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## Does Religious Freedom Exist in Quebec?

A Review of the Supreme Court Decision in the "Jehovah's Witnesses" Case

By W. S. Whitcombe

"The land, where girt with friends or foes  
A man may speak the thing he will;

"A land of settled government,  
A land of just and old renown,  
Where Freedom slowly broadens down  
From precedent to precedent."

THE recent decision of the Supreme Court of Canada in the much publicized case of the so-called "Jehovah's Witnesses" has been hailed as a great victory for freedom of the press and of religion in Canada and particularly in Quebec. To this we agree with certain reservations which will be discussed later, but first of all we wish to remark that no judicial decision of any human court can settle the question of liberty once and for all. "Eternal vigilance is the price of liberty." That old saw is almost worn threadbare, but it is just as true as though it had been coined yesterday. Even Supreme Courts change their composition and sometimes their decisions. The learned judges who sit on the bench robed in ermine are, notwithstanding, but mortal men, and like the priests of the old dispensation, are "not suffered to continue by reason of death". And sometimes they change their minds, as did one of the judges in this matter, happily, as it seems to us, for the better, though it is quite within the range of possibility that at another time one of the judges might change his for the worse, and so cancel present gains for liberty of speech and of religion.

### The People Are the Final Court of Appeal

Beyond and above the Supreme Court there rises an older institution from which that court springs: the Houses of Parliament, which change with the changing of the people and of their developing concepts. If in the hearts of the great mass of people there exists a strong, high love of liberty such as Milton described,

"For who loves that must first be wise and good,"

then they will make their voice heard and put to rout the forces of darkness and decay. But if Canadians are not informed of the issues at stake, if they become care-

less of liberty or hostile to its free exercise, then our fate will be sealed and we shall all be entangled again in the yoke of bondage, whether of red Communism or of black Romanism:

"Slowly comes a hungry people, as a lion, creeping nigher,  
Glares at one that nods and winks behind a slowly-dying  
fire"

In the end of the day, the final decision in these great matters does not rest with the courts, even though the judgment of the Supreme Court of Canada is now final and conclusive in criminal cases. In a democratic state, the court of last appeal rests with the people, and we therefore venture to discuss the reasons that moved the learned judges to make their decision. The preservation of liberty is the business of the common people, not only as citizens and taxpayers, but as men made in the image of God Who endowed us with the right to govern ourselves as those who must give an account to Him for the deeds done in the flesh. The issues of freedom, then, cannot be tied to technical points on which lawyers may bandy words and texts as they debate fine distinctions that are beyond the understanding of ordinary mortals. We owe it to ourselves and to future generations to appreciate at its true worth the nature of this issue. In reading over the reasons given by the judges in this case, we have been deeply impressed by the fact that their decision is not based merely on texts of law but is inspired by principles of justice and freedom embodied in our history and institutions where, as Tennyson puts it,

"Freedom slowly broadens down  
From precedent to precedent."

### The History of the Case

We need not devote much space here to reviewing the history of this case for it has already been reported with a considerable detail in the press and has been referred to in these pages from time to time. Four years ago when the so-called "Jehovah's Witnesses" were arrested for distributing the French version of a pamphlet en-

titled *Quebec's Burning Hate*; we ventured to reproduce in these pages a facsimile of that publication, asking the question: Is this persecution or prosecution?

Neither is it necessary for us to add that THE GOSPEL WITNESS has as little agreement with the religious tenets of the "Jehovah's Witnesses", falsely so-called, as we have with the dogmas of the Church of Rome. We are willing to contend for their freedom of speech and of worship in the same way we would contend for the liberty of Roman Catholics, were that in jeopardy. Moreover, we are compelled to recognize that their liberty is our liberty. If Quebec is successful in restricting their rights to-day, it will not hesitate to attack ours to-morrow.

The case to which we refer, that of a Quebec farmer by the name of Aimé Boucher, is really a test case that will have an important bearing on the outcome of some hundreds of other cases now pending in Quebec courts against members of the "Jehovah's Witnesses". Mr. Boucher was arrested on the charge that the pamphlet he was distributing, *Quebec's Burning Hate*, contained seditious libel. He was condemned by the first court before which he appeared, and the Quebec appeal court sustained the judgment, with two justices dissenting on the grounds that the trial judge had failed to direct the jury aright. The case then went to the Supreme Court of Canada, and last spring this court set aside the previous judgments of the Quebec courts and ordered a new trial. On the plea that the Supreme Court had not defined seditious libel, another hearing was given and this time the same court by a five to four vote ordered judgment of acquittal to be entered. This decision was reached because one judge revised his opinion since the previous hearing.

#### A Landmark in the Struggle for Canadian Religious Liberty

We are happy to read this judgment of the Supreme Court of Canada for it seems to us to be a landmark in the struggle for Canadian religious liberty, which recent incidents in Quebec have again demonstrated is by no means a settled question. The highest judicial authority in Canada can now be quoted as having acquitted one who was charged with seditious libel on the grounds of distributing a violent attack on the Roman Catholic clergy and courts of Quebec. This will not alter French-Canadian belief in the papal doctrine that error has no rights, nor in the principle of the "Holy" Inquisition: "Believe, or die." But it ought to impress even the most reactionary members of the Hierarchy that it is not convenient under the present circumstances to press these authentic Romanist principles to their logical conclusion. It should put a damper on the intemperate zeal of organized gangs of hoodlums such as the one responsible for the wrecking of the Christian Brothers' meeting place in Shawinigan Falls, Quebec, this last year. It will serve to restrain the enthusiasm of Town Councils and Chiefs of Police who find particular delight in using traffic regulations to prohibit open-air meetings of Protestant preachers, though they allow long Corpus Christi processions full right of way. The Supreme Court decision, may not bear directly on any or all of these, but it will doubtless serve as a warning to all and sundry that British Law holds authority in Canada and not the code of Canon Law.

#### The Favourite Thesis of "Jehovah's Witnesses" Upset

The judgment is all the more welcome because it upsets

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the favourite thesis of "Jehovah's Witnesses", as set forth in the very pamphlet involved, namely, that there is no justice or liberty for them in Canada. The astute bishops of Quebec seem to have forgotten that to cast their antagonists in the rôle of martyrs is to endow them with a reputation which may be exploited to great advantage by a cleverly-directed and determined minority.

#### Quebec Judges Unwittingly Aid "Jehovah's Witnesses"

On the other hand, the situation is not without its irony. The burden of the pamphlet was that the courts of Quebec were under the control of the clergy and therefore offered no protection to "Jehovah's Witnesses", so-called. What could have proved the bitterly worded accusations of this sect more effectively than just the very thing that the Quebec courts did: condemn them by means of a charge to the jury that the Attorney-General later confessed was faulty. And as if demonstration of the "Jehovah's Witnesses" contention were not complete, the Quebec appeal court confirmed it by sustaining the trial judge. And when the acquittal was finally pronounced by the Supreme Court, even there all the French-Canadian Roman Catholic judges gave their voice for a new trial, not for acquittal.

The *Toronto Star* has suggested editorially that to order a new trial before a French-Canadian Roman Catholic jury would be to assure a verdict of guilty. It ventured to say:

"The majority (of the Supreme Court judges) in acting as final arbiters of this question, may have been motivated by the belief that a Quebec jury might be biased against the defendant because of his religion. In other words, they may have taken the decision upon themselves in an effort to make sure that justice was done."

We are exceedingly loath to believe that there is no justice for non-Romanists even in the Quebec courts, though there are some very ugly facts to be faced before one can wholeheartedly deny such a suggestion.

### The Uncertainty of Religious Freedom

The above consideration leads us to the uncertainty of religious freedom in Canada and especially of the ground gained by this recent decision. It should be remembered that Canada has no written constitution in which freedom of speech and religion are explicitly guaranteed. These sacred rights are based on precedent and usage, they are to be numbered among those things which "slowly broaden down from precedent to precedent," as Tennyson put it. Hence the judgments handed down by our higher courts are of all the greater importance to us.

In this present case, the revision of the court's order was brought about by the fact that Mr. Justice Kerwin confessed that he had been persuaded that the order previously suggested by him was not the proper one to make. If it is humiliating for ordinary mortals to confess that they were not as wise yesterday as they are to-day, it must be a much greater trial to the *amour-propre* of a Supreme Court Judge thus to speak.

If court decisions can be changed by the changing opinion of one judge, then we have an exceedingly feeble grasp on this priceless jewel of freedom.

### Supreme Court Divided on Religious and Racial Lines

In the news dispatch reporting this judgment, *The Toronto Globe and Mail* asserted that "the court was not divided on religious or racial grounds in this latest decision. The new Toronto-born judge, Mr. Justice Cartwright, has supported the Chief Justice, joined by Mr. Justice Taschereau and Mr. Justice Fauteux. Those in favour of acquittal, in addition to Mr. Justice Kerwin, were Justices Rand, Kellock, Estey and Locke." It was evidently the intention of the reporter to point out, without referring explicitly to the judges' religious affiliations, that a Toronto-born Protestant concurred with three French-Canadian Roman Catholic judges from Quebec, and that on the other hand, Mr. Justice Kerwin, English-speaking Roman Catholic, revised his opinion of the previous hearing to associate himself with four other judges, all of whom are English-speaking and, if we mistake not, Protestants, or at least, non-Romanists. The editorialist in the same paper, however, took the trouble to point out the obvious fact that "the division (among the judges) was almost sectional in character . . . ."

In reviewing an important judgment of this sort, we cannot refrain from asking why the opinions of the learned judges followed with almost mechanical accuracy, racial, and religious lines. The three French-Canadian Roman Catholic judges did not vote for acquittal but merely for a new trial on the grounds of the defectiveness of the charge of the trial judge. As pointed out by Mr. Justice Kellock in his reasons even the counsel for the Attorney-General admitted that the charge of the trial judge was so defective that it could not be supported. There was, then, no alternative but for the court unanimously to accept this admission.

### Chance or Design in Composition of Supreme Court?

Mr. Justice Rand remarked in the opening sentence of his reasons: "This appeal arises out of features of what, in substance, is religious controversy, and it is necessary that the facts be clearly appreciated." It is because of the special character belonging to the case that we have mentioned the religious affiliations of the judges. If doing so is indelicate or controversial,

then the blame must fall not upon this humble person, but on the appointing authority, the Governor in Council, which really means the cabinet, which took pains to appoint the judges strictly in accordance with the religious, racial and linguistic divisions of this Dominion. One third of the court, three out of nine judges, are French-Canadian Roman Catholics from Quebec; the French-Canadian Roman Catholic population bears almost exactly the same proportion to the whole. The fourth Roman Catholic judge is English-speaking, thus giving Roman Catholics four out of nine judges, again approximately the same proportion as Roman Catholics bear to the total population. Will anyone acquainted with the Canadian political scene be disposed to suggest that such proportions of religion and race on the Supreme Court bench happened by chance? We do not think they would.

### Unbiased Roman Catholic Judges

In all fairness to Roman Catholics in general and to Mr. Justice Kerwin in particular, let it be said that there are many Roman Catholics both in humble walks of life and in high places, who do not blindly follow the dictates of Rome as laid down in its dogmas, canon laws, bulls and encyclicals, at least when they speak on matters outside the sphere of religion. If we could be sure that the great majority of Roman Catholics were of this sort, there would be no necessity for us to enquire into the religion of government appointees or for cabinets to give themselves such pains to satisfy the largest single religious body in this Dominion.

### Non-Romanists Distinguished from Protestants

On the other hand, we have already mentioned that one of the non-Romanist judges, a Toronto man, concurred with the three French and Roman Catholic judges from Quebec in not acquitting the accused. It has been reported to us, we think on good authority, that this judge is a member of the Anglican Church and that his sympathies lie with the movement in that church which stresses that it is Catholic rather than Protestant, and which is separated from Rome not so much on doctrinal grounds as on matters of jurisdiction.

We must also remember that there are many persons who call themselves Protestants who have exceedingly little understanding of the religious principles of the Reformation or of their political corollaries. One of the differences between the Protestant Churches and the Roman Catholic Church is that the former teach religious principles and leave their application in the realm of politics, education and law to the individual conscience. But it is not so in the Roman Catholic Church, which has reduced its doctrines to rigid dogmas and its principles of government and discipline to the iron-clad Code of Canon Law, which is binding on all its faithful under pain of severe penalties, both here and hereafter. The Roman Church has a system of courts and of agents through whom the pope transmits his allegedly infallible pronouncements upon education, politics, law, and many other matters. The Hierarchy does not hesitate, when it believes the interest and welfare of the Church are at stake, to tell citizens how to vote or judges how to render their decisions. As we have said before, so we repeat again, a devout Roman Catholic is obliged by his religious profession to give his primary loyalty and obedience to the pope whom he believes to be infallibly guided by God.

### Would Priests Dare Dictate to Judges?

We do not mean to suggest that the Roman Catholic members of the Supreme Court were instructed regarding this case by their fathers confessor or any other agent of the pope. We have read their opinions carefully and have been impressed by their evident intention to be fair and unbiased, and to interpret the law with reason and equity; their legal arguments, even if not convincing to a majority of their brethren on the bench, appear to us to be reasonable. Men of this calibre do not impress us as being facile subjects who would meekly submit to clerical dictation. And if an attempt at such dictation were made, we have a feeling that these judges, schooled in British law and traditions, would spurn it with contempt, whatever their religious obligations might demand. Roman priests know this well, and while they might not hesitate to exercise their full authority in a crassly dictatorial way over ordinary mortals, they would be restrained by a sense of expediency from attempting it with men of such training and ability as sit on the bench of the Supreme Court. Perhaps as a last resort, in cases where the church's interests were much more seriously menaced than they are in this matter, the Hierarchy would attempt direct action, but it would scarcely be worth running the risk in a case of relatively minor importance.

### The Influence of Underlying Philosophies

Though we find ourselves unable to accept the suggestion of direct clerical interference, there still remains the even more important influence of the underlying principles and philosophy of government which spring out of every religion, and particularly out of Romanism and Protestantism. The importance of this consideration is all the greater in view of the admittedly extreme difficulty of arriving at a satisfactory definition of what constitutes "seditious libel". As Mr. Justice Taschereau remarked in the opening sentence of his reasons: "At the first hearing of this appeal, the Court did not agree as to the ingredients that are necessary to constitute the offence of seditious libel." Mr. Justice Estey also points out that "A 'seditious intention' is not defined in either sec. 133 or in any other part of the Code and we must therefore look to the common law." Now it is precisely this common law which has been moulded and shaped by the slowly changing conceptions of law that have developed down through the ages of British history. And these changing conceptions have in turn been motivated by the revolutions in commerce, in society and in religion which the Anglo-Saxon race have undergone. In deciding what are the ingredients of seditious libel, which is the pivotal point in the case in hand, the learned judges were not dealing with explicit texts of law which offered precise and definitive rules, they were rather interpreting and applying the genius of the common law. And in the nature of things they could not do this other than in the light of their own underlying philosophy of government and human freedom.

We make no pretence of casting our argument into legal phraseology, but we wish to express our conviction that eventually the great issues of freedom do not depend on texts of law or refined interpretations of precedent. The conception we are trying to express was admirably put by one of the most celebrated British statesmen, Edmund Burke, when he advocated conciliation with the American Colonies:

"These are deep questions, where great names militate against each other, where reason is perplexed, and an appeal to authorities only thickens the confusion. For high and reverend authorities lift up their heads on both sides, and there is no sure footing in the middle. This point is the great

Serbonian bog  
Betwixt Damietta and Mount Casius old,  
Where armies whole have sunk."

I do not intend to be overwhelmed in that bog, though in such respectable company. The question with me is, not whether you have a right to render your people miserable, but whether it is not your interest to make them happy. It is not what a lawyer tells me I *may* do, but what humanity, reason, and justice tell me I *ought* to do."

### Judges Argue on "Fundamental Conceptions"

This appeal to general principles, to the underlying philosophy of government and of freedom is made by the justices of the majority opinion. Mr. Justice Kellock says:

"As is frequently mentioned in the authorities, probably no crime has been left in such vagueness of definition as that with which we are here concerned, and its legal meaning has changed with the years. It is relevant, therefore, to refer to some extent to its history . . ."

Mr. Justice Rand, summarizing Stephen, the celebrated English jurist, puts the matter admirably in the following words:

"The crime of seditious libel is well known to the Common Law. Its history has been thoroughly examined and traced by Stephen, Holdsworth and other eminent legal scholars and they are in agreement both in what it originally consisted and in the social assumptions underlying it. Up to the end of the 18th century it was, in essence, a contempt in words of political authority or the actions of authority. If we conceive of the governors of society as superior beings, exercising a divine mandate, by whom laws, institutions and administrations are given to men to be obeyed, who are, in short, beyond criticism, reflection or censure upon them or what they do implies either an equality with them or an accountability by them, both equally offensive. In that lay sedition by words and the libel was its written form.

"But constitutional conceptions of a different order making rapid progress in the 19th century have necessitated a modification of the legal view of public criticism, and the administrators of what we call democratic government have come to be looked upon as servants, bound to carry out their duties accountably to the public. The basic nature of the Common Law lies in its flexible process of traditional reasoning upon significant social and political matter, and just as in the 17th century the crime of seditious libel was a deduction from fundamental conceptions of government, the substitution of new conceptions, under the same principle of reasoning, call for new juristic conclusions, *Bourne v. Keane*, (1919)/A.C. 815."

### Rome Is Hostile to Democratic Principles

We have already indicated that several of the judges based their argument on the underlying philosophy of government, so admirably stated above. In a word it is our democratic way of life: the common people are no longer regarded as the servants of kings and governors who seek to justify arbitrary rule by an appeal to "divine right"; the divine right has been vested in the people; and this not by virtue of an ecclesiastical sacrament but directly by the Maker and Creator of all men. Now, we are aware that in Protestant lands, the Roman Church lays claim to be the source and inspiration of democracy, but her real theory of government is only

too vividly illustrated in Roman Catholic countries such as Portugal, Spain, and some Latin American lands. Democracy is alien to the genius of the papacy which is the most undiluted absolutism the world has ever seen. We do not wonder that we find this principle so clearly stated and so cogently argued by the non-Romanist judges. Its absence in the reasons of the French-Canadian Roman Catholic judges leaves all the greater gap.

#### A Puritan Sentenced to Death for Criticizing Bishops

Together with the above quotations we should like to place the interesting references given by Mr. Justice Locke:

"In the case of *de Libellis Famosis* (1606) 3. Coke's Reports, p. 254, the reason for Sir Edward Coke's opinion that a libel against a magistrate or public person is a greater offence than one against a private person is thus stated:—(p. 255)

... for it concerns not only the breach of the peace, but also the scandal of government; for what greater scandal of government can there be than to have corrupt or wicked magistrates to be appointed and constituted by the King to govern his subjects under him?

Coke used the three expressions "the King," "the government" and "the state," and at a time when the judges held office at the King's pleasure. This view of the law appears to have been adopted in the case of libellous statements upon those holding other offices in the gift of the Queen as in Udall's case (1590) 1 St. Tr. 1271, where a Puritan Minister was charged with having published a libel upon certain of the bishops; the report shows that the judges considered that publishing a libel with a malicious intent against the bishops regarding the exercise of powers vested in them by the Queen was a seditious libel upon Her Majesty and the state and Udall was condemned to death. The court apparently proceeded upon the same ground in *Rex v. Darby* (1688) 3 Mod. 139. At this time it is clear that, at least in the mind of King James II, the judges were his nominees expected to do his bidding. In a note to the report of the trial of The Seven Bishops (1688) 12 St. Tr. 183, at 431, it appears that following the acquittal of the bishops, the king dismissed Holloway and Powell JJ., each of whom had expressed the opinion that there was no libel."

#### Medieval Conceptions of Church and State

It will be shocking to most of our readers to learn that a Puritan minister was condemned to death for having published a libel upon certain bishops, and this in Merry England in the time of the Good Queen Bess. But almost a century later, a certain Puritan lay-preacher was sentenced to languish in a foul den through twelve long years for no greater offense than that of having dared to open the Bible and pray with a few simple folk in a remote farm house. Our English conceptions of liberty of speech and of religion have grown considerably in the last few centuries. But we note that Mr. Justice Locke has called attention to the death sentence passed upon a Puritan minister because "the judges considered that publishing a libel with a malicious intent against the bishops was a seditious libel upon Her Majesty and the state." In the days of Queen Elizabeth, church and state were indissolubly joined together as they had been in the days of her half-sister "Bloody" Mary and in the days of her royal father Henry VIII, who was following the universal medieval practice based on Roman Catholic dogma.

#### "The Catholic Province of Quebec"

But this very same theory of the proper relation of church and state is the one that is held in Quebec to-day. Prime Minister Duplessis delights to name Quebec "Our Catholic Province". A few months ago (Nov. 16, 1950) THE GOSPEL WITNESS printed in large letters on its front page the first paragraph of the Quebec Speech from the Throne, which was in effect an affirmation of the abject submission of "the Catholic government of the province of Quebec" to the one who was there designated as "our Very Holy Father the Pope". Such confessions of fealty to a foreign prince strike the rest of Canada dumb with amazement, but in Quebec they are regarded as a matter of course. In the parliament buildings of the provincial capital a large crucifix commands the chamber where laws are made; judges in Quebec give their judgments under the shadow of a large crucifix; mass is held in the provincial parliament buildings; public officials are liable to instant dismissal, as was Senator Bouchard; for indirect criticism of the clerical direction of public education; huge grants of public funds are made to Roman Catholic private institutions without any attempt at governmental control; heretics, schismatics and infidels, as they are listed in newspaper reports of diocesan census, are given short shrift if they dare to preach in French on the street-corner or even hold peaceful meetings in French in their own halls. It is natural that in a Catholic province a Catholic government should do its utmost to assure the clergy that the medieval union of church and state still holds. The average French-Canadian in Quebec never dreams of questioning the necessity or even the appropriateness of this thoroughly Roman Catholic conception. Every French-speaking Roman Catholic in Quebec sucks in this "social assumption", this underlying philosophy of church-state relations; with the air that he breathes; it is ground into him at home, at school, in church, and in the press. Few of them ever have the first stirrings of doubt as to its divine appointment, its fairness, or its expediency, and that few, only by the severest intellectual effort, to understand the doctrine of the separation of church and state.

We do not know to what extent the French-Canadian Roman Catholic judges of the Supreme Court have managed to throw off what we regard as the incubus of the Romanist doctrine of the union of church and state. We can only say that if they have, then they are not truly representatives of the general Quebec point of view, and as we said before, we presume that they were chosen to sit on the bench of the Supreme Court to give tangible assurance to their compatriots that the Quebec point of view would not be ignored in that high tribunal.

#### The Chief Justice and the Vichy Cardinal

We heard the Chief Justice move a vote of thanks to a French Cardinal at the Ottawa Marian Congress several years ago. The distinguished prelate, a Vichyite during the war, sought to prove the doctrine of the Assumption of Mary and made out an exceedingly weak case. He did not quote a single verse of Scripture, though he attempted to read the doctrine into several passages, the tradition he referred to was all very late. But when the Chief Justice rose to thank him, he remarked that the Cardinal had proved his case to the hilt! We trembled as we listened to him, for it seemed to us proof conclusive that if the Hon. Mr. Rinfret were

ever to pass judgment on a religious matter it would inevitably be in agreement with the principles and reasonings which rule the thinking of Roman Catholics. We do not impute to the Roman Catholic judges of the Supreme Court anything but the most conscientious scruples to be impartial and just according to their understanding of the law. Nevertheless, it is impossible for a man entirely to lay aside his philosophy of life, his "social assumptions", call them what you will, his religious point of view, by the mere act of donning his judicial robes. Judges are not infallible or we should not have appeal courts governed by a majority who out-vote the minority.

### Licence Not Liberty

In the next to last paragraph of his reasons the Chief Justice says:

"I would not like to part this appeal, however, without stating that to interpret freedom as licence is a dangerous fallacy. Obviously pure criticism, or expression of opinion, however severe or extreme, is, I might almost say, to be invited. But, as was said elsewhere, 'there must be a point where restriction on individual freedom of expression is justified and required on grounds of reason, or on the ground of the democratic process and the necessities of the present situation'. It should not be understood from this Court—the Court of last resort in criminal matters in Canada—that persons subject to Canadian jurisdiction 'can insist on their alleged unrestricted right to say what they please and when they please, utterly irrespective of the evil results which are often inevitable'. It might well be said in such a case, in the words of Milton, 'Licence they mean when they cry liberty', or as expressed by Mr. Edouard Herriot, 'La liberté doit trouver sa limite dans l'autorité légale'."

### Completing the Chief Justice's Quotation

It is curious, not to say amusing, to hear a quotation from the great Puritan poet, John Milton, in the mouth of a judge who is giving an opinion that seems to us to tend strongly toward anti-liberalism. Not that we disagree with the Chief Justice when he condemns licence. We agree with M. Herriot when he says that "Liberty must find its limits within legal authority." The Chief Justice could have found an infinitely higher authority for his condemnation of licence had he given us the inspired words of the Apostle to the Gentiles who wrote: "For, brethren, ye have been called unto liberty; only use not liberty for an occasion to the flesh, but by love serve one another." (Gal. 5:13). But the question remains, What is licence? What ought "legal authority" to permit? That, as we understand it, is the crux of this case, and the Chief Justice sheds no light upon the vexed problem in this last paragraph quoted, unless it be by the suggestion he throws out that if there ensue "evil results which are often inevitable . . ." then liberty becomes licence and silence is to be imposed. This we shall discuss later, but in the meantime, we return to Milton. The line quoted from this famous poet is taken from the sonnet which begins:

"I did but prompt the age to quit their clogs  
By the known rules of ancient liberty,  
When straight a barbarous noise environs me  
Of owls and cuckoos, asses, apes, and dogs. . ."

The Chief Justice does not appear to be well versed in English literature, for had he quoted these words from the poem it would have annihilated his suggestion. If the Chief Justice had further added that Milton wrote

these words when the authorities were attempting to suppress his pamphlets, it would have detracted even more from his argument. It is true that the great Puritan did not believe in licence, but no more did he believe in licencing, that is censorship of speech or of the press: "Give me the liberty to know, to utter, and to argue freely according to conscience, above all liberties," he cries in *Areopagitica*, that impassioned plea for the Liberty of Unlicenced Printing that has gone ringing down the centuries.

### When Does Liberty Become Licence?

This leads us to the next consideration. At the head of this article will be found a line from Tennyson which aptly expresses one of the crucial questions in the case under discussion. There, "the land that freemen till" is described as

"the land, where girt with friends or foes  
A man may speak the thing he will."

Is liberty merely the privilege of saying what we believe among those of like mind, where every opinion uttered falls on friendly, approving ears? Or, on the other hand, is it to be considered vile and illegal licence to speak one's mind to those who disagree with us? Furthermore, if the discussion of differences of opinion is the occasion of disturbances, is the discussion to be forbidden and free speech denied? Tennyson would have agreed with Milton that the liberty that he cherished above all liberties was "to know, to utter, to argue freely according to conscience."

### Concrete Examples

Let us illustrate what we mean by concrete examples. In the course of the past year, certain law-abiding Christian Brethren commenced meetings in a rented store in Shawinigan Falls, Quebec. One evening an organized mob besieged their place of meeting, which they eventually wrecked, and then threatened the personal safety of the Protestant preachers and their auditors. The police did not interfere save to take the preachers into a sort of protective custody until they could be whisked out of town. The "militants" (a technical term in Catholic Action) of this organized group of strong-arm men sought to justify this violence by saying, "We believe that our action is legal by the force of circumstances, because these preachers attack the foundation of our principles of life, or our faith and of our religious traditions . . ." Another paper edited by French-Canadian priests attempted this line of defense: "If certain Protestant sects insist on causing trouble in the Catholic Province of Quebec, they will end up by having more of it than they wish." This is the same argument by which the Church of Rome justifies the Bloody Inquisition; it is on the heretics that the church places the blame for it says that they were guilty of differing from the infallible church of the great mass of the people. By the same line of reasoning, we could conclude that when a householder is shot and killed when resisting a band of robbers, it was he that was to blame and not the thieves.

Put in other words this means that the Christian Brethren preachers were not only the occasion but the cause of the riot. What they called their undoubted right of freedom of speech and freedom of worship, the Catholic Actionists regarded as licence, since it was

provocative to French-Canadian Roman Catholics. These latter therefore believed they were within their rights in destroying their meeting-place and forcing them to leave town.

#### What Constitutes Seditious Libel?

With these concrete examples in mind, we now turn to the reasons of the learned judges, who took great pains in determining what constitutes seditious libel and particularly what constitutes "seditious intention" to use the phrase found in the Criminal Code. Section 133A of the code reads, in part, as follows:

133A. No one shall be deemed to have a seditious intention only because he intends in good faith,—

(a) to show that His Majesty has been misled or mistaken in his measures; or

(b) to point out errors or defects in the government or constitution . . . or to excite His Majesty's subjects to attempt to procure, by lawful means, the alteration of any matter in the state; or,

(c) to point out, in order to their removal, matters which are producing or have a tendency to produce feelings of hatred and ill-will between different classes of His Majesty's subjects."

Following this quotation Mr. Justice Kerwin remarks in his reasons as given at the first hearing, that "seditious intent" is nowhere defined in our Code, but that the definition found in Stephen's *Digest of Criminal Law* is an accurate one. He then goes on to quote Article 115 of this book which lays down the principle that "every person must be deemed to intend the consequences which would naturally follow from his conduct at the time and under the circumstances in which he so conducted himself."

#### Language Calculated to Promote Disorder

Commenting on this at the first hearing, Mr. Justice Kerwin went on to remark:

"The question of seditious libel is always one of great delicacy . . . The use of strong words is not by itself sufficient nor is the likelihood that readers of the pamphlet in St. Joseph de Beauce would be annoyed or even angered, but the question is, was the language used calculated to promote public disorder or physical force or violence. In coming to a conclusion on this point, a jury is entitled to consider the state of society or, as it is put by Chief Justice Wilde in his charge to the jury in *The Queen v. Fussell* (1848) Reports of State Trials (N.S.) Vol. VI, page 723 at 762:—

"You cannot, as it seems to me, form a correct judgment of how far the evidence tends to establish the crime imputed to the defendant, without bringing into that box with you a knowledge of the present state of society, because the conduct of every individual in regard to the effect which that conduct is calculated to produce, must depend upon the state of the society in which he lives. This may be innocent in one state of society because it may not tend to disturb the peace or to interfere with the right of the community, which at another time, and in a different state of society, in consequence of its different tendency, may be open to just censure."

" . . . reference might also be made to the words of Coleridge J. in his charge to the jury in the later case of *Rex v. Aldred* (1909). Cox C.C. 1 at 3:—

"You are entitled also to take into account the state of public feeling. Of course there are times when a spark will explode a powder magazine; the effect of language may be very different at one time from what it would be at another."

"While the jury must consider the question of good faith in accordance with section 133A of our Code, it

will be noticed that that section specifically states that no one shall be deemed to have a seditious intention only because he intends in good faith to show or point out the matters mentioned. The jury should be charged that if they find good faith on the part of the accused, and if in their opinion there is nothing more in the case, the accused is entitled to an acquittal; but if, in addition to that good faith, there was an intention on the part of the accused to create public disorder or promote physical force, or that notwithstanding the motives of the accused the natural tendency of the words (and therefore the intention) was to create such disturbances, then they would be entitled to find a verdict of guilty."

#### Mr. Justice Kerwin's First Judgment

The above line of argument inevitably led Mr. Justice Kerwin to the following conclusion, which was his opinion as given at the first hearing of this case before the Supreme Court:

"There was evidence in the document itself, taken, as it must be, with all the other circumstances, upon which a jury after a proper charge as outlined above, could find the accused guilty, and the conviction should, therefore, be set aside and a new trial directed."

As we have given such extensive extracts from the reasons on which Mr. Justice Kerwin based his opinion at the first hearing, we now give in full his judgment on the reargument of the case, to which we have already referred:

#### Mr. Justice Kerwin's Second Judgment

Kerwin, J.:

Since the distribution of my reasons in this appeal, there has been a reargument as a result of which I have been persuaded that the order suggested by me is not the proper one to make. With the exception of the last paragraph, what I have already said may stand, with the following additions. The intention on the part of the accused which is necessary to constitute seditious libel must be to incite the people to violence against constituted authority or to create a public disturbance or disorder against such authority. To what is stated previously that "the question is, was the language used calculated to promote public disorder or physical force or violence", there should be added that that public disorder or physical force or violence must be against established authority. An intention to bring the administration of justice into hatred or contempt or exert disaffection against it is not seditious unless there is also the intention to incite people to violence against it. So far as the decision in *R. v. M'Hugh* 2 Ir. R. 569 is in conflict with this opinion, it should not be followed.

Whatever also might be said of the contents of the pamphlet, there is not in it, read in the light of all the surrounding circumstances, any evidence upon which a jury, properly instructed, could find the appellant guilty of the crime with which he was charged. The conviction should be set aside and a judgment and verdict of acquittal entered.

#### An Important Addition to the Judgment

The addition made by Mr. Justice Kerwin in his second reasons is of the utmost importance. He here specifies that the disturbance or the incitement to violence must be "against such (constituted) authority". Now, even in Quebec, we do not think that the Roman Catholic clergy could be said to be a "constituted authority". The special status they enjoy springs rather from custom and usage based on religious motives, rather than from statutory recognition. The Puritan Udal, therefore, were he to come back to this troubled earth would be free, even in Quebec, to criticize the bishops without being sentenced to death for "seditious libel",

and the same may be said of Quebec Protestants and anti-clericals.

#### Who Is to Blame for Public Disorder?

Although we may not be as thoroughly versed in legal technicalities as these learned judges, we will not take second place even to them in respect to our understanding of and devotion to the principles of true liberty these legal technicalities are intended to preserve and perpetuate, therefore, we think that we can interpret the significance of Mr. Justice Kerwin's addition to his judgment in the light of personal experience and observation. Oftentimes we have stood on the street corner in Quebec or in Northern Ontario to preach the Gospel in French to French-Canadian Roman Catholics. Interest is never lacking nor is open hostility often absent. Oftentimes there has been every indication that the meeting would end in a disorderly fashion, for organized bands of young men have seized every opportunity to interrupt or to argue, and in some instances missiles have been thrown. We preached in one Northern Ontario town, predominantly French and Roman Catholic, the week after our associates had been warned by the chief of police that if there was a disturbance when they preached, they would be put behind the bars. And to enforce his point he took them to the lock-up and showed them the prison cells. Now his complaint was not that we, the preachers, were disorderly, but that when we appeared it was the signal for disorder on the part of those who regarded our doctrines as heretical and contrary to their church. *We sincerely hope that this judgment of the Supreme Court will rule out the possibility of such confused thinking on the part of Roman Catholic police, and render it impossible for them to arrest peaceful preachers and tract distributors simply because they are the occasion, though not the cause, of public disorders.*

#### Parades on the Twelfth of July and Corpus Christi

We have already discussed this principle in connection with the Chief Justice's distinction between "licence" and "liberty", but we venture to give another illustration. The other day we received a letter from an Orangeman in Nova Scotia telling us that in his town, which is largely Roman Catholic, his Lodge was advised by the Chief of Police not to celebrate the twelfth of July by their traditional parade, as it would be offensive to the Roman Catholics who had informed him there would be violence if the parade were held. The chief of police, therefore, forbade the Protestant society to march in their annual procession. Had they done so, we were informed, he threatened to arrest them.

But now, another instance that is similar, except that the relative position of the parties is transposed. A few months ago, a Roman Catholic society of Toronto held a public demonstration in Exhibition Park and, according to the newspapers, the host was carried thither in a car. Now let us suppose that a gang of organized Protestant hoodlums attacked the car, profaned the sacred elements and beat up the priests. Would the Toronto police be justified in arresting, not the attackers, but the priests and their associates? Would leading Protestant ministers of this city excuse, not to say justify, the lewd fellows of the baser sort responsible for the outrage? If they did so, the Toronto police would be guilty of a worse outrage than the lawless

elements, and the Protestant ministers would be infinitely viler still and wholly unworthy of their high calling. Such a thing, we venture to believe, could not happen in Toronto, and if it did, its perpetrators would richly deserve to be prosecuted with the utmost rigour of the law.

#### The Scope of the Supreme Court Decision

*If the reception accorded free speech is to be the criterion of judging whether or not it is licence or liberty then the essence of that most of all desired freedoms has already been lost to us.* It is this assumption in Quebec, that has led to much violence and to the persecution of Protestant minorities. We repeat that we sincerely hope the Supreme Court judgment will put an end to this crying abuse. It may be restricted in its application to charges of seditious libel, but as we understand it, the principle is of much wider application, and we venture to hope that if other cases of persecution arise, the courts will accept this interpretation.

We close by taking as the expression of our own innermost convictions the final stanzas of the poem which forms the prelude to this article, only excepting the sentiment which suggests that we have any intention of seeking

"The palms and temples of the South"

It is rather our purpose, as we hope it is that of our readers, to remain here and continue the battle for that greatest and dearest of all liberties, freedom of religion:

"Should banded unions persecute  
Opinion, and induce a time  
When single thought is civil crime,  
And individual freedom mute;

"Tho' Power should make from land to land  
The name of Britain trebly great—  
Tho' every channel of the State  
Should fill and choke with golden sand—

"Yet waft me from the harbour-mouth,  
Wild wind! I seek a warmer sky,  
And I will see before I die  
The palms and temples of the South!"

#### ERRATA

Last week's issue involved much proof-reading; and the fact that many extra thousands were to be mailed necessitated its printing a day in advance. This, in turn, involved much haste. Some of the proofs passed through new hands. The Editor did not even glance over the sermon proof. He would have done so, had he known that our regular reader was assigned to other work. The result was that the issue contained several real "howlers".

On page 7, first column, second paragraph, *Marseilles* became *Versailles*. On the same page, second column, 17th line from top, the house of Loreto is said to be "now in Natz". In the copy the word was Italy. Lower in the same column, Recanti should be spelled Recanati. On page 10, second column, third paragraph, the eleventh line should be the tenth, and the tenth the eleventh.

There were several other minor errors as where the plural was made singular, but these would readily be understood as typographical mistakes.

We express our regret that these errors should have "crept in unawares", and our only excuse was unusual haste in proofreading.



## The Jarvis Street Pulpit

### Why It Is Necessary To Be "Born Again"

A Sermon by the Pastor, Dr. T. T. Shields

Preached in Jarvis Street Baptist Church, Toronto, Sunday Evening, January 21st, 1951  
(Electrically Recorded)

Jesus answered and said unto him, Verily, verily, I say unto thee, Except a man be born again, he cannot see the kingdom of God.—John 3:3.

IN THE early days of my ministry I was often perplexed when I saw the character of the congregation facing me, and often wondered whether the message that was in my mind was appropriate to their needs. I got over that long ago. The word of God is always appropriate. This verse which I read to you, and the discourse of which it was a part, was delivered by One who knew, and who always knows what was, and what is in man; and it was spoken to a very religious man, one who was a doctor of the law, and a ruler among the Jews. Our Lord seemed almost to express wonder that he should be in ignorance of this perfectly patent truth.

From then until now this word has been appropriate to religious professors, as well as to those who do not name the name of Christ. It is a familiar verse, and I know we quote it, and I know we profess to believe it.

Sometimes when a man is gone someone writes his biography, and they usually go back to the beginning of things, and if he has accomplished anything they try to find some reasons for his achievements, in his birth and his early training. It is well that we should all study our spiritual biographies, and go back through our Christian experience, that our faith may be reinforced, and that we may know a little more clearly how we have come to be, by the grace of God, what we are.

It is very easy to quote Scripture, and I should be the last one in the world to underestimate the value of the simple recitation of the word of God; for the Lord has given us many special promises to honour and to make effectual His word. But it is sometimes well that we should go into the reason of things, if you like, and you are not frightened by the word, the philosophy of things, the *raison d'être* for our being Christians. I have said to you on more than one occasion that I find my faith strengthened, and myself more established in the things of God the more clearly I see that God's way of saving men had to be what it was. We heard to-night, "He rescued us in His own way." There wasn't any other way. The salvation that is in Christ is based, in the very nature of things, in our nature, and if I may say, specially in the nature of God Himself.

I have a shrub in my garden which I value very highly. Some years ago I bought a few shrubs, and the nursery man brought this along. It was a big one, and he had dug around it, and he brought it with a great root. He said, "You may have that for a dollar if it is any use, and if it isn't, throw it out in the garbage." I planted it where it would have plenty of room to grow, and it has grown gloriously, it has grown up, and spread out its branches, and its roots have gone down into the soil so deeply that I am quite sure it would be impossible

to transplant it to-day. It is well, not only that we should be in Christ, but that we should be rooted in Him, established in Him, built up in Him. If that is to be so, then we do well to take time to study the philosophy of things, and find out, not only what God has done, but, perhaps, so far as His word discloses His purposes, why He has done it.

Why then is this true? "Except a man be born again, he cannot see the kingdom of God." Multitudes of religious people do not believe that; many mock at the idea of conversion, and speak of it as a "psychological upheaval" or revolution, a kind of mental reorientation, for good perhaps, but still, some operation of our mental machinery, like the Oxford Group, and their philosophy of "changing" things—just a reorientation of life. As your wife does in your living room sometimes. You come in, and you say, "What has happened?" You look around, and there isn't a bit of new furniture, but somehow or another, it is a new room. What happened? "Oh, she says, 'I thought I would just change things around.'" It is the same old room, and the same furniture. That is Oxford Groupism—a mere rearrangement of the furniture, but no vital, radical change. That is not Christianity. "Except a man be born (from above) he cannot see the kingdom of God." Why?

I.

Well, first of all, FOR THE VERY OBVIOUS REASON THAT "THAT WHICH IS BORN OF THE FLESH IS FLESH," and we are all born of the flesh, we have fleshly natures.

On that plane we are akin to the animal creation. The evolutionists try to tell us that we belong there, and are only a slight improvement upon it. That we do belong there, and that we have much in common, we must admit. We are born as they are born, and we are in the flesh, whether we like it or not. These carnal natures—"carnal"—I use that word in the etymological sense, I mean fleshly natures, not in any evil sense at all—but these carnal natures are endowed with fleshly characteristics; we have by nature all the desires and appetites, passions and inclinations, capacities and tendencies and limitations of the flesh. They are there, and you cannot deny it. That is what makes you hungry sometimes; that is why you are sometimes thirsty; that is why you are sometimes tired. The flesh has grown a bit weary, and it needs a little rest, in order that its energies may be replenished. So at that point we are at one with the lower order of things, the animal creation.

I suppose you know that animals have souls. Did you know that? They have animal souls. Not souls in the sense that men have; but you have only to study animal

life a little bit, and you reach that conclusion. It is that vital thing that animates and directs the body: Yes, animals have intelligence—sometimes more intelligence than their masters. "The ox knoweth his owner, and the ass his master's crib: but Israel doth not know, my people doth not consider." Any of you who have ever studied a horse will recognize that it is a creature of intelligence, of great intelligence too, sometimes. Dogs have intelligence; mine has. Mine has reason too, I feel quite sure he has. What is it the psychologists call it?—*ratiocination*. Do you know that word? It means the reasoning faculty, the ability to put two and two together. You may not know they make four, but you put them together anyhow. In my father's house we had a dog, and we used to call him "Jet," because he was just as black as anything could be, a lovely pure-bred cocker spaniel. He and my father were inseparable. My father was a minister, and it was his habit to spend most of his afternoons calling upon the members of his flock. Generally before he began to get ready to leave the house Jet had to be sought out, and put somewhere where he couldn't follow. But sometimes that would be overlooked, and Jet recognized the preparations. My father always carried a walking stick, and when he went near that Jet knew what was coming, and he would suddenly disappear. He would be called, but he couldn't be found anywhere; he wasn't around the place. Failing to find him, my father would start out; but several blocks up the road, if you had been watching, you could have seen a little black nose and two bright eyes looking around the corner, to see if he was coming. But he would dodge back and keep out of sight until his master was far enough away from home to be unable to go back again, and then he would come out wagging his tail, as much as to say, "Here I am, I'm going along." Sometimes he would, and wait outside while the minister went in. Don't you think he had reason? Don't you think he could put several things together, and reach a conclusion? Of course he could.

Yes, animals know a very great deal. They have *memory* too: they remember. I wonder did any of you ever read of the great elephant called Jumbo? If you are not old enough to remember when he was alive, you have read of him. He was owned by a man called Bailey, a circus owner, and there was another man called Barnum, who also had a circus. Jumbo was advertised as the biggest elephant ever known in captivity. So Barnum went to Bailey and wanted to buy his elephant, but Bailey said, "No." He offered him fifty thousand dollars, but "No." He went up to sixty, seventy-five, eighty ninety, and a hundred thousand dollars. "No," said Bailey. Barnum wouldn't go any farther. Then he saw Bailey's posters up: "Come and see the elephant that Barnum couldn't buy for a hundred thousand dollars." Then Barnum went to see Bailey, and he said, "I thought I needed your elephant; I don't; I need you." That is said to have been the origin of the Barnum and Bailey world-famous circus.

In those days when a circus came to town it used to procession down the streets, and that circus was in St. Thomas, Ont., a good many years ago now. As the elephants were crossing a level crossing of the main street, a New York Central train came and struck Jumbo, and killed him. Nearly forty years later, if my memory serves me, that circus was again in that same city, and Jumbo's mate was in the procession. When

she came to that crossing she stopped, raised her trunk, and loudly trumpeted her grief. She had remembered through all the years.

I hope you love animals. You can learn a lot from them. I heard the great Dr. Conwell say once, "Go to the dogs, you doctors, and learn something." Animals have *affection*; they can love. You do not need me to remind you of what a mother bear or lion will do for her cubs. You had better be careful when she has them about her; she will do anything for them. She is far more careful of her young than mothers who leave their children at home uncared for while they go to the movies or the beer-parlour. Yes, animals have affection, and they have wills. Did you ever try to drive a balky horse? You found out that it had a will of its own. He puts down his feet, and just stops there. There are many things about the animal creation that will remind you of some men, and a few women; we have much in common with them. But animals *haven't understanding*! "Be ye not as the horse, or as the mule, which have no understanding." We have understanding; we are able to view the objective world, and to interpret the things that we see, and understand them in relation to each other. The animal creation has *no conscience*, no moral faculty. It knows what it is told to do, and what it is told not to do, and perhaps will obey orders; but not from any sense of what is right or wrong.

Men have an animal soul, akin to the soul of an animal, plus some qualities which are not found in animals. Man has understanding, and he has conscience, that is, the moral faculty that distinguishes between moral qualities, between what is right and what is wrong. Men have that, but all these qualities of ours can be debased until they cease to exercise their proper function. I have heard people say of a man, "He is just a beast," and I have felt like saying, "Apologize to the beasts, will you? Beasts don't do that." No, men can descend to lower levels than the brute creation. But men have these natural qualities, plus, as I say, understanding and conscience, and all who are born of the flesh have these things.

But man is differentiated from the brute creation by the fact that he has something more; he is not only body and mind or soul, but spirit; he has a three-fold nature. There is a department, if I may so say, of his being, specially the residence, or designed to be the residence of Deity. But you cannot very well distinguish in the case of men, between the mind and the spirit—they are so inter-related, like Toronto and North or East York—you don't know when you are out of one and into the other, they are so closely related. There is a spiritual nature which does not belong here, which relates man to another world than this, and to other beings than those we see and know naturally.

Theologians speak of the "total depravity" of human nature, by which it is not intended to say that any man is as bad as he might be, but that all his qualities and capacities, tendencies and functions are biased toward evil—that it is easier for him to do evil than to do good. "When I would do good," Paul complains, "evil is present with me." "For the good that I would I do not: but the evil which I would not, that I do." There is not a man or woman here who does not know that that is true, not one. You have often done evil when you would, momentarily at least, have preferred to do good, and you know that there is within that mind of the flesh,

that carnal nature, there is within that something that is biased against God. The Bible says that the carnal mind, the mind of the flesh, our natural minds are "enmity against God." We do not like Him; we do not want to be where He is; we have no affinity for His holiness, nor liking for His righteousness—enmity against God. It is just about as unreasoning as that doggerel we have quoted—I have forgotten the origin of it:

"I do not like you Dr. Fell,  
The reason why, I cannot tell;  
But this I know, I know it well—  
I do not like you Dr. Fell."

That is natural to all of us.

Then the Bible gives what the accountants and bookkeepers call the "breakdown": "The heart is deceitful above all things, and desperately wicked." The natural man has "an evil heart of unbelief." The affections are alienated from God, and the affections are set upon things on the earth, not upon things above. The will is enfeebled and enchained, and "(men) are taken captive by (the devil) at his will," and the conscience, that moral monitor is seared, the Scripture says, as with a red-hot iron. Do you know what that is? I wonder if any of you are old enough to remember having seen a blacksmith? They are out of fashion now, but they were a very useful institution once of a day. Did you ever see him pick up an iron, not red hot, but hot? He could pick it up, but you wouldn't dare try it; it would burn you instantly. Why? Because he is so used to handling hot things that his hands are more or less calloused, and he can handle hotter things than you or I could. Or here is another illustration. You see your wife washing dishes sometimes, and you say, "Let me wash the dishes." You put your hands in the water, and immediately jump back. "Get away," she says, and she takes the dish cloth and her hands go in that hot water. Why? She is used to it. You ought to be used to it too: it would do you good! I read a story somewhere, but I won't vouch for its historical accuracy, it may be apocryphal. But it was of a negro in the South who had never worn shoes, but had always walked about in his bare feet, and of course the soles of his feet were calloused. He drifted into a blacksmith's shop one day, and soon he began to sniff, and he said, "Whose foot is that a-burning?" "Why Sam, you have got your foot on a piece of hot iron." He didn't feel it. "Seared with a hot iron." There are consciences like that. They don't function any more; men do not distinguish between right and wrong. Whatever is possible is right. You will find it in business. It isn't a question of what is right or wrong, but "What can I do?" or to use the colloquial phrase, "What can I get away with?" You find it in every-day life. I remember a professor who said of another professor years ago, "He chloroformed his conscience twenty years ago, and it has never functioned since." You can do that. Look abroad upon the world to-day. Have you any difficulty in believing in total human depravity in our day? I do not think you should have. I have observed that the social evolutionists, those who believe in social evolution, that "Every day in every way, the world is getting better and better,"—they are not talking very much now, are they? I don't see it getting any better, do you? How can it? You cannot build a regenerated society of unregenerated men and women, that is all.

What are we going to do about it? "Verily, verily, I

say unto thee, Except a man be born again, he cannot see the kingdom of God." "That which is born of the flesh is flesh; and that which is born of the Spirit is spirit. Marvel not that I said unto thee, Ye must be born again." "Flesh and blood cannot inherit the kingdom of God." It is a spiritual kingdom. While we are in the flesh only, and have not the Spirit, we cannot even see the kingdom of God.

## II.

We need to be born again FOR OUR OWN SAKES, in order that we may have a capacity for the enjoyment of the felicities of salvation. What I am trying to make clear to you is that in this requirement there is no arbitrariness; it is not like somebody setting a price of admission, when the Lord says, "Ye must be born again." Ye must be born again in the nature of the case. Even God cannot save you without your being born again.

It is not difficult to find illustrations of that principle. We are not all alike. There are some people who cannot see very much, they see a few things. I remember some years ago visiting the home of a certain preacher, who was a very learned man. He had been professor of Greek for many years in one of the leading Universities. He had several children, but there was one boy about whom he was rather anxious. He said to me, "If you have an opportunity just have a word with him." So I made the opportunity, and I began to tell him what a great man his father was, a great scholar, and highly respected. "I know," he said. "You cannot tell me anything about my Dad; I know he is a great man, but . . ." I said, "What about the 'but'?" "Well," he said, "he said to me one day, 'I want you to come with me to Baltimore; it will give you a bit of a change, and you will enjoy the trip.' So," he said, "we got on the train and we went to Baltimore. Then my father headed for Johns Hopkins University, and when he got there he went to the library, and when he got to the library he hunted out the Greek section, and he took me in. There it was, the walls all lined with books in the Greek language." He said, "He was in heaven." I had learned that his father's thesis had been on the subject, "The Genetive in Euripides." That was a nice subject, wasn't it? But that was the subject of his thesis, for which he was granted, with other things, a doctorate in Philosophy. "Well," the lad said, "my father got there, and he asked me to sit down, and soon he was taking down the books, and he was buried in this Greek book, and after a while in another, and we spent some hours among the Greeks." He said, "And he expected me to enjoy that." I had a good deal of sympathy with the boy! His father didn't understand him. He was perfectly at home, because he had been, so to speak, born into the Greek tongue, and he was happy in it, but his boy didn't want to be bothered with it at all. When we get to heaven I suppose we shall be able to speak Greek and every other language—"all nations, and kindreds, and people, and tongues."

That principle of capacity runs all through life. I have told you that I have a garden. It is not much of a garden, just some shrubs and trees, with no color, because there is so much shade. But I like it. Preaching is my vocation; gardening my avocation. I am not much good at either, but I enjoy both. I have had some visitors sometimes. I think of one or two—I took them out to the garden, and I rather liked it. In the summer

time, of course, not now. I thought they would enjoy it, and I took them out—"You have a good sized yard. Call my garden a "yard"! All they could see was the size of it; they couldn't see anything else. They needed to be born again before they could see my garden, and enjoy it. Do you remember Wordsworth's "Peter Bell"?

"In vain through every changeful year  
Did nature lead him as before,  
A primrose by the river's brim,  
A yellow primrose was to him,  
And it was nothing more."

Can you see a primrose? Can you see a rose? Can you see a lily? The great Gardiner said, "Consider the lilies of the field, how they grow." Can you consider them? Have you a taste, have you an appetite for it?

When I came to Toronto forty years ago the annual concerts of the Mendelssohn choir constituted one of the principal social events, and I went. (That was before I was tacitly ignored by Society, spelled with a capital S.) It was supposed to be the thing; if you didn't go to hear the Mendelssohn choir there was something wrong with you; and in those days it was usually quite a dress affair, everybody put on their best clothes. I have seen the ladies there with all their fine dresses, in specially selected seats, with a fan, and all the accompanying—imitation or genuine!—jewellery—there they were on exhibition. In those days there was no Toronto Symphony Orchestra, and usually an orchestra would come from New York or Philadelphia, or somewhere else, and Dr. Vogt would stand up, and the orchestra would begin. I have seen them looking all over with their opera glasses, wonderfully interested, all ready for the enjoyment of the evening. But it wasn't very long before you would see some of them nod and go to sleep, the choir going on and singing like a company of angels, but they didn't hear it. Why? They had no capacity. They would have to be born again to enjoy a Mendelssohn choir concert. I have actually seen people walk out in the midst of the Hallelujah Chorus. Perhaps it was because they didn't like the subject of it, but certainly they didn't enjoy the music of it. I could multiply illustrations indefinitely. Some people need to be born again in order to know how to dress; they do not even know what suits them. Sometimes I see people, and I say, (to myself, of course) "What in the world possessed that woman to get that ugly thing, especially the hat?" Well, she looked in the mirror, and she thought it was fine, and as long as she thinks so I suppose that is enough. What different tastes we have, haven't we?

"Except a man be born again, he cannot see the kingdom of God." Have you ever talked to people about the things of God who hadn't been born again? They didn't know what you were talking about; yours was a foreign language. They were utterly unacquainted with the idiom of the speech of Canaan; more familiar with the speech of Ashdod were they. Well, my dear friends, if it were possible without the new birth to find admission to the Divine Presence, Paradise would be purgatory for a person whose nature was unchanged. It is bound to be so. We have a great prayer meeting on Saturday nights, and some of us could stay there all night. We had a great meeting last night, and when it was over we didn't want to leave. But I have seen people come in to a religious meeting, they sat down and listened, and then in a little while they got up and went out. They

do not belong there. If they couldn't stand a prayer meeting for half an hour how would they endure Heaven? There are church members like that too. They like to take their religion in homeopathic doses—"Give me a little vial that I can put in my pocket, and I can take my little pills as I want to without going to church." They have religion, but they haven't Christ. That is no preparation for Heaven, my dear friend. Where are you going?

I remember some people coming from the South land, who apparently did not know very much about geography, and they came in July to visit Canada. They were going "up to Canada," and they had skis strapped on top of their car; they were going skiing in July! This is not fiction, but fact. Many years ago there was a large Young People's Convention of some sort met in Massey Hall, and there were hundreds of people, not only from the deep South, but from the South beyond the deep South. They came "up to Canada," and do you know what they did? The ladies came with fur coats, all wrapped up like Eskimos; but all the time they were here I recall that the thermometer did not once drop below ninety-five degrees. They had to go to the stores and outfit themselves, and get something to wear. Do you know what you will need when you get to Heaven, what sort of attire? How will you dress to keep company with angels? There are a thousand illustrations in the natural world which illustrate this great principle: "Except a man be born again, he cannot see the kingdom of God."

We must be made partakers of the Divine nature; we must have within us, who walk by the Spirit of God, a natural affinity for the things of God. Otherwise Heaven could be no Heaven. Mr. Spurgeon, when he was a very young man, once said that if a pick-pocket could get to Heaven without being converted he would pick the angels' pockets. One dear woman very very solemnly came to him afterwards, and said, "Don't you know Mr. Spurgeon that the angels have no pockets?" He said, "I am glad to be informed, and I will give you a revised version: he would pluck a feather out of the angels' wings." But he wouldn't be happy. So for our own sakes the Lord sends word to us, and he says, "If you are going to come and live with Me, I am going to tell you what you need. First of all you need to be born again, then you need new clothes, and I will provide you with them; I will equip you for the heavenly estate, but you cannot come as you are; you cannot even see the kingdom of God." Without that spiritual vision we cannot see, we do not understand it. I have talked to ministers, many of them, and after a few minutes' conversation I have said to myself, "There is no use in talking to this man; he doesn't know anything about it. He has never been to the cross; he has never seen the empty grave; he has no consciousness of an ascended High Priest, making intercession for him before the throne of God." He hasn't even seen the kingdom of God; he has no eyes to see it.

So in the realm of harmony, of sound or of colour, or of shape, wherever you like, there must be a subjective capacity for an enjoyment of the objective reality, and that can be imparted only as we are born from above, and as that kingdom above stoops down and lifts us up into affinity with itself, and makes us one in nature with that higher realm.

## III.

It is necessary too BECAUSE OF THE NATURE OF GOD. We need to have our natures changed even to enjoy Heaven. But what is Heaven but the place of the Divine abode, and we could not be happy in the presence of God unless we have a nature, like unto His, unless we have been so radically changed that we love to be where He is. Do you remember that story of the man possessed of a legion of devils? No man could bind him, and he was out there among the tombs; he was at home there; but when Jesus had dealt with him the disciples came, and they saw him "sitting at the feet of Jesus, clothed, and in his right mind." First of all he had said, "What have we to do with thee, Jesus, thou Son of God? art thou come hither to torment us before the time?" Jesus commanded the devils to come out of him, and after they had come out of him somehow or another he became clothed, and he sat at the feet of Jesus in his right mind. Then the Scripture says, "He that had been possessed with the devil prayed him that he might be with him." Now he wanted to be with Jesus because the Spirit of God had taken the place of the devils, and had given him a new nature akin to that of his Master.

So is it with the Christian, and to be at home with God we must be born of His Spirit. "That which is born of the flesh is flesh; and that which is born of the Spirit is spirit." So we need to be begotten of the Holy Ghost. I said we have mind and spirit, but the spirit is alienated from God, dead in trespasses and sins, until we are quickened by the Divine Spirit.

How? Nicodemus asked that: "How can these things be?" I cannot tell you exactly how the Spirit accomplishes this change, but I can tell you the how of it so far as your part in it is concerned. It was in this connection that the Lord Jesus said, "As Moses lifted up the serpent in the wilderness, even so must the Son of man be lifted up." People were dying by thousands, bitten by the burning fiery serpents, poison injected into their veins, and they were falling by the thousands. Moses made the brazen serpent by Divine direction, and put it on a pole, and put it up. Here is a man almost in the last agony of death, but still conscious. We come to him and say, "Look, look, look." He says, "What is the use, I am dying." Give me some medicine." "Look, look." "What is the use of that?" "Look." The moment he caught sight of the brazen serpent, he was healed. Why? That was God's condition, that is all. You look, and God does the rest. "Believe on the Lord Jesus Christ, and thou shalt be saved." Very simple; isn't it? I cannot explain it. I do not know how the Spirit of God changed my heart; I do not know how He gave me a desire toward Him, but I know He did, and I have never ceased to praise Him from the day He did it. When we have passed from death unto life, then we know that we are His. That is all. You look. Mr. Spurgeon used to say, "Only four letters, and two of them alike." Look. He himself tells the story of when he was just a lad fifteen or sixteen years of age, concerned about his soul's salvation, and going from church to church all over Colchester. He couldn't find any relief; he never heard the way of salvation so that he could understand it. One wet Sunday morning he went into a little Primitive Methodist chapel in Colchester. The minister was away, and a lay-preacher was in the pulpit, and Mr. Spurgeon said that he didn't know very much, but he knew his text: "Look unto me, and be ye

saved, all the ends of the earth: for I am God, and there is none else." He said that when he couldn't think of anything else to say he would quote his text: "Look, look, look." Spurgeon was sitting over on the right-hand side, and there was nobody else on that side of the church, just the young lad alone. At last the preacher looked at him, and he said, "Young man, you look sad and weary. Look, look, look." Spurgeon said, "I didn't hear any more, but I looked, and I beheld the Lamb of God, which taketh away the sin of the world, and I knew that my sins were taken away." Out of yourself, and into Christ. That is all. May the Lord bless His word, for His Name's sake. Let us pray.

O Lord, we thank Thee that Thou didst ever come to us, and give us hearts to believe; that ever Thou didst open our understandings, that we might understand the Scripture. We pray Thee to bless Thy word to us this evening, and if there should be one here who has no personal experience of this vital, radical change, help such an one to look this evening, and live. For Thy Name's sake, Amen.

Let us now sing a hymn based on Spurgeon's saying: "I looked to Him, He looked on me, and we were one for ever."

I looked to Jesus in my sin,  
My woe and want confessing;  
Undone and lost I came to Him—  
I sought and found a blessing.

I looked to Jesus on the cross;  
For me I saw Him dying;  
God's word believed—that all my sins  
Were there upon Him lying.

I looked to Jesus there on high,  
From death upraised to glory;  
I trusted in His power to save,  
Believed the old, old story.

He looked on me—oh, look of love!  
My heart by it was broken;  
And with that look of love He gave  
The Holy Spirit's token.

Now one with Christ, I find my peace  
In Him to be abiding;  
And in His love for all my need,  
In childlike faith confiding.

## IGNORANT PREACHERS

Whitefield was no advocate for ignorant, unlettered men setting up as preachers. "It has long been my judgment," he says, "that it would be best for many of the present preachers to have a tutor, and retire for a while, and be content with preaching now and then till they are a little more informed; otherwise I fear many who now make a temporary figure, for want of a proper foundation, will run themselves out of breath, will grow weary of the work, and leave it."

—Life of George Whitefield

## GOSPEL WITNESS PUBLICATIONS

(Reprints)

"The Antichrist—His Portrait and History" By Baron Porcelli	50
"The Greatest Fight in the World", by C. H. Spurgeon, 64 pages	25
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The Gospel Witness

130 Gerrard Street East, Toronto 2, Canada

## A GLORIOUS TESTIMONY

We cannot do better than publish Dr. Carl McIntire's account in the *Christian Beacon* of the sudden home-going of Chancellor Kok, who, without a moment's warning died at his desk in Collingswood, N.J., January 8th, 1951.

We join with Dr. McIntire in the estimate that from the human point of view, his loss is irreparable, but God's work must go on.—Ed. G.W.

**T**HE funeral of Chancellor Arie Kok, held in Collingswood, N.J., on Friday, January 12, 1951, was a magnificent testimony to the Gospel and to the Head of the church. It was the largest attended funeral ever held in the Collingswood Church. Church leaders, pastors, lay leaders, seminary students, and young people came from a large number of churches from New York, Pennsylvania, Delaware, New Jersey, Maryland, and Ohio.

Members of the executive committee served as pallbearers. The Session of the Bible Presbyterian Church of Collingswood served as honorary pallbearers. The service opened with the singing of "Faith of Our Fathers". Chancellor Kok's Bible was opened on the casket to the theme text which he used in opening the First Plenary Congress of the International Council of Christian Churches in Amsterdam, Holland, August 11, 1948, Isaiah 59:19: "When the enemy shall come in like a flood, the Spirit of the Lord shall lift up a standard against him."

Dr. Carl McIntire, president of the Council, presided and various leaders gave testimonies. The first was by the Rev. Boon Mark Gittisarn of Bangkok, Siam. Dr. A. B. Dodd, veteran missionary in China, told of the formation of the native Christian churches in China in which Chancellor Kok took a leading part. He outlined the struggle for the faith in the land which has now fallen into the hands of the communists. The Rev. William Harlee Bordeaux, secretary of the American Council of Christian Churches, and the Rev. Raymond F. Hamilton, treasurer of the International Council, also gave testimonies with emphasis upon Chancellor Kok's loyalty to the Gospel cause. Another who spoke was the Rev. A. Donald Moffat, deputation secretary of the Association of Baptists for World Evangelism. Dr. Harvey H. Springer who had come the farthest of anyone for the funeral, flying from Denver, Colo., spoke of Moses and Joshua, and emphasized that God has a Joshua. Dr. J. Gordon Holdcroft, president of the Independent Board for Presbyterian Foreign Missions, who had worked very closely with Mr. Kok on the problems of closed mission doors, also gave a testimony. As man after man lifted his voice, there was a note of praise, of thanksgiving, and of victory.

Dr. W. O. H. Garman, vice-president of the Council, offered the prayer, and Dr. W. W. Breckbill, new president of the American Council of Christian Churches, read from the Book of Revelation, Chapters 21 and 22. One of the hymns sung during the service was, "Rock of Ages," and the service concluded with the singing of "A Mighty Fortress Is Our God." The choir of the Collingswood Church sang, "Ivory Palaces," and "Fight the Good Fight".

Dr. T. T. Shields, vice-president of the Council and pastor of the Jarvis Street Baptist Church, Toronto, delivered the sermon, using the text, "Lord, we know not whither thou goest; and how can we know the way?" In a masterful manner he expounded the text in its setting and emphasized that it was because Christ said

that He was the way that there was and had to be a movement like the International Council of Christian Churches that would stand for that way against all the confusion of the various ways offered today by men in the churches. —From *The Christian Beacon*.

## PRAYER

**T**HE movement represented in the International Council of Christian Churches has gone forward step by step, and in every great decision and every moment of need by unceasing prayer. The spirit of intercession and calling upon God, making known the thanksgiving and also the needs has been characteristic of the Lord's people who have committed themselves to this great Twentieth Century Reformation testimony.

The sudden taking of Chancellor Arie Kok into the presence of the Lord was met by immediate response from the hearts of God's people in literally every section of the world. Telegrams and messages came, many of which were in hand and were read in testimony at the funeral service. Again it was prayer, prayer. The loss is great, the need is keen, and instinctively we turned to God in prayer for guidance, wisdom, and His provision.

We believe that God has used the passing of Chancellor Kok to manifest a spirit among the people of the movement, revealing its depth of conviction and faith and bond of love and its comfort from the Scriptures. Everyone feels his added responsibility and duty. We believe that God is going to lead us on out with an even extended testimony. Young men are rising up in all sections of the world.

May God's people everywhere particularly remember the International Council of Christian Churches and its needs.

The battle goes on.

## AMONG THE CHURCHES

By H. C. Slade

### North Bay Church Doubles Membership

With the addition of a number recently saved and baptized, and other Christians who have lately moved into the City, the membership of the Regular Baptist Church of North Bay has been doubled in the past six months. Through the able teaching of the Word of God by the Pastor, G. H. Stephens, for the past two years, a solid foundation has been laid for this work and now it is the joy of this faithful group to see something of the superstructure emerging.

According to the good hand of God upon them, in spite of the opposition of the Sanballats and Tobiahs, we expect soon to see the walls finished and a strong evangelical cause established in the "Gateway to the North". Quite a number of unsaved people who are regularly attending the services are beginning to show a very keen interest in the preaching of the Gospel. Some are beginning to bring others along with them to the meetings.

Mr. Stephens feels that opportunities for building up a large Bible School are unlimited. The attendance at the school is keeping up well, but if means could be provided for a bus each Sunday, in a very short time it would be tripled.

While the local cause is being built up, Mr. Stephens and his people are not overlooking the needs of those in the outlying districts. In Sturgeon Falls, a strongly

Roman Catholic town where even nominal Protestants are scarce, a few faithful saints have been found and are enthusiastically responding to the prayer meetings and Bible study, which are conducted every two weeks. Some of the most interested drive into North Bay nearly every Sunday for the evening services. In another district called Redbridge, fifteen miles away, similar meetings are being held with profit. One evening eighteen, including one Roman Catholic woman, crowded into the home where the Word of God was being taught. These outside works as well as the local work in North Bay are as yet in their infancy, but each one is beginning to show great promise.

## Bible School Lesson Outline

Vol. 16 First Quarter Lesson 4 January 28, 1951

OLIVE L. CLARK, Ph.D. (Tor.)

### CAIN AND ABEL

Lesson Text: Genesis 4:1-16.

Golden Text: "By faith Abel offered unto God a more excellent sacrifice than Cain, by which he obtained witness that he was righteous, God testifying of his gifts: and by it he being dead yet speaketh."—Hebrews 11:4.

#### I. Cain and His Sin: verses 1-8.

Adam and Eve had two sons at first, Cain and Abel. The name of Cain, the elder son, was given to him since he had been "Acquired of the Lord", perhaps in answer to prayer. These two sons were entirely unlike one another in character, disposition, occupation and destiny. Abel was godly, but Cain was ungodly; the one was gentle and peaceful, but the other was passionate; the elder became a farmer, the younger son a shepherd. One was destined to become famous for his piety, for because of his sacrifice he is still being spoken of, but his brother became infamous for committing the first murder. It is not uncommon to see such dissimilarity in the character and destinies of two members of the same family. Brought up in the same home, under similar circumstances, each followed his own way (Jude 11).

At the end of a definite period, possibly the end of the year, or the end of the week, the Sabbath, Cain, the elder son, brought an offering of the fruits of the ground. This was a reasonable type of offering for him, as a farmer, to bring. Doubtless it was excellent in quality and appearance. Abel, the younger son, the shepherd, also brought an offering, but his sacrifice consisted of the firstlings of his flocks, the young lambs and rams (Numb. 18:17). He remembered to present in full the fat of the animals, symbol of richness (Lev. 3:14-17; Isa. 43:24), as a sign that he was giving his best to the Lord.

In the eyes of men both offerings would be excellent in themselves and apparently betokened the gratitude of the offerers for the goodness of God in giving them prosperity. But to God, the one was pleasing and welcome, whereas the other was obnoxious and insulting (Isa. 1:13, 14). We are not told how the Lord gave witness that He had accepted Abel's offering and had rejected Cain's sacrifice, but possibly fire consumed the animal sacrifice (Lev. 9:22-24).

Wherein lay the difference? The Lord looks not on the outward appearance of men or things or acts, but rather upon the heart of the person concerned (1 Sam. 16:7). He distinguishes between the offering which is a mere ceremonial gift, and the offering which is a sincere token of devotion (1 Sam. 15:22). Cain presented the results of his own labour, as though he would find favour through his own good works. But we are saved through the merits of another (Tit. 3:5). Thus, there was a fatal omission in the offering of Cain. Cain's offering was not accepted, since he himself was not acceptable (Numb. 16:15), whereas Abel's person was received, and likewise his gift. Cain was carnal, but Abel was spiritual.

We are told that Abel's sacrifice was more excellent in

that he had offered it "by faith" (Golden Text). This would imply that Abel took God at His word and trustfully obeyed a previous revelation from the Lord as to the type of sacrifice to be offered by man. We have the record of the slaying of animals to provide coats of skins for Adam and Eve (Gen. 3:21), a symbolic action to point out the Lord's will and His ordinance. Symbolically, Abel's sacrifice was more excellent, since it was an application of the Scriptural principle that "without shedding of blood is no remission" (Heb. 9:22). The blood of the sacrifices in Old Testament times was a token of the death of the Lord Jesus Christ which avails for sinners (Lev. 17:10-14; Rom. 3:25; 5:9; Eph. 1:7; Heb. 9:7-13).

Instead of humbly enquiring wherein his fault lay, Cain remained proud, hard and sullen (Lk. 15:28-30). Instead of rejoicing in the blessing which attended his brother's worship, he became furiously angry.

Cain made a mistake when he repudiated the message of the Lord which said that the way to find favour was to do that which was right (Heb. 12:25). The words of God (v.7) may be interpreted as bringing him hope or warning. If he had done wrong, sin, or a sin-offering, was at the door; there was yet an opportunity for making peace with God. Or perhaps verse 7 means, "sin croucheth at the door", ready like a wild beast to pounce upon the one who yields even a very little to its influence (John 8:34; Rom. 7:8, 9).

Cain would not be stopped in following the course of sin, and in jealous rage slew his unsuspecting brother as they talked together in the field. Jealousy is cruel as the grave (Song of Sol. 8:6). Evil thoughts of hatred toward his brother culminated in this deed of violence (Matt. 5:21, 22; 1 John 3:12). Righteous Abel was the first of the noble line of those who have been persecuted by the wicked unto death for the Lord's sake (Matt. 23:34, 35). God will avenge all such in His own good time (Lk. 18:7; Rom. 12:19).

#### II. Cain and His Punishment: verses 9-16.

Doubtless Cain thought that he had been successful in covering up his crime (Prov. 28:13), and when questioned, denied any knowledge of his brother's whereabouts (John 8:44). One sin had led to another, as so frequently happens. He also protested that he was not his brother's keeper. Scripture, on the other hand, firmly asserts that we are responsible for one another (Rom. 14:13, 15, 21; 15:1, 2). The very ground shouted out the fact and the injustice of Abel's death (Heb. 12:24; Rev. 6:10).

But God knew what Cain had done and pronounced judgment upon him for his sin of murder. The earth would not yield increase for him to gain an easy living, and he would be compelled to be a fugitive and a wanderer for that reason, as well as for the fact that he had committed murder. Sin had driven him from his home, as it had driven Adam and Eve from Eden (Gen. 3:24).

Cain was overcome with remorse, he realized his desperate plight, for he was to be separated, not merely from his own fellow-men, but also from the face of God (Psa. 51:11). Sin always causes separation. It is eternal death to be separated for ever from the Lord (Rev. 20:12-15).

The mark set upon Cain was probably not a token of the curse which was upon him, as is so often thought, but seems rather to have been a token of protection, some merciful provision of God, lest he should be slain by any one who knew his history (Gen. 9:6; Ezek. 9:4, 6).

Thus Cain departed from the presence of the Lord, physically as well as spiritually. It is significant that he went to dwell in the land of Nod, which means "Vagabond". Thus did the word of the Lord begin immediately to be fulfilled.

#### DAILY BIBLE READINGS

- Jan. 22—Cain and Abel were Alike—Sinners  
Rom. 5:12, 18, 19; 3:9, 10, 23.
- Jan. 23—Their Difference Lay in Heart Attitudes  
Lk. 18:10-14; Eph. 2:8, 9.
- Jan. 24—Abel's Offering was that of the Repentant Sinner.  
Rom. 3:24-26; Heb. 9:14, 22; 10:29; 1 Pet. 1:19.
- Jan. 25—Abel's was the Way of Faith.  
Heb. 11:4; Gal. 2:16; 3:1-9.
- Jan. 26—Cain, the First Persecutor of the Righteous  
1 John 3:12, 13; 2 Tim. 3:12; John 15:18-21.
- Jan. 27—Cain's Acts of Murder Began with Hatred  
1 John 3:10-18; 2:9-11; Matt. 5:21-24.
- Jan. 28—Let Us Walk in Faith, as did Abel  
Heb. 11:24-27; Rom. 13:8-10.

Vol. 16 First Quarter Lesson 5 February 5, 1951

### NOAH AND THE ARK

Lesson Text: Genesis 6:9-22.

Golden Text: "By faith Noah, being warned of God of things not seen as yet, moved with fear, prepared an ark to the saving of his house."—Hebrews 11:7.

#### I. God's Purpose of Judgment Revealed: verses 6-9.

The descendants of Adam followed him in the path of sin, and the wickedness of men upon the earth was very great. The evil of their thoughts and imaginations was manifest in their deeds of wickedness (v. 5). Gross immorality and unbelief were the cardinal sins of the age (Matt. 24:37-42; Lk. 17:26). People lived as though there were no God, and no coming judgment.

Lest sin continue to increase, God visited the earth in judgment. And yet, God acted in mercy also when He purposed to restrain the moral plague of corruption. That polluted generation would perish, and Noah would become the head of a new race. The world would have a new beginning, as it were.

One man remained true to the Lord in spite of the prevailing wickedness. God always has His man. Noah, who belonged to the ninth generation from Adam (Gen. 5), found grace in the eyes of the Lord (Isa. 30:18; Rom. 5:21). This was because he was righteous or just in a world where injustice ruled (Gen. 7:1; Ezek. 14:14, 20), upright in the midst of sinfulness (Gen. 17:1; Job 1:1, 8), and because he walked with God (Gen. 5:22, 24) when his companions walked in their own crooked paths.

The Lord revealed His own Divine counsels to Noah (Gen. 18:17; Exod. 33:11), the one man whom He could safely trust. Violence and corruption marred the whole earth (Rom. 8:10-19); but it would have an end; God would no longer spare the wicked.

Through the Gospel God has revealed His wrath against sin in our day (Rom. 1:18). The dire wickedness of the earth shall one day be completely wiped out (Psa. 9:17). It may seem at times as though the Lord were overlooking sin, but in His own good time it will be forever overthrown (2 Pet. 2:4-9; 3:9). There is a heaven to gain and a hell to shun.

#### II. God's Purpose of Mercy Revealed: verses 14-22.

In sovereign grace God provided a way of escape from judgment for Noah and his family. Noah's name means "Rest" or "Comfort", signifying that he received rest and comfort from the Lord in a time of universal judgment, and also that he was a source of rest and comfort to his parents (Gen. 5:29) and later to his family. The Lord gave instructions to Noah to build an ark for the safety of himself and his house, and presumably for any others who would believe the word of God and accept its shelter. Salvation is all of God (Jon. 2:9). This was Noah's only way of escape; he must accept it or perish! Similarly, Christ is the way of salvation, and the only way, for every sinner (John 3:16, 17; 14:6; Acts 4:12).

The specifications for the building of the ark prove that it would be ample in size, probably about the same as a modern large ocean liner. There would be plenty of room for the people and the animals, reminding us of the fact that the death of Christ was sufficient to provide atonement for the sins of the whole world (1 John 2:2).

The ark itself could not be a means of safety for Noah and his family, unless they each one personally availed themselves of its shelter and went on board. Christ is the Saviour, potentially, for all the world, in that He has provided for the salvation of all. However, He is the Saviour in reality of those only who put their trust in Him (1 Tim. 4:10). Noah believed God and acted upon his belief. Illustrate this important truth to the children by reference to a war relief train which takes to a place of safety only those refugees who step into it.

Whereas sure destruction awaited the wicked world, with Noah God made a covenant to save him, if he would but trust and obey. In a similar manner the Lord has made a covenant to save all who will trust the Saviour and His atoning death (Heb. 8:8-16).

Since Noah believed the word of God concerning the certainty of the flood and the sufficiency of the way of escape, his faith was counted unto him for righteousness (Eph. 2:8; Tit. 3:5).

While preparing the ark, Noah, "the preacher of righteousness" (2 Pet. 2:5), heralded the message of judgment and salvation, not merely in word, but also in deed. He warned men to flee from the wrath to come, and then emphasized his warning while building the ark exactly according to the instructions given him by the Lord. Yet, only seven souls accepted his message and were saved; his wife, his three sons and their wives (1 Pet. 3:20). These believed, but the rest scoffed at his warning (Matt. 20:16; Lk. 13:28). For those who refused to heed the message, the day of mercy ended suddenly (Gen. 6:3; Prov. 27:1, 29:1; Matt. 24:37-39; 1 Thess. 5:3; 2 Pet. 3:3-7).

God commanded Noah to take with him into the ark two of every sort of animal, in order that living creatures might again live upon the earth. At the actual time of the flood, which may have been about 120 years after the first warning given to Noah (Gen. 6:3), he was further instructed to take with him seven of each of the clean beasts to serve as animals for sacrifice unto the Lord (Gen. 7:2, 3; 8:20).

Noah was to store up food for the use of the people and the animals which were in the ark. God has made every provision; not merely for the safety, but also for the sustenance of His children (Matt. 6:25-34; John 10:10; Rom. 8:32; 1 Tim. 6:17).

How safe Noah and his loved ones were, even when the floods prevailed! The word for "pitch" in verse 14 is in other passages translated "atonement" (Lev. 17:11). The very waters which were the means of destruction to the unbelieving sinners bore up the ark, and thus proved the means of salvation to the unbelieving ones, who were shut in by God and with God (Gen. 7:16). In this sense it is true to say that the eight souls were saved by water (1 Pet. 3:20).

The ark is used in Scripture, not merely as a type of salvation through Christ, but also as a type of baptism (1 Pet. 3:21). The ark was immersed, as it were, in water, for there were waters beneath it, around it and above it (Gen. 7:11; 1 Cor. 10:2). Just as the material ark was not the source of blessing and salvation to its occupants, but rather God Himself, who responded to their faith in Him, expressed in their obedience to His commands, so also we know that baptism itself is not the means of salvation, but is simply the expression of faith on the part of the candidate.

Noah obeyed the Lord promptly, perfectly and patiently in regard to all that He had commanded (Gen. 7:5; Deut. 12:32). Urge the scholars to heed the invitation of the Saviour and flee to Christ, their refuge and their salvation.

#### DAILY BIBLE READINGS

- Jan. 29—"Noah (Only) Walked with God"  
1 Kings 19; 18; Rom. 11:4, 5;  
Matt. 7:13, 14; Lk. 12:32.
- Jan. 30—"The Earth was corrupt" ..... Rom. 3:9-19.
- Jan. 31—"And God said—I will destroy them"  
Matt. 24:37-39; Rev. 6:12-17.
- Feb. 1—"Come thou into the ark"  
2 Pet. 2:4-9; Acts 16:31-34.
- Feb. 2—"By faith Noah—"  
Heb. 11:7; Matt. 24:42-51;  
1 Thess. 5:1-11.
- Feb. 3—"Noah only remained alive." ..... 2 Cor. 5:17;  
Gal. 3:26, 27; Rom. 5:8, 9; 1 Thess. 1:10; 5:9.
- Feb. 4—"The Longsuffering of God"  
1 Pet. 3:18-22; 2 Pet. 3.

#### SUGGESTED HYMNS

The Lord's our Rock. Will your anchor hold? Come to the Saviour. Father, I stretch my hands to Thee. Master, the tempest is raging. Jesus Saviour, pilot me.

#### MONTHLY FRENCH GOSPEL SERVICE

The usual monthly Gospel service in the French language will be held next Sunday, January 28th, in Greenway Hall of Jarvis Street Church, at three o'clock in the afternoon. Once again we invite all who have French-speaking friends to bring them under the sound of the Gospel. Students and others interested in French are also welcome at all these services.