vehicle Workers' Union, of Forest Gate.

The Judge asked him what he meant by saying "Seventy times seven," and Leggatt replied "I mean, Love thine enemy and forgive him seventy times seven."

The Judge: Who is the enemy that you suggest should be given seventy times seven?

Leggatt: Those who prosecuted Mr. Gott.

The Judge: Why?

Leggatt: They should carry out what they profess to believe in.

The Judge: How do you know they will not forgive him?

Leggatt: I don't know. I am only suggesting it to them.

The Judge (severely): You have been guilty of gross contempt of Court in making that exclamation, and I fine you £5 for it.

Leggatt: If I have not got the money what is the alternative?

The Judge: You will go to prison.

Leggatt: It is the first time.

It would have been far better to have said nothing, but

perhaps it may help Mr. Justice Avory to realize that others beside Christians may find their feelings get beyond control.

We again present our readers with a few expressions of opinions from some of those who have written us.

Mr. A. B. Moss writes, "I quite endorse your statement that the N. S. S. is a fighting body. We are out to fight religious superstition, and it ought to be a fight to a finish." Mr. H. Black hopes that we shall carry the fight through to the end. He may rely on our making the bigots pay as dearly as possible for their entertainment. Mr. I. Chapple thinks there is too much apathy among the people, but as a Freethinker now eighty-one years of age, he is more convinced than ever of the need for Freethought work. We fancy that the present trial will do something to stir people out of that apathy. We are out to make the bigots pay. We repeat that because we want it to soak in.

Mr. Robert Arch—whose pen we should like to see oftener in these pages—sends along a cheque, and hopes the case will be carried further, if possible. He also asks: "Could not the N. S. S., the Positivist Society, the R. P. A. and the Ethical Societies sink for once their not very interesting differences and call a big joint public meeting to demand the repeal of the blasphemy laws?" All we need say on this is, that so far as the N. S. S. is concerned it is ready to take joint action with any organization in order to get these infamous laws repealed. This has been its attitude throughout. Mr. T. A. Matthews writes: "Religion has never been anything else but cowardly when in power, cringing when down, and lying all the time." Mr. Matthews had better not come before Mr. Justice Avory, or he will be found guilty of using very provocative language!

With regard to the present position of the case. Immediately on my return from Birmingham on Monday last I had an interview with the counsel, and the subject was discussed from all points of view with an eye to the possibility of carrying the matter to the Court of Appeal. The case is so near the border line that we were unable to come to a decision, and immediately this issue of the paper is out of the way, the matter will come up for final decision. A meeting of the Executive has been called for December 15, and that will settle whether we are to proceed further in the courts or not. But the subject is a very complicated one, and we must have some firm ground in law to go on, if we are to have a reasonable prospect of success. And there is no use in undertaking the heavy cost of an appeal if we are certain of having our application dismissed on some point of law. It would, in that case, be far wiser to use the Party's money in carrying on a campaign of publicity for the repeal of the Blasphemy laws. Meanwhile, it may be reported that the solicitor has written the Governor of Wormwood Scrubbs Prison, where Mr. Gott is confined, enclosing a copy of the medical certificate as to Mr. Gott's health, and asking his attention to it. That aspect of the matter is not being lost sight of.

The following is a copy of a resolution passed at Mr. Cohen's meeting in Birmingham on Sunday last. We publish it so that it may serve as a guide to others. We wish to impress on all our readers the necessity of getting as many similar resolutions passed by all sorts of bodies, as early as possible, and sending them without delay, signed by the chairman of the meeting, to the Home Secretary. We must let the authorities see that we mean business.

That this meeting of Birmingham citizens strongly protests against the recent prosecution for Blasphemy at the Central Criminal Court, in which John William Gott was sentenced to nine months' imprisonment with hard labour—in face of a disagreement of one jury and a recommendation to clemency of another; it protests against the revival of so obsolete an instru-

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ment as the Blasphemy law—so completely at variance with all enlightened sentiment and opinion, and is of opinion that all offences against public order and decency should be left to be dealt with by the ordinary law; it further protests against the sentence of nine months' hard labour—unprecedented for its severity in the history of modern prosecution for blasphemy—as unnecessarily severe and vindictive, and calls upon the Home Office to exercise its powers in either liberating John William Gott, or causing his removal to the Second Division.

It will be noticed that we are very sparing of our comments on Mr. Justice Avory's sentence. But until the decision has been taken as to whether there is to be an appeal or not, the case is still, so far as we are concerned, *sub judice*. Other editors have greater freedom, but the position of the editor of the *Freethinker*, because of his connection with the case, is different. But our comments will lose nothing from keeping.

Finally, there is the connection of expense. When I stated the probable cost I could not, of course, foresee that there would be two trials. That doubles the cost of the defence, and I do not see how we can get off with much change out of £300. England is a Tom Tidler's Ground for lawyers, and there is no other country in the world where legal proceedings are so costly. There is only one law for rich and poor, which means in practice that the poor can very seldom avail themselves of it. And counsels do not when there is a re-trial lessen their fees, they simply demand double. And we have no alternative to paying. So by glancing at our subscription list readers will be able to see how much is still needed. And that is without the cost of an appeal, if it is decided on. Anyway, we have to pay for the maintenance of the modest liberties we possess in more senses than one. We must make the bigots pay in their turn, and in other than coin of the realm.

#### SECOND LIST OF SUBSCRIPTIONS.

Previously acknowledged, £167 18s. Mrs. Bradlaugh Bonner, £1 1s.; W. H. Knight, £1; W. H., £1 1s.; R. Proctor, 5s.; F. Collins, 10s.; A Friend, 2s. 6d.; A. B. Wakefield, 2s. 6d.; R. B. Harrison, 3s.; R. Moore, 5s.; W. Widdup, 3s.; G. Smith, 10s.; I. Chapple, 3s. 6d.; J. Glassbrook, 10s.; T. Ramsden, 5s.; J. F. W., 5s.; W. Perry, 2s.; J. B. Pontypridd, 5s.; F. Barber, 10s.; D. J. E., £1; H. V. G., 5s.; Jerly, £1; G. F. Shoult, £1; Frank Hall, 10s.; J. G. Finlay, 10s.; H. Latimer Voight, £1 1s.; J. H. Black, £1; R. V. Black, 2s. 6d.; T. Robertson, £3; P. and J. P., 7s. 6d.; A Friend, £1; D. Seddon, 10s.; Mrs. Adams, £2; J. B. Brann, 2s. 6d.; S. Pulman, £1; A. H. Dingwall, £3; T. Dunbar, 5s.; D. W. F., £1 1s.; T. E. Green, 10s.; T. C. Riglin, 1s.; R. Davison, £1; T. A. Mathews, £2; Anno Domini, 10s.; J. Robinson, 2s. 6d.; J. A. Henderson, 10s. 6d.; Robert Arch, £1 1s.; J. Breese, £2; J. G. Dobson, 10s.; T. G., 10s.; H. Good, 10s.; F. M. Greig, 2s. 6d.; C. A. Watts (In protest against the iniquity of the Blasphemy laws, and the severe sentence on Mr. Gott of nine months' hard labour), £1; Mr. Barnard, 2s. 6d.; F. Thompson, 2s. 6d.; D. Snelling, 10s.; Mr. and Mrs. R. H. Rosetti, 4s.; J. Robertson, 2s. 6d.; J. Fothergill, 10s.; G. W. Campbell, 10s.; E. Pinder, 5s.; J. E. Kinns, 2s. 6d.; Onlooker, £1; A. W. B. Shaw, £1 1s.; S. E. Hogg, £1 1s.; A. H. Deacon, 3s. Total—£208 12s. 6d.

CHAPMAN COHEN.

When a man speaks the truth, you may count pretty surely that he possesses most other virtues. Half the vices in the world rise out of cowardice, and one who is afraid of lying is usually afraid of nothing else.—James Anthony Froude.

#### C. Cohen's Lecture Engagements.

December 18, Golder's Green; January 8, Stratford Town Hall; January 15, Swansea; January 29, Stockport; February 5, Birmingham; February 19, Glasgow; March 5, Nottingham; March 12, Manchester; March 19, Leicester.

#### To Correspondents.

W. WRIGHT.—We really don't know how we get through the work, but we do it. Perhaps we get through because we never trouble how much it is. We do feel tired sometimes, but never disheartened. Will reply about MSS. so soon as we have got some of the present extra work off our hands.

V. J. HANDS.—Your caricatures of the silly competitions of the daily papers, with their versions, for children, of the very silliest of the silly American "Mutt and Jeff" variety are very good, but we do not think they would prove of interest to *Freethinker* readers. If they took any interest in that kind of newspaper imbecility they would not be reading this journal.

MRS. E. TAYLOR.—Better make it a date in April and let me know.

G. O. W.—Glad to have your high appreciation of the *Grammar of Freethought*.

J. MUSKETT.—You do well in calling the attention of any paper to the blasphemy prosecution. The more letters that are written the better, and if all our readers followed your example we might break down the cowardly silence which the Press maintains.

A. BARTRAM.—Thanks, will use next week.

H. IRVING.—We are waiting, with you, for the "respectable" Freethinkers to come along and help. We are not refusing help or co-operation from any quarter. And whether they help or not is their concern, not ours. The fight will go on. The others will come along at the moment of victory and help in the shouting.

J. PROSSER.—We will deal with the matter next week. We have our hands more than full at the moment.

H. W. MCCARDLE (Canada).—You have quite rightly appreciated Mr. Cohen's remark as to the relation between Atheism and Socialism, and we congratulate you on the very able statement which you enclose. Your Socialistic friends should have no further reasonable excuse for misunderstanding the position. Glad you are doing what you can to weaken the old superstition in Montreal. What a pity it is that people when they leave the old country don't leave their religion behind them.

G. ATTEWELL.—We quite agree with you as to the importance of resisting every application of the blasphemy law wherever it is possible. The position of the N.S.S. is quite clear, and based upon a very definite principle, one that every Freethinker worthy the name and the traditions of the Freethought party is bound to do his or her best to uphold.

R. N.—We are pleased to say that we have never had the slightest cause for complaint of the support given us by all sections of Freethinkers in the fight we have waged during the past six or seven years. And as we hope to do nothing to forfeit the confidence hitherto placed in us, we have no misgivings for the future. We never expected an easy time, but we are quite satisfied if what we are doing is bringing nearer the end of one of the most detestable superstitions that have ever oppressed mankind.

A. H. DINGWALL.—Thanks for cheque. We are quite at one with you as to the character of Mr. Gott's propaganda. But we see no other way of getting out of an unpleasant position save taking the blasphemy law lying down. And we do not think that would do. It is an unpleasant responsibility, and we can assure you that we did not seek it. But no one is fit to lead the Freethought party who shrinks from a duty because of its unpleasantness.

S. PULMAN.—Pleased to hear from you. Hope that you and your wife are well.

"SPIRA."—We are looking forward to a few days rest at Christmas, and we really feel that we can do with it. Thanks for advice, but the work must be done somehow. And we do really like to be lazy when we can.

D. SEDDON.—Sorry to miss you at Liverpool. Hope to have better news of you soon.

J. B. STUBBS.—The passages quoted appear in Sir Leslie Stephen's essay on Sir Walter Scott, published in his *Hours in a Library*, three vols. We fancy the expression "Damnable Iteration" comes from *Macbeth*, but cannot put our hands on the passage.

J. CAMPBELL.—Pleased to have your appreciation of the *Freethinker Bible Romances* is now being reprinted, and will be announced when ready.

N.S.S. BENEVOLENT FUND.—Miss E. M. Vance acknowledges :  
"Ernest," 5s.

The "*Freethinker*" is supplied to the trade on sale or return. Any difficulty in securing copies should be at once reported to the office.

When the services of the National Secular Society in connection with Secular Burial Services are required, all communications should be addressed to the Secretary, Miss E. M. Vance, giving as long notice as possible.

Lecture Notices must reach 61 Farringdon Street, London, E.C. 4, by first post Tuesday, or they will not be inserted.

Orders for literature should be sent to the Business Manager of the Pioneer Press, 61 Farringdon Street, London, E.C. 4, and not to the Editor.

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## Sugar Plums.

To-day (December 18) Mr. Cohen will speak at the Golder's Green Ethical Society's meeting place, The Institute, Central Square. His subject will be "The Other Side of Death." We are not quite sure of the time of meeting, but are taking it for granted that it is 6.30 o'clock. After this Mr. Cohen will have two Sundays without lectures, and he will be heartily glad of the relief. He will commence his 1922 lecturing with an address at the Town Hall, Stratford, on "Freethought and the Blasphemy Law." In view of recent events in that locality the subject should prove attractive.

Mr. J. T. Lloyd is the speaker to-day (December 18) in the last of the present course of lectures at Friars Hall. His subject is "The Bankruptcy of the Christian Religion." May we ask Freethinkers to do their best to advertise this lecture. Good and enthusiastic meetings just now are one form of a very effective reply to those who imagine that a prosecution for blasphemy is likely to have any other effect than nerve Freethinkers to a more determined assault on the master superstition of the ages.

There was a very good meeting on Sunday last at Birmingham to hear Mr. Cohen speak on the Blasphemy laws, and there was no mistaking the indignation of those present at the revival of this infamous part of the common law. At the conclusion of the lecture a very strongly worded resolution protesting against the prosecution itself and to the sentence passed was put to the meeting by the chairman, Mr. F. E. Willis, J.P., and carried unanimously—those Christians present also voting for it. The resolution also urged upon the Home Office to either release the prisoner or exercise its powers in removing him to the second division. A resolution expressing its "indignation at the harsh sentence of Mr. Justice Avory on J. W. Gott, and demanding the immediate repeal of the Blasphemy laws" was also passed at the meeting of the North London Branch of the N. S. S. Both these resolutions will be forwarded, with others, to the Home Secretary.

There was a good attendance at Friars Hall last Sunday to hear Mr. George Whitehead's address on "Free Will and Conscience." In opening the proceedings Mr. A. D. McLaren, the chairman, referred to the Gott case, and submitted the following motion to the meeting :—

That this meeting protests, in the name of justice and humanity, against the vindictive sentence of nine months' imprisonment on Mr. J. W. Gott for blasphemy, and calls upon all friends of liberty and progress to leave no stone unturned to rouse public opinion to active effort to abolish the so-called crime of blasphemy altogether.

The motion was seconded by Mr. Daniel Harvey, and supported by several other speakers. Mr. A. B. Moss said

that he never saw so slender a foundation on which to support a charge of blasphemy as the few jokes complained of.

Now this is one direction in which all can help if they will. Everyone who wishes to see an end of religious persecution, no matter how disguised, can see to it that resolutions are passed at clubs, trade unions, and other public meetings, protesting against the maintenance of so barbarous a law as the one that has just been enforced, and demanding that all offences against public order and decency should be left to the ordinary law. If the Home Office gets as many resolutions as it ought to get, it may give the authorities some conception as to the way in which blasphemy prosecutions are regarded by reasonable men and women. We hope that our friends will see to this.

The other, and the more general way, of making the bigots realize that they have roused a hornet's nest is suggested by our expression "Make the Bigots Pay." If between now and the end of January twenty-five per cent. made it their business to secure only one new subscriber to this paper that would so enlarge our influence that we should be in a far better position to exert pressure on the general public in the event of any renewed attempt at intolerance. And that could be done, not merely by means of personal canvass, but by simply getting a news-agent to display an extra copy and guarantee the sale of it for one month. We have received a friendly hint that the authorities are keeping their eyes on the *Freethinker*. We are quite unmoved. Indeed, if the Commissioner of Police would like to keep the eyes of every policeman in the force on the *Freethinker* we will make a very liberal reduction for the sale of a quantity that will provide every single policeman with his own copy of this paper. In any case, let our motto be "Make the Bigots Pay," and hurry along with that new reader.

## Prosecution for "Blasphemy."

### FULL REPORT.

BEFORE Mr. Justice Avory at the Central Criminal Court to-day, Wednesday, John William Gott, 55, an editor, was indicted on three counts with publishing blasphemous libels on November 12 in a pamphlet called *The Rib Tickler*, a blasphemous libel concerning the Holy Scriptures and the Christian religion. The second charge related to the same pamphlet, and the third count was in regard to another pamphlet called *Gott and God*.

DEFENDANT pleaded not guilty.

SIR RICHARD MUIR, K.C., prosecuted, and MR. CURTIS BENNETT, K.C., and MR. HAROLD MURPHY were for the defence.

SIR RICHARD MUIR said that the facts of the case were very simple, and as he understood them were not in dispute. At 7.30 at night on the 12 November last the defendant was in the Stratford Broadway, West Ham, where he was selling a number of pamphlets, one called *The Rib Tickler*, the other called *The Liberator*, and with these he sold two minor pamphlets called *Gott and God*, and *Rib Ticklers, or Questions for Parsons*. A police officer watched him for about ten minutes and saw him sell a number of the pamphlets for twopence or threepence each. Some of the purchasers were very indignant at the contents, and told the defendant that he ought to be ashamed of himself. He was arrested for obstruction and afterwards was charged with blasphemy, and the only question as he understood it would be whether those pamphlets or the parts of them which were set out in the indictment constituted the crime of blasphemy. The crime of blasphemy had been at different times dealt with in somewhat different ways. It had been dealt with upon the footing that any attempt to subvert the Christian religion constituted blasphemy in common law, and it had also been dealt with on the footing that in order to constitute blasphemy in common law the Christian religion must be attacked in a manner which was offensive. Sir Richard referred to the remarks of the late Lord Parker in a case of Bowman against the Secular

Society, Limited, which presented the most favourable view of the law to the defendant. The passage read was as follows: "In my opinion to constitute blasphemy in common law there must be such an element of vilification, ridicule or irreverence as to be likely to exasperate the feelings of others and so lead to a breach of the peace." So far as the case was concerned his submission was that it came within, and very well within that definition. He did not propose to read the statements. They had been reduced to a form of writing in the indictment and an abstract of the indictment would be handed to the jury for them to read for themselves what was said in the pamphlets about the Christian religion and Our Saviour. And anything more offensive to those who held the views of Christian beliefs it was difficult in his submission to imagine. The difficulties in the way of putting the whole documents before them, unless the defendants desired it, would be appreciated.

POLICE INSPECTOR ELPHICK, stationed at West Ham, said that on the evening of November 12 at 7.30 at the Broadway, Stratford, where there were a great many people about, he saw defendant, who was selling pamphlets called *The Rib Tickler* and *The Liberator*. Inside *The Liberator* were the two smaller pamphlets. Defendant had someone with him and he carried two placards calling attention to what he was selling. Witness spoke to the defendant and told him as there was a large crowd round him he would arrest him for obstruction. He made no reply. He had a quantity of the papers in his possession when arrested. On the 21st November he was charged with blasphemy and he made no reply. Witness saw defendant sell quite a large number of the papers and he was charging twopence each for them. He heard one man say, "You ought to be ashamed of yourself."

In cross-examination witness agreed that the Broadway was very crowded at the time. Some other man was assisting in the sale but both were selling.

MR. CURTIS BENNETT: I suggest that Mr. Gott was standing with the placards and talking while the other man was doing the selling?—No, both were selling.

Was Mr. Gott making it quite clear in what he was saying that these were pamphlets against the Christian religion?—No, I did not hear him make any actual statement.

How long had you stood there?—I stood a little distance away for five minutes.

Mr. Rogers, who I see is an Inspector of the R.S.P.C.A., was the agent you sent to buy the two documents from Gott?—Yes.

It was agreed that the evidence of two witnesses, Rogers and Ivan Wright, would not carry the case any further.

SIR RICHARD MUIR said that the question was in what form the contents of the pamphlets should come before the jury. If the defence would agree that the abstracts were correctly set out in the indictment he proposed to hand a copy to the jury.

This was done, and Sir Richard remarked that that was the case for the prosecution.

MR. JUSTICE AVORY said perhaps if the members of the jury looked at the first page for the present it would be sufficient, and when they had heard the counsel for the defence they could look further into it.

MR. CURTIS BENNETT said that he submitted that upon the evidence there was no case in law to go to the jury. In a few words the evidence was that the Inspector on a Saturday evening at 7.30, when Stratford Broadway was crowded, a person with another man, sold documents to the crowds, that a great number were sold and that only one man was heard by the Inspector to say, "You ought to be ashamed of yourself." In his submission, before there could be a case in law to go to the jury, there must be evidence that there was a tendency in the document to endanger the peace there and then, to deprave public morality generally, to shake the fabric of society, and be a cause of civil strife. Those words came from Lord Sumner in a case which had been referred to. The law as regarded blasphemy had altered very materially during the passage of years. In 1838 there was a case where it was held that any general attack upon Christianity at all was the subject for a criminal prosecution. After a space of thirty-five years, in 1883, there was a case in which his lordship in the present case appeared on behalf of one of the defendants, that of Ramsey and Foote, which was tried

before Lord Chief Justice Coleridge. It was quite clear in his submission that the law had at that time very materially altered from 1838. He would quote from the summing up as follows: "The other and more important question therefore remains, are these passages within the meaning of the law blasphemous libels? Now that is a matter entirely for you, you have the responsibility of judging, after looking at and reading these passages, whether they are blasphemous libels. My duty is to explain to you what the law is upon the subject, after which it is for you absolutely to determine the question. Now according to the old law these passages would undoubtedly have been blasphemous libels because they asperse the truth of Christianity, but as I said in the former trial these old cases can no longer be taken as statements of the law. It is no longer true as then that Christianity is part of the law of the land. Nonconformists and others were not within the penal laws and had no civil rights, but now a Jew might be Lord Chancellor..... We might have a jury partly composed of Jews....." It was quite clear from those words, counsel continued, that the law had very materially altered. In 1838 it was an offence that you did not believe in Christianity and to make an attack generally upon it. In 1883 the Lord Chief Justice made it quite clear that such an attack upon Christianity would no longer be held to be blasphemy, but there must be something more. Since 1883 there had been a space again of thirty-eight years and in his submission owing to the—he really did not know whether to call it progress or otherwise—but owing to the fact that there had been a great space of time the law as regarded blasphemy had again very materially altered, and it had altered, as was clearly shown by the statement in the case which had been referred to. He would call the jury's attention to the judgment of Lord Sumner: "Where there is violence or ribaldry, or more fully stated, tendency to endanger the peace there and then, to deprave public morality generally, to shake the fabric of society and to be a cause of civil strife." The words as well as the acts which tended to endanger society differed from time to time in proportion as society was stronger or insecure. To-day meetings and processions were held to be lawful which years ago would have been seditious. The times having changed society was stronger than before. The question as to whether an opinion was a danger to society was a question of the times and it was a question of fact. He desired to say nothing to limit the right of society to protect itself by law from dangers of the moment, but only to say that experience once having proved that dangers which were once great became negligible, there were no general rules which prevented us from varying their application to the particular circumstances of our time in accordance with that experience. To quote again from Lord Parker: "In my opinion to constitute blasphemy in common law there must be such an element of vilification, ridicule or irreverence as to be likely to exasperate the feelings of others and so lead to a breach of the peace. I cannot find that common law concerns itself with opinions as such or expressions of opinion so long as compatible with public order..... Christianity is clearly no part of the law of the land in the sense that every offence against Christianity is cognizable in the courts." Counsel submitted upon the two judgments of the learned law Lords that the question which had to be considered before the case could go to the jury was whether or not there was evidence before the Court that what had been done was likely to cause a breach of the peace. The evidence was quite clear that although the documents, whatever might be said of them, were being sold in a crowded street, and although great numbers of them were being bought the only evidence of any sort, of persons being annoyed by the sale, was that one man said "You ought to be ashamed of yourself." It would not be right to test a case of that sort on the ground that one man did not agree to the views of the person selling the documents. The question was whether the general public, the ordinary man in the street, had been so annoyed and whether there was any evidence that he had been so annoyed. The evidence fell very far short of that. His lordship might have in mind the case which was tried in 1908 before Mr. Justice Phillimore, as he then was, of *Rex v. Boulter*. The evidence there was that the man Boulter stood upon some sort of platform and made use of offensive expressions against the Christian religion

so that everybody who passed whether he liked it or not had to listen. The present case was a very different one from that. No person need have bought those documents at all unless he wanted to. No person had to listen to something he had no desire to listen to. They were sold quite openly, they were documents which showed upon the face of them what they were, and they were not being sold with any idea of deceiving the purchaser. It would have been a very different matter if the documents had been distributed to persons leaving a church for instance, without showing on the face of them what it was that was being distributed. If they were distributed in that way for the purpose of annoying certain people and without letting the purchaser know what he was getting then the case would be a very different one, but here, nothing was said to annoy anybody, the documents showed what sort of matter they contained, they were being sold at quite a substantial price, and it was only people who desired to buy them who ever got possession of them. There was nothing done by the defendant to give the pamphlets to people holding strong views. Of course there were several offences with which this man might have been charged. He was charged originally with obstruction. It was a matter which the magistrate could have dealt with. He could also have been charged with selling profane literature, or in that his conduct was likely to cause a breach of the peace, if there was any evidence of it. But it had been thought right to bring the matter into that court. In the way in which the documents were sold they did not annoy people and there was no case to go to the jury.

MR. JUSTICE AVORY said that in his opinion there was nothing in the judgment or words of the learned law Lord in the case of Bowman and the Secular Society which altered the law as it was laid down by Lord Chief Justice Coleridge in 1883, and he would tell the jury that the law was as there laid down, that the mere denial of the truth of the Christian religion or of the Scriptures was not *per se* to constitute a blasphemous libel, but indecent and offensive attacks on Christianity or the Scriptures or sacred persons or bodies calculated to outrage the feelings of the general body of the community, constituted the offence of blasphemy. Counsel suggested no evidence in the case that the publications had any tendency to cause a breach of the peace and he relied upon the words then and there. If that were so a man who sold blasphemous libels from a shop into which persons went and purchased single copies never could be indicted with that offence, because there would be no evidence of any breach of the peace being provoked or actually occasioned. He thought the argument came to this—unless there was evidence that somebody had assaulted the person selling the articles there was no case to go to the jury. He could not hold that there was no evidence that the documents tended to provoke a breach of the peace. He held that there was evidence to go to the jury and it was for them to say whether they did come within the definition of blasphemy as laid down.

MR. CURTIS BENNETT intimated that he would call no evidence.

SIR RICHARD MUIR, addressing the jury said that the facts as he had said were not in dispute. The nature of the documents which were being sold was before them, and his Lordship had already intimated what were the terms upon which they would be asked to say whether it was or not a blasphemous libel. The test surely, was this: Did the words which they had read hold up the Christian religion to ridicule and opprobrium, in terms which would be likely to be offensive to the great bulk of the population of this land where the Christian religion was, and had for hundreds of years been, the religion of the nation? In his submission the nature of the document was ribald, coarse, offensive, likely to hurt the feelings of any person who held Christian beliefs, and if that was their view the defendant was guilty upon those indictments.

MR. CURTIS BENNETT said that the members of the jury would appreciate that in making his submission in law he was only dealing with the case from the point of view of law. They were, as his Lordship had said, the ultimate judges of fact, and they had to determine the case as to whether or not in their view it amounted to a charge of blasphemy. As he had pointed out there were several offences with which this man might have been charged,

and perhaps they would think properly charged. He was in fact arrested and charged with obstruction in the highway. That was a matter to which apparently there would have been no defence because in selling the documents he had collected round him a very considerable crowd. But they had to determine, as it had been thought right to prosecute the defendant for blasphemy, a much more serious matter, and one which not only affected that particular individual, but might affect a great number of persons. He was not going to ask for any sort of sympathy with a man who stood charged with an offence of that sort. What he was going to ask for was that they should not be prejudiced, because of any view that any one of them might hold, against him in dealing with the particular case. He was not in the happy position of knowing the views of any one of them, and therefore any of them who had very strong views one way or the other would forgive him if he said anything with which they did not agree. But they all did know that the times had changed enormously in relation to the question of free speech and free criticism of everything. Some hundred years ago people were not allowed to say anything against Christianity. They were not allowed to express views as against Christianity as Christianity. It was considered then to be blasphemy. As Lord Chief Justice Coleridge pointed out in his judgment at that time people of other beliefs were not entitled even to have ordinary civil rights, even the leaving of sums of money and matters of that sort, if they did not belong to the Christian faith, might be in dispute. But in 1883 that law had altered because of the progress of the times. Everyone nowadays was better educated than were the people of a hundred years ago, and they were entitled nowadays to express very much more strongly, and perhaps some of them would think too strongly, personal views upon all sorts of matters. In 1883 Lord Chief Justice Coleridge pointed out that it was no longer an offence to attack Christianity as Christianity. The question they had then to determine was whether or not the defendant was attacking it and making use of such language as would be likely to outrage the feelings of society in general, not of any particular person, because, of course, there was no matter, was there, that they could not have a dispute about? People hold different views upon every subject and they must not, in testing that case, test it from the point of view of anybody who held one particular view very strongly. They would have to test it from the point of view of the general public or the ordinary man in the street.

It was not suggested that the defendant was a person who was making fun of the Christian belief while believing it. It was quite clear that, rightly or wrongly, Mr. Gott did not believe in the Christian religion and, not believing in it, and wishing to show how ridiculous it was in his view he took particular matters and made fun of them. They were all acquainted with fairy tales and with *Alice in Wonderland* and *Alice through the Looking Glass*. Supposing one took the story of *Alice in Wonderland* and one was arguing as to whether it was a true story or not, and not believing it one might take certain matters out of it, for instance, the Mad Hatter's Tea Party, and say, "I do not believe this story at all. Look at the Mad Hatter's tea party. I do not believe there is such a thing as a Mad Hatter. I do not believe Mad Hatters would have tea and certainly not in the circumstances related in *Alice in Wonderland*. The first criticism of *Alice in the Looking Glass* was very palpable; one would say, "I do not believe anybody could walk through a looking glass. If they could I do not believe there is some wonderful country on the other side of it." That, he submitted, was what the defendant had been doing. The defendant said, "I do not believe in the Christian religion," and not believing it took certain matters and held them up to ridicule and said, "That cannot be true." He said that one particular thing could not be true because of one reason, and he ridiculed it. Did they say that that was offending against the law of blasphemy, or did they say that nowadays a man was entitled to express his views and in doing so to say, "I do not believe in the whole of this story for this reason and that reason, and I say the thing is ridiculous."

The jury had to consider whether in the selling of these documents Mr. Gott was doing something which was

likely to outrage the feelings of ordinary members of the public and society. They must consider the way in which the things were sold. Supposing a man was desirous of being blasphemous in the ordinary accepted sense of the word he might go outside some church where people were coming out, and hand them tracts with this sort of thing. If that were the evidence in this case he would not submit that such a person was not doing something which might outrage the feelings of the persons coming out of church, because one would accept it as a fact that those people would not like their faith ridiculed in the way in which Mr. Gott not believing it ridiculed the Christian faith in these documents. That was not the case at all. He went to a public place and sold those documents at a substantial price. Nobody need have them except the people who desired them and paid the price. They were clearly documents showing, at any rate as far as one of the documents was concerned, what the contents were. *Rib Ticklers for Parsons* showed that it was something about religion and about clergymen. He sold a great number of them, and could be dealt with for obstruction and moved on from place to place until no place was safe for him. Although he sold these documents to great crowds of people the only evidence against him was that one man said he ought to be ashamed of himself. If any political or other view were expressed in Stratford Broadway on a Saturday evening somebody would disagree and say "You ought to be ashamed of holding such views." That was the only evidence that the feelings of society were outraged. They could not test whether it was likely to outrage society better than by trying it and seeing if it did. It was thus tested and they found that though there were crowds of people buying these documents only one man said "You ought to be ashamed of yourself."

The jury were not there to determine whether or not this was good taste or whether it was desirable that documents of this sort or any other should be sold in crowded places like Stratford Broadway. The law was quite capable of dealing with cases of that sort, and there were several offences with which Mr. Gott might be charged. "If it is necessary to protect the Christian religion in this way in these days," said Mr. Curtis Bennett, "the Christian religion would never have been what it is. It would never have lasted as it has done through the centuries through which it has gone, and in this case to bring this man before you charging him with the very ancient crime of blasphemy is wrong. In these days of freedom of speech when people are allowed to express their views everywhere, although you might think it better if people did not express their views through documents in the way Gott has, in my submission he has not been guilty of the offence with which he is charged and a proper verdict on this indictment is one of not guilty."

(To be Continued.)

## Correspondence.

### A TERRIBLE SUPERSTITION.

TO THE EDITOR OF THE "FREETHINKER."

SIR,—I derived great profit and instruction from reading Mr. Mann's exposition on witchcraft. The world, it seems, is full of actualized abstractions handed down from infant mankind, witchcraft, spiritualism, fairies, apparitions, charms, and every other species of supernatural agency. Our superstitions, however, ought not to be measured by actual cases of gross delusion, but by the manner we generally receive and consider facts, for—

Fear made her devils and weak hope her gods;  
Gods partial, changeful, passionate, unjust,  
Whose attributes were rage, revenge or lust,  
Such as the mind of cowards might conceive,  
And formed like tyrants would believe,  
Zeal then not charity became the guide  
And hell was built on spite and heaven on pride.

—Pope.

It was in the reign of James I that an act was passed defining the *Crime of Witchcraft*. "Anyone that shall use practice or exercise any invocation of any evil or wicked spirit, or consult or covenant with entertain or employ, feed or reward any wicked spirit, to or for any purpose; or take up any dead man, etc., etc., etc., such offenders duly and lawfully convicted and attainted shall

suffer death." Here we have witchcraft first distinctly made a capital crime. It was not long after the passing of this statute ere the delusion which had hitherto committed but occasional and local mischief became an epidemical fever, devastating every corner of England, when the whole kingdom rang with the fame of the Lancashire witches.

W. J. STAUNTON.

### THE LATE H. M. HYNDMAN AND SECULAR EDUCATION.

SIR,—Your correspondent, "A. G. B.," in order to prove that H. M. Hyndman was opposed to secular education, goes back to an election address of 1880, and then all he succeeds in showing is that Hyndman, at that date, opposed disestablishment of the Church of England!

Hyndman founded the Social Democratic Federation in 1881, and secular education and disestablishment of all State Churches have been part of the programme of that body from that day to this. He himself declared for secular education repeatedly. His failure to enter Parliament for Burnley in 1906 was undoubtedly due to the Irish vote being alienated by his outspoken anti-clericalism. From personal knowledge of Hyndman during the last six years of his life, I can testify that there never was a more emancipated intellect, or a more whole-hearted opponent of clericalism in every shape.

ROBERT ARCH.

### Obituary.

We regret to record the death of Miss Edith M. Shepard, of 2 Dunkeld Road, Goodmayes, at the age of twenty-four, after a long and painful illness. Like her parents, she was an ardent Freethinker, and had the courage to avow the fact. Her cremation took place on Wednesday, December 7, at the City of London Crematorium, when a secular service was conducted. We tender our sincere sympathy to the family in their sorrowful loss.

J. T. L.

## SUNDAY LECTURE NOTICES, Etc.

Notices of Lectures, etc., must reach us by first post on Tuesday and be marked "Lecture Notice" if not sent on post card.

### LONDON.

#### INDOOR.

FRIARS HALL (237 Blackfriars Road): 7, Mr. J. T. Lloyd, "The Bankruptcy of the Christian Religion."

FULHAM AND WEST LONDON BRANCH N. S. S. (154 Goldhawk Road, Shepherd's Bush, W.): 7.30, Mr. W. Hunt, "Christianity as a World Influence."

GOLDER'S GREEN AND GARDEN SUBURB ETHICAL SOCIETY (The Institute, Central Square, Hampstead Garden Suburb): 6.30, Mr. Chapman Cohen, "The Other Side of Death."

METROPOLITAN SECULAR SOCIETY (Johnson's Dancing Academy, 241 Marylebone Road, near Edgware Road): 7.30, Address: "An Evening with Mr. W. A. Hyatt."

NORTH LONDON BRANCH N. S. S. (St. Pancras Reform Club), 15 Victoria Road, N.W., off Kentish Town Road): 7.30, Mr. H. V. Storey, "Bureaucracy, Its Definition and Limitations."

SOUTH LONDON BRANCH N. S. S. (Trade Union Hall, 30 Brixton Road, S.W. 9, three minutes from Kennington Oval Tube Station and Kennington Gate): 5.45, Special General Meeting to receive the report from Executive Delegate re J. W. Gott's case; 7, Mr. T. F. Palmer, "Thomas Hardy: Poet, Novelist, and Rationalist."

SOUTH PLACE ETHICAL SOCIETY (South Place, Moorgate Street, E.C. 2): 11, C. Delisle Burns, M.A., "Literature and Philosophy."

### COUNTRY.

#### INDOOR.

GLASGOW SECULAR SOCIETY (North Saloon, City Hall, Candleriggs): Mr. Joseph McCabe, "The Churches and the World Crises"; 6.30 (Grand Hall, City Hall, Candleriggs), "The Evolution of Life and of Man," with Lantern Illustrations.

LEEDS BRANCH N. S. S. (19 Lowerhead Row, Leeds, Youngman's 7, Mr. J. G. Robertshaw, "The Little Village."

LEICESTER SECULAR SOCIETY (Secular Hall, Humberstone Gate): 6.30, Mr. J. T. Hardy, "The Christmas Carol."

MANCHESTER BRANCH N. S. S. (Rusholme Public Hall, Manchester): 3, Mr. F. E. Monks, "Blasphemy Again"; 6.30, Mr. Sam Cohen, "Some Aspects of Life: A Defence of Pessimism."

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