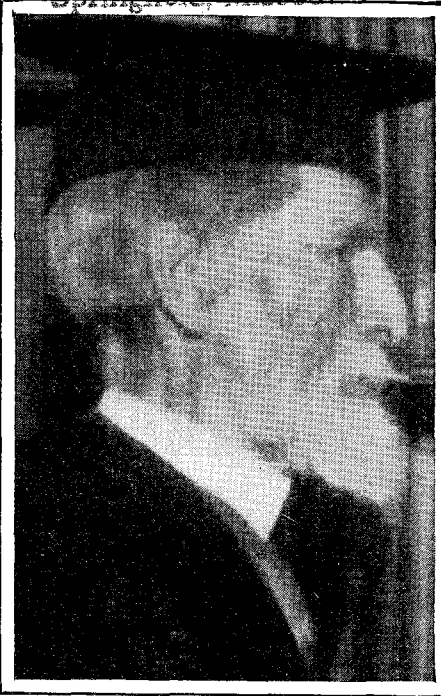


ing opinions on religious matters contrary to those established by some authority. Freedom of religion, even to the extent of freedom to doubt or disbelieve all religion, is now regarded as a fundamental right in every enlightened nation. Yet even in churches which owe their origin to a revolt against ecclesiastical authority the disposition of people in ecclesiastical positions to impose upon others doctrines which they deem to be official, or at least to drive out from their ecclesiastical organization all whom they regard as in non-conformity with such doctrines, has survived. We therefore have had from time to time the spectacle of heresy trials to establish the authority of the Church in churches that were founded to protest against the authority of the Church.

Such a heresy trial was that held in 1892 by the Cincinnati Presbytery of the Presbyterian Church, in which Dr. Henry Preserved Smith, of Lane Theological Seminary, was the accused. The charge against him was in substance, though not in form, that his views of the Bible did not accord with the views of those who happened to be in authority in the Presbyterian Church. He was convicted, his conviction being confirmed by the General Assembly, and he was suspended from the ministry of the Presbyterian Church until he renounced his "errors." Strangely, the result of this trial did not impair the confidence which others in the very Presbytery that tried him had in him. Six years afterwards *The Outlook* reported that he was treated in the Old World as if no charges had been made against him. About that time he was cordially welcomed into the Congregational body, was chosen as Professor of Biblical Literature in Amherst College, and, after a service of four years at the Meadville Theological School, was appointed chief librarian and professor in Union Theological Seminary, becoming librarian emeritus a year or two before his death.

Such is the uneventful history of a scholar who has greatly contributed to the knowledge and understanding of the Old Testament Scriptures. He was never reinstated in the Presbyterian ministry, never vindicated in any way by the Church which tried him. Yet the simple and irenic courage which enabled him both to refrain from any aggressiveness and to remain stalwart in defense of the liberty of the mind and the spirit has had its effect upon the Church that he served and all free churches. When he was driven from his post, on which his livelihood then depended, he had no way of knowing what the effect of his course would be. Of one thing, how-



Courtesy Charles Scribner's Sons

Henry Preserved Smith

ever, he made sure—his right to pursue the truth wherever he might find it. Today the charges brought against Dr. Smith in 1892 seem as antiquated as the costumes of that period.

In a small book of one hundred and thirty pages, with the title "The Heretic's Defense: A Footnote to History," recently published by Charles Scribner's Sons, Henry Preserved Smith recorded not long before his death the story of this experience of his which is, in epitome, the experience of a great number



Keystone

Alexander Feodorovitch Kerensky

of people of his own day and generation. It is a story that every religious teacher ought to read. It is a story that any layman who wants to understand his own times would do well to read.

Henry Preserved Smith has left two monuments: one, the scholarly studies he has made of the Bible; the other, a life history of faith and freedom.

## Kerensky and De Valera

TWO unsuccessful revolutionaries have landed in New York seeking funds in America—Alexander Kerensky, of Russia, and Eamon De Valera, of Ireland. The first is asking new aid to carry on a cause that was lost; the second desires to keep control of loans raised for a cause that was never won.

Kerensky was Premier of the Provisional Government which was established after the abdication of the Czar in 1917. In that trying post he displayed the characteristics of the indecisive liberal. He and his associates debated the proper basis for reorganizing the social life of Russia and distributing the land to the peasants, while the peasants themselves were tilling the land which they had already taken and the Bolsheviks were making the Soviets a fighting arm of Communism in order to seize power. Faced by the determined recklessness of Lenine, Kerensky faltered and finally fled.

For the past seven years he has been editing a newspaper, "Dni" (Days), published in Paris, in association with Vladimir Zenzinov, the eminent Russian sociologist and political economist. Both of them were leaders of the old Social Revolutionary Party in Russia, which bore the brunt of the long struggle against the Czars; and their paper has been the authentic voice of the political refugees of that party in western Europe. Catherine Breshkovsky, so affectionately known to millions of Americans as the "Grandmother of the Russian Revolution," belonged to the same party. She has sent to *The Outlook* an appeal on behalf of her friend and co-worker, Kerensky, for support for the paper which he has directed. In the course of her letter she says of "Days:"

"This paper won confidence not only abroad but in Russia itself, where a few copies entered clandestinely, and where the democratic newspaper acquired students and followers. The results were growing more and more encouraging, and the editor was besieged with requests for additional information, when the paper's financial resources became exhausted and the honest voice was in-

27 ноября 1980 г.  
Недавно мы привели  
цитату сегоднешнего  
выпуска "Труда" о  
том, что *горячий* про-  
шам бродит ботанический институт  
(«Труд», 13 ноября).  
Этот выдержки из рече работниче-  
ского в выделено «всех» ЦК

# Совѣщаніе начальников ГПУ

# РОССІЯ

## Скандал с Московским ГПУ

ЧЕКИСТЫ ; полною. Ты временем остальные 4 ч

The title (DNI) and topmost lines of Kerensky's paper, "Days "

terraptured. 'Days' had to suspend publication. But this incorruptible instrument must continue its work. . . . Ten years of extreme efforts, against continual impediments—they are so many in the lives of exiles!—have drained for the moment the resources of our newspaper. This compels me, with a sorrowful but hopeful heart, to appeal to you, free and generous American citizens, for help."

Although Kerensky himself failed, the cause which he represented was the cause of representative democratic government in Russia, with which all Americans can sympathize. Mme. Breshkovsky's letter is the best guaranty of the usefulness of the newspaper "Days," and Americans disposed to respond to her appeal may send contributions in care of Mrs. Simeon Strunsky, 307 West 104th Street, New York City.

The case of De Valera is a contrast to the case of Kerensky. He appears to be a type of the indecisive radical. In the midst of civil war in Ireland he refused to admit or accept the opportunity of establishing the Free State by a treaty with Great Britain. His own rebel associates, with as much courage and more common sense, took the chance and set up the autonomous Government which is now functioning beneficially in twenty-six counties of Ireland. From Irish men and women in America De Valera had raised a loan of millions for an "Irish Republic." He is here now to fight the Free State's claim to the remaining funds. Whatever may be the legal decision, it is safe to say that only a noisy minority of Irish irreconcilables and few others in America will sympathize with the endeavor of a balked extremist to continue to make trouble.

of at least two years' study in a college or its equivalent in collegiate work in addition to the present requirements, and that the applicant for a law student's certificate should, at the time of making his application, be compelled to submit to an examination as to his character, fitness, and qualifications to proceed with the study of the law."

To an ordinary layman like myself these do not seem to be exacting requirements for a body of men who, in a final analysis, have control over the welfare, happiness, and prosperity of the individual citizen, the community, and the State. For out of the body of practicing lawyers are created the legislature and the courts which control and regulate all other trades, professions, and activities of life. In a democracy the intelligent citizen can, by the exercise of his own will, escape the errors of a narrow-minded clergy, of ignorant quacks, or of unqualified schoolmen, but he cannot escape the meshes of a legal system which is tainted with stupidity, prejudice, or corruption.

The power of the law over the individual was never more wittily stated than in a saying of the Rev. Dr. Jowett, the great Greek scholar and Master of Balliol College, Oxford. At his dinner table a group of bishops and of Queen's counsel once fell into a discussion as to which exercises the greatest authority, a bishop or a judge. The lawyers urged the claims of the judge, because he can say "You be hanged!" No, argued the clergymen, a bishop is greater, because he can say "You be damned!" "Yes," commented Dr. Jowett, "but when a judge says you be hanged you *are* hanged."

Nobody would venture to deny, I suppose, that the Government of the United States, so far as its administration and structure is concerned, is a government of lawyers. The Constitution was chiefly written by lawyers, and it is interpreted and enforced by lawyers through the courts. In the enactment of

# A Layman Looks at the Courts

By LAWRENCE F. ABBOTT

**Contributing Editor of The Outlook**

**I**F a cat may look on a king, a layman, perhaps, may look at the courts—provided he does so respectfully. For the law is a jealous profession. It does not cheerfully tolerate criticisms or suggestions from the layman, taking refuge often in the highly technical character of codes, statutes, precedents, and rules of practice.

Fortunately, however, there are lawyers broad-minded and able enough to see that the administration of justice in this country is woefully in need of drastic reforms. The latest manifestation of uneasiness in the profession about its own character is found in a memorial argued before the Court of Appeals of the State of New York, the highest court in the State, asking that the requirements of admission to the bar be made more stringent. The memorial was presented by the New York City Bar Asso-

ciation and the New York County Lawyers Association.

The authors of the memorial assert that the number of men admitted to practice law in the State of New York is absurdly high and that their qualifications in character and intelligence are absurdly low. In the year 1926 more than four thousand applicants took the examinations and more than two thousand were admitted. One witness from the Department of Education testified that most of these applicants regard the law, not as a profession, but as a mere money-making trade or an avenue into politics; that they have the most meager elementary education, are usually lacking in a cultural or historical background, and are totally unfit in character to act as defenders of justice. The memorial pleads that "candidates for admission to the bar shall give evidence