



1940

Consolation

Magazine

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Appetizers

Panning the Nitwit

A country housewife in the north of England was busy with her washing when she found that she was short of a prop for her clothesline. Calling her husband, she ordered, "Gang away oot an' scrounge a clothes prop for me."

The husband went out and found one he thought suitable, but it had no fork at the top for holding the line, so he asked a neighbor to lend him a stepladder.

"A' want to get to th' top o' th' prop to cut a V in't," he explained.

His friend looked at him with disdain. "Ye are th' kind o' mon that gets some folks a name for bein' daft!" he grumbled. "What do ye want a stepladder for to cut a V in th' prop? Haven't ye th' sense to lean it against th' side o' th' hoose an' cut it with a saw oot o' th' bedroom window?"—*Knorr.*

Why Not?

A colored preacher had made a visit to another church of the same denomination, and was introduced by the regular preacher as follows: "Brothers and Sisters, the speaker for this afternoon is from the ——— colored congregation. While his skin's a different color from that of ours, I assure you his heart is as white as yours. Rev. ———." Sometime thereafter the time came for the white preacher to address the colored congregation, and was introduced by the colored minister with the words: "Breddern and Sistern: It affords me the extremest pleasur to introduce the speaker from ———, and I wants to explain that though his skin ain't the same color as the odders heah, his heart is as black as any of yourn."

The Fall Choir

The familiar song of the tiny cricket, which is less than an inch long, can be heard for a mile . . . the creature makes this sound, not by rubbing his legs together, as is commonly believed, but by rubbing his rough wings together over his head. . . . Only the male crickets are musical. . . . The females make no sound, and because the females have ears in their forelegs many believe the males are singing to their mates when they produce their strident notes.—*Kellygram.*

CONSOLATION

"And in His name shall the nations hope."—Matthew 12:21, A. R. V.

Volume XXI

Brooklyn, N. Y., Wednesday, May 29, 1940

Number 540

Freedom

RELATIVELY, which is of the greater importance, freedom of bodily action or freedom of conscience in the worship of Almighty God? The Dred Scott Case involved the former; the Compulsory Flag Saluting Case involves the latter.

The Dred Scott Case has long been famous in America. Dred was a Negro slave in the custody of Dr. Emerson, his master, in Missouri, where slavery was legal. Dred was taken to the State of Illinois, where slavery was illegal. He was afterwards returned to the State of Missouri and reclaimed by his original master. Francis P. Blair, Jr., a famous St. Louis, Missouri, lawyer, brought suit in behalf of Dred, claiming that by reason of his being taken to a free state Dred became a free

citizen and could not again be returned to slavery and treated as a slave. The case was before the courts for years. The adoption of the Fourteenth Amendment to the Constitution of the United States settled the matter.

Since the Dred Scott Case there has been no case of equal importance before the American courts until that of the Compulsory Flag Saluting Case originating in the Commonwealth of Pennsylvania. The style of the case there was *Gobitis vs. District School Board of Education of Minersville*.

The State delegated to the school board the power to make rules and to punish disobedience of such rules by expulsion.

Walter Gobitis, a native-born citizen of Pennsylvania, is the father of two children,



The Supreme Court of the United States

Left to right: Associate Justices Owen J. Roberts, William O. Douglas, James Clark McReynolds, Stanley F. Reed, Chief Justice Charles Evans Hughes, Associate Justices Felix Frankfurter, Harlan F. Stone, Frank Murphy and Hugo L. Black.—*Wide World Photos*.

Lillian and William, whom he sent to the public school in obedience to the law of Pennsylvania which compels attendance at public schools. Gobitis, a consecrated follower of Christ Jesus, had taught his children obedience to the Word of Jehovah God. Both the father and the minor children had consecrated themselves to God by entering into a covenant solemnly to be obedient to the will of Jehovah God. The School Board made and enforced a rule which required the children daily to indulge in a ceremony of saluting the American flag by going through certain fixed performances. The Gobitis children refused to indulge in such ceremony but stood silent, assigning as the reason therefor that they were in a covenant to do the will of God and for them to indulge in the religious ceremony of flag saluting was against their conscience and in direct violation of the law of Almighty God recorded as follows: "Thou shalt have no other gods before me. Thou shalt not make unto thee any graven image, or any likeness of any thing that is in heaven above, or that is in the earth beneath, or that is in the water under the earth: thou shalt not bow down thyself to them, nor serve them: for I the Lord thy God am a jealous God, visiting the iniquity of the fathers upon the children unto the third and fourth generation of them that hate me." (Exodus 20:3-5) For such act of insubordination in refusing to salute the flag they were expelled from school. The father, Walter Gobitis, instituted a suit against the board of education to compel the reinstatement of his minor children. The suit was begun in the United States District Court for the Eastern District of Pennsylvania. At the hearing of the case, the testimony, which was not disputed, showed that the children are in a covenant to do the will of Almighty God and conscientiously believe that their disobedience to His law as above quoted would result in their eternal destruction. Upon hearing all the evidence the District Court held that the rule of compulsory flag saluting is unconstitutional. An appeal was taken to the United States Circuit Court of Appeals, which latter court affirmed the judgment of the District Court. The School Board appealed to the Supreme Court of the United States. An array of celebrated lawyers appeared in the case, filing briefs in the Supreme Court of the United States. On behalf of the Pennsylvania School Board there appeared Joseph W. Henderson, John B. McGurl, Thomas F.

Mount, George M. Brodhead, Jr., of the Philadelphia, Pennsylvania, Bar.

In charge of the case for respondents (Gobitis and his children) were the following:

Joseph F. Rutherford, of the New York Bar;
Hayden C. Covington, of the San Antonio, Texas, Bar;

Harry M. McCaughey, of the Philadelphia Bar.

So important is this case regarded that the American Bar Association by resolution directed its Committee on the Bill of Rights to file a Brief as *Amicus Curiae*, and the following noted lawyers prepared and filed such Brief, to wit:

Douglas Arant (of the Alabama Bar); Zechariah Chafee, Jr. (of the Rhode Island Bar); Grenville Clark, Chairman (of the New York Bar); Osmer C. Fitts (of the Vermont Bar); Lloyd K. Garrison (of the Wisconsin Bar); George I. Haight (of the Illinois Bar); Monte M. Lemann (of the Louisiana Bar); Ross L. Malone, Jr. (of the New Mexico Bar); Burton W. Musser (of the Utah Bar); Joseph A. Padway (of the Wisconsin Bar); Charles P. Taft (of the Ohio Bar).

The American Civil Liberties Union also filed a Brief *Amicus Curiae* against the compulsory flag saluting, the lawyers acting in that behalf being, to wit:

George K. Gardner (of the Massachusetts Bar); Osmond K. Fraenkel (of the New York Bar); Jerome M. Britchev (of the New York Bar); Arthur Garfield Hays (of the New York Bar); William G. Fennell (of the New York Bar); Alexander H. Frey (of the Pennsylvania Bar).

Mr. Henderson on behalf of the appellants, the School Board, stressed the following points:

The resolution of the School Board requiring pupils to salute the flag was lawfully adopted, and the expulsion of the Gobitis children was within its power and authority.

The expulsion of the Gobitis children did not violate any right under the Constitution of the United States.

The expulsion of the Gobitis children did not violate any right under the Constitution of the Commonwealth of Pennsylvania.

The refusal of the Gobitis children to salute the national flag at school exercises because they believed to do so would violate the written law of Almighty God as con-

tained in the Bible was not founded on a religious belief.

The Brief on behalf of respondents (Gobitis and children) is so outstanding and compelling in favor of the free exercise of conscience and worship of Almighty God that *Consolation* quotes from it as follows:

Statement

WALTER GOBITIS and his two minor children, respondents herein, are native-born American citizens residing at Minersville, Pennsylvania; the two minor respondents attended the public school at Minersville, Pennsylvania.

In the year 1935 the Minersville School Board promulgated the following rule, to wit: "That the Superintendent of the Minersville Public Schools be required to demand that all teachers and pupils of said schools be required to salute the flag of our country as a part of the daily exercises. That refusal to salute the flag shall be regarded as an act of insubordination and shall be dealt with accordingly."

DAILY CEREMONY

Each day at the opening of the school exercises the teachers and pupils of said school perform a certain ceremony in the following manner, to wit: Standing, each one places the hand over the breast and then with the right hand outstretched toward the flag specific words are repeated: "I pledge allegiance to my flag and the Republic for which it stands, one nation indivisible, with liberty and justice for all." (R. 92)

The form of salute is very like that of the Nazi régime in Germany.

While this ceremony was being performed the two Gobitis children stood in respectful silence but declined to participate in the ceremony mentioned. Their reason for not participating in the ceremony of saluting the flag was and is that they conscientiously believe that by so doing they would violate the law of Almighty God, which infraction would in due time result in their loss of everlasting life. Their father had so taught them from infancy. (R. 51, 82, 83)

Walter Gobitis, the father, is a follower of Jesus Christ having made a solemn covenant to do the will of Almighty God. (R. 48, 49) He has taught his infant children to likewise follow Christ Jesus by being obedient to the law of Almighty God, as set forth in the Bible,

and they too had entered into a covenant to obey the law of Almighty God whose name alone is Jehovah. (R. 50, 82) The two minor respondents were always diligent to obey every rule of the school except the rule relating to the formal saluting of the flag as above stated. Respondents willingly and diligently obey all the laws of the state when such laws do not conflict with the law of Almighty God.

The minor respondents were expelled from the school, and hence denied the privilege of attending the public school. This suit at equity was brought by respondents to enjoin the School Board from enforcing the rule as to the two infant respondents. The United States District Court granted the relief prayed.

FINDINGS AND OPINION

At the request of plaintiffs (respondents here) the trial court entered of record findings of fact and conclusions of law of which the following is a part, to wit:

"That plaintiffs are members of an unincorporated association of Christian people designated as Jehovah's Witnesses; that each and every one of Jehovah's Witnesses has entered into an agreement or covenant with Jehovah God, wherein they have consecrated themselves to do His will and to obey His commandments; they accept the Bible as the Word of God, and conscientiously believe that a failure to obey the precepts and commandments laid down therein will in due time result in their eternal destruction. Plaintiffs and all of Jehovah's Witnesses sincerely and honestly believe that the act of saluting a flag contravenes the law of Almighty God in this, to wit:

"(a) To salute a flag would be a violation of the Divine commandments stated in verses 3, 4 and 5 of the twentieth chapter of Exodus of the Bible, which read as follows, to wit:

'Thou shalt have no other gods before me. Thou shalt not make unto thee any graven image, or any likeness of any thing that is in heaven above, or that is in the earth beneath, or that is in the water under the earth; thou shalt not bow down thyself to them, nor serve them . . . '

in that said salute signifies that the flag is an exalted emblem or image of the government and as such entitled to the respect, honor, devotion, obeisance and reverence of the saluter.

"(b) To salute a flag means in effect that the person saluting the flag ascribes salvation and protection to the thing or power which the flag stands for and represents, and that since the flag and the government which it symbolizes are of the world and not of Jehovah God, it is wrong to salute the flag, and to do so denies the supremacy of Almighty God, and contravenes His express command as set forth in Holy Writ.

"That the said Lillian Gobitis and William Gobitis did not and were conscientiously unable to salute the flag because their religious beliefs and manner of worship forbade such salute, and the giving of such salute was in contravention of and in conflict with the commands of Almighty God, as they sincerely believed.

"That the sole reason for the said expulsion and their subsequent inability to attend classes at the said school was the refusal by the said Lillian and William Gobitis to salute the flag as required by the regulation of the Board of Education hereinbefore referred to.

"That the acts and conduct of defendants in excluding the minor plaintiffs from the public schools of Minersville cannot be justified under the police power of the state in that the failure and refusal of said minor plaintiffs to salute the national flag in accordance with the provisions of said regulation could not and did not in any way prejudice or imperil the public safety, health or morals or the property or the personal rights of their fellow citizens."

The finding of the District Court was for plaintiffs; appeal was taken to the United States Court of Appeals for the Third Circuit, which court affirmed the judgment of the District Court. The opinion of the United States District Court for the Eastern District of Pennsylvania is reported at 24 F. Supp. 271 (R. p. 120).

The opinion of the United States Circuit Court of Appeals for the Third Circuit is reported in 108 F. (2) 683 (R. p. 182).

IDENTIFICATION

The opinion filed in the Appellate Court for the purpose of identifying respondents quotes (R. 161) from Professor Elmer T. Clark's book *The Small Sects in America*, p. 58, 59. Manifestly Professor Clark was not fully advised with reference to the group with whom respondents are associated. For that reason,

and that respondents may be properly identified, the following statement is made:

Jehovah's witnesses are not a sect, small or great. No man organized them. They have no human leader. They are a group of Christians who have covenanted to be obedient to the will of Almighty God, which requires them to give testimony to the name of Jehovah.

All persons who covenant to do the will of Almighty God, who do His will, and who worship and serve Him as commanded, are Jehovah's witnesses; and this is true without regard to denomination. Jehovah's witnesses are not a recently organized group.

The apostle Paul, one of Jehovah's witnesses, sets forth at Hebrews 11:1-40 the names and a brief history of a number of Jehovah's witnesses, showing that Jehovah's witnesses have been on the earth for more than fifty centuries and long before any sects were known. The prophecy of Almighty God recorded centuries ago, and addressed to all persons who are in a covenant with Him and who sincerely serve Him by declaring His name, says: "Ye are my witnesses, saith the Lord, that I am God."—Isaiah 43:10-12.

Christ Jesus is the Great Witness to the name and kingdom of Jehovah, the Almighty God. The Bible designates Him as "The Faithful and True Witness". (Revelation 1:5; Revelation 3:14) Before the Roman governor Jesus said that He came to earth to bear witness to the truth and that His followers must likewise be witnesses. (John 18:37; John 15:27) Recognizing the obligation upon all Christians or covenant people of God, the apostle Peter wrote that all such must follow in the footsteps of Christ Jesus, bearing witness to the truth. (1 Peter 2:21) Those who worship Jehovah God in spirit and in truth have committed to them the testimony concerning Jehovah, His name, and His kingdom, and hence all such are Jehovah's witnesses. (Revelation 12:17; Matthew 24:14) Such Christians are found in many denominations.

CHRISTIANITY means to be obedient to the law of Jehovah, the Almighty God. (Hebrews 10:7; Psalm 40:6-8) There is one Christianity. There are many religions practiced in defiance of God's law. The fundamental law of America declares that there shall be no discrimination between any of such nor any interference with regard to religion or with persons in their worship of Almighty God but that each shall worship according to the

dictates of his own conscience as long as the exercise of such right does not endanger public safety or infringe personal rights.

Respondents are sincere Christians, conscientiously endeavoring to obey Almighty God and to worship Him in spirit and in truth, as commanded by Him.

CONCEDED

It is conceded by the petitioners in the instant case:

(1) That respondents are sincere, conscientious and honest in their belief that they are witnesses of Jehovah God, and have covenanted to obey God, and that they believe that their refusal to obey God's commandments will result disastrously to them.

(2) That the flag of the United States is a symbol of the government. (R. 94)

(3) That the respondents sincerely, conscientiously and honestly believe that their participation in the ceremony of saluting the flag, as required by the regulation of the Minersville public school, would violate the law of Almighty God, as set forth in the Bible.

CONSTITUTIONAL QUESTIONS

FIRST: The rule promulgated and enforced by the Minersville School Board compelling respondents to participate in the ceremony of saluting the flag and the act of said School Board in expelling the minor respondents from said school, because of refraining from saluting the flag, are violative of the rights guaranteed to respondents by Article One, Section Three, of the Constitution of Pennsylvania, to wit:

"That the general, great and essential principles of liberty and free government may be recognized and unalterably established, we declare that . . .

"Sec. 3. All men have a natural and inalienable right to worship Almighty God according to the dictates of their own consciences; no man can of right be compelled to attend, erect or support any place of worship, or to maintain any ministry, against his consent; no human authority can, in any case whatever, control or interfere with the rights of conscience and no preference shall ever be given by law to any religious establishments or modes of worship."

SECOND: The rule made by petitioners' School Board compelling the minor respondents

to daily participate in the ceremony of saluting the flag, and enforced by expelling them from said school because of declining to salute the flag, violates the Fourteenth Amendment of the Constitution of the United States, to wit:

"No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law."

FOR ARGUMENT

POINT I

The vital question in the instant case is this: Shall the creature man be free to exercise his conscientious belief in God and his obedience to the law of Almighty God, the Creator, or shall the creature man be compelled to obey the law or rule of the State, which law of the State, as the creature conscientiously believes, is in direct conflict with the law of Almighty God?

In brief the issue may be stated thus:

The arbitrary totalitarian rule of the State versus full devotion and obedience to the THEOCRATIC GOVERNMENT or Kingdom of Jehovah God under Christ Jesus His anointed King.

This honorable court takes judicial notice that the Holy Bible is the authoritative Word or law of Almighty God, given for man's instruction in righteousness. (2 Timothy 3: 16, 17) The highest legal authorities have held that the law of God is supreme. (*Church v. United States*, 143 U. S. 457)

The law of God "is binding over all the globe, in all countries, at all times. No human laws are of any validity if contrary to this; and such of them as are valid derive all their force and all their authority, mediately or immediately, from the original." (*Blackstone Commentaries*, Chase 3d ed., pages 5-7)

"No external authority is to place itself between the finite being and the Infinite when the former is seeking to render homage that is due, and in a mode which commends itself to his conscience and judgment as being suitable for him to render, and acceptable to its object." (*Cooley's Constitutional Limitations*, 8th Ed., page 968)

The Commonwealth of Pennsylvania was established by men who recognized the su-

premacY of the law of Jehovah God. The preamble to that Constitution, and Section Three of Article One, definitely prove this point.

The original thirteen states of America unanimously adopted a Declaration, which we call the Declaration of Independence, and wherein are employed these words, to wit: "We hold these truths to be self-evident: that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness."

Liberty necessarily embraces the right of the individual to exercise his conscience and that without interference. Chief Justice Gibson in *Commonwealth v. Lesher*, 17 S. & R. 155, in discussing the right of conscience within the meaning of the Pennsylvania Constitution, amongst other things said, that the right of conscience is: "A right to worship the Supreme Being according to the dictates of the heart. To adopt any creed or hold any opinion whatever on the subject of religion; and to do or forbear to do any act for conscience' sake, the doing or forbearing (to do) of which is not prejudicial to the public weal."

Judge Maris, in delivering the opinion of the trial court in the instant case, said:

"In these words that eminent jurist [Justice Gibson] clearly stated the principle which underlies the Constitutional provision of the state, and which is one of the fundamental bases upon which our nation was founded, namely, that individuals have the right not only to entertain any religious belief but also to do or refrain from doing any act on conscientious grounds, which does not prejudice the safety, morals, property or personal rights of the people. . . .

"On the contrary, that regulation [of the School Board], although undoubtedly adopted from patriotic motives, appears to have become in this case a means for the persecution of children for conscience' sake. Our beloved flag, the emblem of religious liberty, apparently has been used as an instrument to impose a religious test as a condition of receiving the benefits of public education. And this has been done without any compelling necessity of public safety or welfare. . . . In these days when religious intolerance is again rearing its ugly head in other parts of the world it is of the utmost importance that the liberties guar-

anteed to our citizens by the fundamental law be preserved from all encroachment." (R. 18, 21, 22)

As an example, totalitarian governments, such as the Hitler régime, deny Jehovah God and Christ Jesus and adopt the religion of Hitler. In obedience thereto all citizens in Germany are required to salute and to "heil" Hitler, and thereby impute to him supreme rulership, protection, worship and salvation.

A rule which compels school children to daily participate in a formal ceremony, to wit, placing the hand over the heart, stretching forth the hand toward the flag and at the same time repeating words of reverence and devotion, thereby recognizing the State as the sovereign, higher or supreme power, and attributing to the State protection and salvation, is a form of religious worship. Enforcing such rule against pupils or children is thereby compelling them to adopt and practice a religion. Such rule is clearly in violation of Article One, Section Three, of the Constitution of Pennsylvania, and of the Fourteenth Amendment of the Constitution of the United States.

Compelling citizens to violate their conscience is one of the chief rules enforced by the Corporate or Totalitarian States. The corporate state is recognized and held as the superior or supreme power. It is called the "higher powers". In view of the tendency of the nations to return to the totalitarian rule, and therefore to adopt and practice religion in opposition to Jehovah God and His government, it is well and fitting to briefly review the history of compulsory religion, and which discloses a clear distinction between religion and the conscientious worship of Almighty God.

HISTORY

The first totalitarian government, which was organized shortly after the flood of Noah's day, adopted and practiced religion compelling men to defame the name of Almighty God. Nimrod, the ruler, set himself up as the higher or supreme power, above and before Almighty God. He compelled the people to recognize him as the state or sovereign ruler to be obeyed rather than Almighty God. His action was in defiance of Almighty God. (Genesis 10: 8-10) Thereafter other totalitarian governments were organized, ruling the people of their respective nations, and each of such adopted

and practiced a religion in defiance of Almighty God. Within those governments there were a few men who refused to bow down to or recognize any human power as supreme or above Almighty God; because of such refusal they suffered martyrdom. The Bible declares that such men were witnesses to the name of Almighty God, and hence are called JEHOVAH'S WITNESSES. Their names are set forth in the Scriptures in connection with their heroic deeds as examples for other witnesses to follow.—Hebrews 11:1-40; Hebrews 12:1, 2.

Jehovah God selected the descendants of Abraham and organized them as a people for His name to bear testimony to His name and kingdom. God led them out from the nation of Egypt, a corporate or arbitrary State, and led them into the land of Canaan, where demon religion and totalitarian rule also prevailed. God warned the Israelites to shun the practice of religion of that people of Canaan because it would be a snare unto them. (Deuteronomy 7:4, 16) The Israelites were the covenant and typical people of Jehovah God. (Exodus 19:5) God gave to them His law to safeguard them from idolatry, that is, from the worship of creatures. (Galatians 3:19) The law of God never changes. (Malachi 3:6) All persons who have entered into a covenant with Jehovah God are subject to the same law that applied to the Israelites.—1 Corinthians 10:11; Romans 15:4.

God's law, given to and which applies to all of His covenant people, states: "Thou shalt have no other gods before me. Thou shalt not make unto thee any graven image, or any likeness of any thing that is in heaven above, or that is in the earth beneath, or that is in the water under the earth; thou shalt not bow down thyself to them, nor serve them; for I the Lord thy God am a jealous God, visiting the iniquity of the fathers upon the children unto the third and fourth generation of them that hate me."—Exodus 20:3-5.

BASIS OF BELIEF

Petitioners, in support of the School Board rule, say: "While the members of Jehovah's witnesses may *mistakenly* believe that saluting the flag contravenes the law of God as set forth in the twentieth chapter of Exodus, it does not follow that such pupil's refusal to salute the flag is based on a religious belief."

This raises the question, What is a religious belief? Based upon the Bible the proper defi-

nition of religion is this: A formal ceremony of reverence, adoration, devotion, or praise, practiced or indulged in by human creatures and directed toward, or bestowed upon, a higher power, real or supposed, thereby attributing to such higher power sovereignty, protection and salvation, is a religion. When such ceremony ignores the specific commandment of Almighty God, that ceremony is idolatry.—Matthew 15:1-9; Acts 17:16-29; Revelation 19:10; Exodus 20:12; Isaiah 29:13; 44:8-10; John 4:23.

The foregoing Bible definition of religion is further supported by what follows: Paul, at one time a Pharisee and as such a practitioner of religion, said: "I am a Pharisee, [and] the son of a Pharisee." (Acts 23:6) When before King Agrippa he said: "After the most straitest sect of our religion I lived a Pharisee." (Acts 26:5) After Paul became a Christian and the apostle of Jesus Christ and one of Jehovah's witnesses, he wrote these words, to wit, recorded in the Bible at Galatians chapter one: "For ye have heard of my conversation in time past in the Jews' religion, how that beyond measure I persecuted the church of God, and wasted it; and profited in the Jews' religion above many my equals in mine own nation, being more exceedingly zealous of the traditions of my fathers." (Galatians 1:13, 14) Religion is taught by the traditions of men. Christianity is taught by Jesus Christ, based entirely upon the Bible, which is the Word of God.—Matthew 15:1-9.

A rule which compels school children daily to participate in a formal ceremony by placing the hand over the heart (which is the symbol of loving devotion) and then extending the hand in a salute to a flag, a symbol of the State, and at the same time repeating formal words by which the State is recognized as the "Higher Power" and thereby attributing to the State protection and salvation, is compelling those children to adopt and practice a religion. If such children are in a covenant with Jehovah God to obey His will, that formal ceremony or practice is compelling such children to practice a religion and idolatry contrary to the commandments of Almighty God, which Divine commandments such children conscientiously believe and rely upon.

This honorable court has repeatedly held that the individual alone is privileged to determine what he shall or shall not believe. The law, therefore, does not attempt to settle dif-

ferences of creeds and confessions, or to say that any point or doctrine is too absurd to be believed. That rule was laid down more than one hundred years ago by the Pennsylvania courts in *Schriber v. Rapp*, 5 Watts 351, 363, 30 AM, Dec. 327.

As early as 1784 a like question was before the House of Delegates of the State of Virginia. Mr. Jefferson prepared a Bill: "For establishing religious freedom." In the preamble of that Act religious freedom is defined and in which the following appears:

"That to suffer the civil magistrate to intrude his powers into the field of opinion, and to restrain the profession or propagation of principles on supposition of their ill tendency, is a dangerous fallacy which at once destroys all religious liberty, it is declared that it is time enough for the rightful purposes of civil government for its officers to interfere when principles break out into overt acts against peace and good order."

This honorable court in *Reynolds v. United States*, 68 U. S. 145 (162), adopted that rule as the law of this country.

Will any court attempt to say that respondents *mistakenly* believe what is set forth in the twentieth chapter of Exodus in the Bible? The belief of respondents is not based upon conjecture or a myth. Respondents' belief is based strictly upon the Bible. The minor respondents from their infancy have been taught by their father to rely upon the Bible. In the testimony of respondent Lillian Gobitis she quotes this text from the Bible: "Little children, keep yourselves from idols." (1 John 5: 21) (R. 83) These children testified that they had covenanted to do God's will. A person who is in a covenant to obey the commandments of Almighty God, and who stubbornly refuses to obey, is declared guilty of idolatry. (1 Samuel 15: 22, 23) Respondents conscientiously believe these statements thus made in the Word of God, and they rely upon them as their guide.

THE FLAG

Is the saluting of the flag of any earthly government by a person who is in a covenant to do the will of God a form of religion, and which constitutes idolatry?

In *Halter v. Nebraska*, 205 U. S. 36-41, this honorable court held that the flag "is an emblem of sovereignty".

To many persons the saluting of a national flag means nothing. To a sincere person who believes in God and the Bible as His Word, and who is in a covenant to do His will, it means much. To such person "sovereignty" means the supreme authority or power. Many persons believe that "the higher powers", mentioned in the Bible at Romans thirteen, means the Sovereign State, but to the Christian this means only Jehovah God and Christ Jesus, His anointed King, The Higher Powers, to which all must be subject.

Concerning the flag *The Encyclopedia Americana*, Volume 11, page 316, says:

"The flag, like the cross, is sacred. . . . The rules and regulations relative to human attitude toward national standards use strong, expressive words, as, 'Service to the Flag,' . . . 'Reverence for the Flag,' 'Devotion to the Flag.'"

Webster's *International Dictionary* defines the words above used as follows:

"SACRED, set apart by solemn religious ceremony."

"DEVOTION, a form of prayer or worship."

"REVERENCE, veneration, expressing reverent feeling, worship."

"SALUTE means to greet with a kiss, to bow and courtesy, the uncovering of the head, a clasp or wave of the hand or the like . . . to honor formally or with ceremonious recognition." (*Century Dictionary*, page 5321)

"To GREET with a sign or welcome, love or deference, as a bow and embrace, or a wave of the hand." (Webster)

It is conceded that the flag is a symbol of the State, an image which represents the State.

Under the word "image" this definition is given by Webster's Dictionary: "Image, in modern usage, commonly suggests religious veneration."

According to the Bible: "Bow down to a symbol or image" includes all postures or attitudes toward the image. Even a kiss. (See 1 Kings 19: 18; Hosea 13: 2; Job 31: 25-27.)

Any token of reverence is a bowing down to. (See Webster's *International Dictionary* under the word *bow*.)

It appears from the recognized lexicographers that saluting the flag is a religious formalism. According to the Bible there cannot be the slightest doubt about it, because by such salute there is bestowed upon the image or thing, reverence, devotion, and a form of prayer or worship, and which thing or image

or that which it represents is regarded as sacred.

Respondents sincerely believe the Word of God and conscientiously believe that saluting a flag is a violation of His law. Any willful disobedience to the divine law to *them* means complete or eternal destruction. "For Moses truly said unto the fathers, A prophet shall the Lord your God raise up unto you of your brethren, like unto me; him shall ye hear in all things, whatsoever he shall say unto you. And it shall come to pass, that every soul, which will not hear that prophet, shall be destroyed from among the people."—Acts 3:22, 23.

DIVINE PRECEDENTS

The conclusion or belief of respondents is not *their* interpretation of God's law. Jehovah God interprets His own law and records the meaning thereof. If they believe the Bible they cannot "mistakenly believe" that saluting a flag is religious. Relative to idolatry the following precedents are cited from the Bible, showing that respondents have a clear basis for their belief and action.

The totalitarian ruler of the empire of Persia promulgated a rule that all persons of the realm must bow down to Haman, Mordecai, a Jew, and one of the covenant people of God's typical nation (and therefore one of Jehovah's witnesses), refused to bow down to Haman, as it is written: 'Mordecai bowed not, nor did he reverence to Haman.' Because of his disobedience to the totalitarian ruler's command, preparation was made to hang Mordecai. Because of Mordecai's faithful devotion to Jehovah God he was saved from death.—Esther, chapters 3, 4, and 5.

Another divine example is that recorded in the prophecy of the third chapter of Daniel. The totalitarian ruler of Babylon made an image and set it up and issued a decree that at a given signal all persons should bow down to that image. Three Hebrews of the covenant people of God, held in bondage within the realm of Babylon, refused to bow down, preferring to obey the law of Almighty God, as recorded in Exodus the twentieth chapter, and take the consequences. For such refusal to bow they were cast into the fiery furnace with the intent to destroy them. Because of their faithfulness to Jehovah God He delivered them from that fiery furnace. They were therefore witnesses to Jehovah, bearing testimony to the supremacy of His name and to His power.

The Jewish nation was in a covenant to do

the will of Jehovah God. They were His typical people. Zedekiah the king of that nation broke his covenant, made himself an arbitrary ruler, turned to idolatry by practicing religion of the heathen nations, led most of the people of Israel into idolatry, and for that reason the nation fell: "And they served their idols; which were a snare unto them."—Psalm 106:36; Ezekiel 21:26, 27.

Respondents are in a covenant to do the will of God and they sincerely and conscientiously believe that if they break that covenant they must suffer complete loss of life. Neither the government of Pennsylvania, nor the United States, or any other earthly government, can give life to man. Jehovah God is the fountain of life. (Psalm 36:9) 'Salvation belongeth to God alone.' (Psalm 3:8) Respondents thus sincerely believing have no alternative. If they would live they must obey God, because disobeying means their destruction. They are therefore commanded not to fear what man may do to them. To all covenant people the commandment is given: "And fear not them which kill the body, but are not able to kill the soul; but rather fear him which is also able to destroy both soul and body in hell."—Matthew 10:28.

Early settlers of America fled to this land because of arbitrary and oppressive rule, the enforcement of which violated their conscientious belief and God-given rights. The founders of the Commonwealth of Pennsylvania were of such and therefore were Jehovah's witnesses. This matter is well covered in the opinion of Judge Clark, in the instant case. (R. 176)

"The constitutional guaranty of religious liberty covers above all the two cardinal points of worship and doctrine, the two forms in which the uncontrollable facts of faith and opinion find their principal outward expression; it includes secondarily also customs, practices and ceremonies, which even where they do not form directly a part of worship, are prescribed by religion."

Freund, *Police Power*, p. 497.

The rule of the Minersville School Board promulgated and enforced in the instant case is a form of religion, and hence violative of the Constitution of Pennsylvania and of the Fourteenth Amendment of the Constitution of the United States. It denies the free exercise of conscience.

From Nimrod till now all totalitarian rulers have put the State above or before Almighty

God. They have operated and ruled in defiance of Jehovah God's supreme law. Such nations in their order, and in the march of time, have perished.

In recent years the totalitarian method of rule has again raised its head with blighting results. In many of the European states the liberties of the people are gone. The policy of saluting flags and "heiling" men is a movement to compel the people to recognize the State as before or superior to Almighty God.

If a person desires to salute the flag or to "heil" men, that is HIS privilege and no human power can properly interfere with his so doing. But there is a VAST DIFFERENCE between such a person and the one who has made a solemn covenant to be obedient to Almighty God, the breaking of which covenant is IDOLATRY. Respondents are in a covenant to be obedient to Almighty God; and this is conceded. They are conscientious in their belief and practice. That is conceded. In all good conscience they render obedience to the laws of the state, when such laws do not violate God's law. They fully recognize and believe that one who voluntarily breaks his covenant with Jehovah will suffer everlasting destruction.

Appropriate hereto is the language of Judge Maris in the trial court:

"In these days, when religious intolerance is again rearing its ugly head in other parts of the world, it is of the utmost importance that the liberties guaranteed to our citizens by the fundamental law be preserved from all encroachment."

It is not the prerogative of any court to decide what a man shall or shall not conscientiously believe. Any contrary rule would destroy the liberty of conscience. It is the duty of the law-making bodies to stand by and fully support the Constitution, instead of trying to destroy what the Constitution guarantees.

CRUEL EXPERIMENT

The modern-day compulsory flag saluting as a daily exercise or ceremony in the public schools is clearly an experiment. The nation has existed for more than a century without any such enforced rule or even the thought thereof. To expel little children from school, and deny them the opportunity of an education because they refuse to violate their conscience, is wrong and is cruel and unusual punishment. "No cruel experiment on any

living creature shall be permitted in any public school of this Commonwealth."

24 Purdon's Pa. Stat. Ann. Sec. 1554

Well has Judge Clark, in the instant case, said,

"Compulsory flag saluting is designed to better secure the state by inculcating in its youthful citizens a love of country that will incline their hearts and minds to its more willing defense. That particular compulsion happens to be abhorrent to the particular love of God of the little girl and boy now seeking our protection. One conception or the other must yield. Which is required by our Constitution? We think the material and not the spiritual. Compulsion rather than protection should be sparingly exercised. Harm usually comes from doing rather than leaving undone, and refraining is generally not sacrilege. We do not find the essential relationship between infant patriotism and the martial spirit."

TOTALITARIAN ZEAL

Why this modern burning zeal compelling the saluting of flags and "heiling" of men? It is a movement in support of Satan's original challenge to Jehovah God that he, Satan, could turn all men against God. (Job 2:5) The Hitler totalitarian régime denounces Jehovah God, snatches children from their parents who worship Jehovah God; imprisons or kills the parents who persist in obeying Almighty God. The flag saluting rule by school children, adopted and enforced in the States of Pennsylvania, New Jersey and Massachusetts, are leading in that same direction. Children have been expelled from schools, taken away from their parents, and committed to reform schools, and thus the sanctity of the home broken up. Such is cruelty heaped upon citizens without any just cause or excuse. (See Appendix A and B.)

Mr. Justice Brandeis, in the *Olmstead* case (*Olmstead v. United States*, 277 U. S. 479), appropriate to this point stated: "The greatest dangers to liberty lurk in insidious encroachment by men of zeal, well meaning, but without understanding."

In the case of *Associated Press v. N. L. R. B.*, 301 U. S. 103, 141, 57 S. Ct. 650, 659, the following pertinent statement is made by Mr. Justice Sutherland: "Do the people of this land—in the providence of God, favored, as they sometimes boast, above all others in the

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plenitude of their liberties—desire to preserve those so carefully protected by the First Amendment: liberty of religious worship. . . . ? If so let them withstand all *beginnings* of encroachment. For the saddest epitaph which can be carved in memory of a vanished liberty is that it was lost because its possessors failed to stretch forth a saving hand while yet there was time.”

GOD OR STATE

Since the day of Christ on the earth some nations have put God above the State. Authors of the Constitution of Pennsylvania and of the United States were in that class. Modern-day compulsory flag saluting is a retrograde movement to return to the totalitarian rule and to put the State above Jehovah God and ultimately to turn the nations and the people against Jehovah God.

More than fifty centuries ago God gave His Word that He will set up His kingdom, the THEOCRATIC GOVERNMENT through which all blessings shall come to humankind. (Genesis 22:18-22) He is certain to make good that promise. (Isaiah 46:11; Isaiah 55:11) God's Kingdom must be set up sometime. The physical facts in the light of His sure Word of prophecy strongly indicate that such time is at hand. Totalitarian rulers, of which Nimrod, Stalin and Hitler are examples, openly oppose the THEOCRATIC GOVERNMENT under Christ. All opposers to the THEOCRATIC GOVERNMENT Jehovah God denounces as wicked, and concerning which he says: “The Lord preserveth all them that love him; but all the wicked will he destroy.”—Psalm 145:20.

By the decision of this honorable court in *Church v. United States*, supra, “this is a Christian nation”; which is an acknowledgment that the nation puts Almighty God above the State, and recognizes God's law as supreme. The Constitution of Pennsylvania likewise recognizes God as supreme and guarantees liberty of conscience and liberty of worship to every person. The law of compulsory flag saluting, as applied to persons who are in a covenant to do the will of God, such as respondents in the instant case, takes away the liberty of conscience and liberty to worship. Such law carried to its finality leads the nation to forget God and to return to the totalitarian rule. Concerning this very thing Jehovah God, the Supreme One, gives warning in these words: “The wicked shall be turned into

hell, and all the nations that forget God.”—Psalm 9:17.

In this day ambitious men put the State above Jehovah God, conspire against the Kingdom of God under Christ, and deny His supremacy. In that they are very unwise. Concerning such conspirators Jehovah God says: “He that sitteth in the heavens shall laugh; the Lord shall have them in derision. Then shall he speak unto them in his wrath, and vex them in his sore displeasure.”—Psalm 2:4, 5.

In this connection, and concerning Christ Jesus, the Head of His Kingdom, God further says: “Yet have I set my king upon my holy hill of Zion. . . . Ask of me, and I shall give thee the nations for thine inheritance, and the uttermost parts of the earth for thy possession. Thou shalt break them with a rod of iron; thou shalt dash them in pieces like a potter's vessel.” (Psalm 2:6, 8, 9) Then to the rulers of the nations, and particularly to those nations that claim to be Christian, Jehovah says: “Be wise now, therefore, O ye kings; be instructed, ye judges of the earth. Serve the Lord with fear, and rejoice with trembling. Kiss [salute, worship] the Son [Christ Jesus, the Theocratic King], lest he be angry, and ye perish from the way, when his wrath is kindled but a little. Blessed are all they that put their trust in him.”—Psalm 2:10-12.

POINT II

The rule made and enforced by petitioners compelling children and teachers to indulge in a ceremony of saluting the flag, is violative of the Fourteenth Amendment of the Constitution of the United States of America, to wit: “No State shall make or enforce any law which shall abridge the privileges or immunities of the citizens of the United States, nor shall any State deprive any person of life, liberty or property, without due process of law.” That rule certainly abridges the privileges of the respondents and deprives them of liberty and property without due process of law.

Walter Gobitis testified that he had taught his children from infancy to believe the Bible, and to obey God's commandments. The divine law commands that all persons in a covenant with Jehovah God must teach the law of Jehovah God to their children, as it is written: “And what nation is there so great, that hath statutes and judgments so righteous as all this law, which I set before you this day? Only take heed to thyself, and keep thy soul dili-

gently, lest thou forget the things which thine eyes have seen, and lest they depart from thy heart all the days of thy life; but teach them thy sons, and thy sons' sons." (Deuteronomy 4: 8, 9) Again, it is written in the Word of Almighty God: "And, ye fathers, provoke not your children to wrath; but bring them up in the nurture and admonition of the Lord." (Ephesians 6: 4) To the children God gives this commandment: "Honour thy father and thy mother."—Exodus 20: 12.

Appropriate to the divine rule above announced this honorable court in the case of *Meyer v. Nebraska*, 262 U. S. 390, in considering the liberty guaranteed to the citizen said:

"While this Court has not attempted to define with exactness the liberty thus guaranteed, the term has received much consideration and some of the included things have been definitely stated. Without doubt, it denotes not merely freedom from bodily restraint but also the right of the individual to contract, to engage in any of the common occupations of life, to acquire useful knowledge, to marry, to establish a home and bring up children, to worship God according to the dictates of his own conscience, and generally to enjoy those privileges long recognized at common law as essential to the orderly pursuit of happiness by free men. . . .

"The established doctrine is that this liberty may not be interfered with, under the guise of protecting the public interest, by legislative action which is arbitrary or without reasonable relation to some purpose within the competency of the State to effect. . . .

"Corresponding to the right of control, it is the natural duty of the parent to give his children education suitable to their station in life; and nearly all the States, including Nebraska, enforce this obligation by compulsory laws."

Respondent Walter Gobitis has given heed to the Divine law and he has taught his minor children, Lillian and William, to be obedient to the Divine commandments. The Minersville School Board, by the rule promulgated and enforced, compels the father Walter Gobitis to refrain from teaching his children to be obedient to the Divine law, or otherwise to deny his children the right to have an education in the public schools. Thus respondents

are deprived of their liberty and property without due process of law.

In the case of *Pierce v. Society of Sisters*, 268 U. S. 510, this Court said:

"Under the doctrine of *Meyer v. Nebraska*, 262 U. S. 390, we think it entirely plain that the Act of 1922 unreasonably interferes with the liberty of parents and guardians to direct the upbringing and education of children under their control. As often heretofore pointed out, rights guaranteed by the Constitution may not be abridged by legislation which has no reasonable relation to some purpose within the competency of the State. The fundamental theory of liberty upon which all governments in this Union repose excludes any general power of the State to standardize its children . . . the child is not the mere creature of the State; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations." (Pages 534-535)

LOYALTY

Should not all citizens be loyal to the country in which they live? Emphatically yes. Jesus stated the correct rule, to wit: "Render to Caesar the things that are Caesar's, and to God the things that are God's." (Mark 12: 17) Caesar was the totalitarian, arbitrary ruler representing the government of Rome. He stood for the State. The Lord Jesus declared that everything to which the State was entitled, such as payment of taxes, should be rendered unto the State. He then added that everything to which God is entitled should be rendered unto God. Clearly that means that God is supreme, that His law is above the law of the State, and that laws of the State that are in harmony with God's law should be readily obeyed. Respondents follow that rule. They are diligent to obey every law of the State not in conflict with the law of Almighty God. Any rule or law enacted in the State of Pennsylvania that is contrary to God's law is void.

FALSE PATRIOTISM OR RIGHTEOUSNESS?

Petitioners claim that the purpose of saluting the flag is to "Instil in the children patriotism and love of country." But why limit that compulsory rule to teachers and pupils of the public schools? Why not require that same ceremony in all the schools? Why not

apply the same rule to all officials of the Nation and State, from the President and the members of Congress down to the very least and humblest citizen? The general answer would be that the enforcement of such a rule is ridiculous and nonsensical. The opinion of the United States Circuit Court of Appeals (R. 157) quotes appropriately the following:

"Another form that false patriotism frequently takes is so-called 'Flag-worship'—blind and excessive adulation of the Flag as an emblem or image,—superpunctiliousness and meticulousness in displaying and saluting the Flag—without intelligent and sincere understanding and appreciation of the ideals and institutions it symbolizes. This, of course, is but a form of idolatry—a sort of 'glorified idolatry', so to speak. When patriotism assumes this form it is nonsensical and makes the 'patriot' ridiculous."

Chap. 14, "Patriotism of the Flag," Moss, *The Flag of the United States, Its History and Symbolism*, pp. 85-86.

Summary

Respondents herein are God-fearing, conscientiously endeavoring to obey the law of Almighty God. The minor respondents, by the law of Pennsylvania, are required to attend a public school.

The Minersville School Board rule would compel respondents to violate their conscience and to violate their understanding of God's law by indulging in the religious ceremony of saluting the flag.

Because of that refusal the minor respondents are punished by being expelled from school, and thereby denied the privilege of a public-school education and denied an opportunity of obeying the law concerning attendance at public schools.

The father of these minor children is thereby deprived of his liberty and property without due process of law.

God-fearing men of Pennsylvania who wrote the Bill of Rights of that Commonwealth said: "We, the people of the Commonwealth of Pennsylvania, grateful to Almighty God for the blessings of civil and religious liberty, and humbly invoking His guidance, do ordain and publish this Constitution." Thus those faithful men bore testimony to the name of Jehovah God, and therefore were **JEHOVAH'S WITNESSES**.

Compare their words of sincere and conscientious devotion to Jehovah God with the words of the modern-day Pennsylvania legislators and school boards, who say that school teachers and children must daily perform a religious ceremony of saluting the flag or suffer punishment for declining to do so.

It is therefore easy to see that the great issue here is **THE CORPORATE STATE** versus **ALMIGHTY GOD**. Shall America uphold the principles of liberty of conscience and freedom of worship of Almighty God as guaranteed by the Constitution of Pennsylvania and of the United States, or shall the nation now turn its back upon these constitutional guarantees and follow the totalitarian rule of putting the State above Almighty God?

THE STATE VS. GOD, which is the precise issue to be determined in the instant case, has never before been presented to this honorable court.

The cases involving compulsory flag saluting, decided by the State courts, have made no distinction between persons in general and those persons who are in a covenant to do the will of Almighty God. The State courts that have upheld the rule of compulsory saluting of the flag have elected to determine what is the proper interpretation of the Scriptures, and assuming that responsibility they have said: "The act of saluting the flag of the United States is by no stretch of imagination a religious rite."* In thus attempting to interpret the Scriptures the State courts have exceeded their authority.

It is not the prerogative of any human power or authority to interpret the Scriptures. It is written, in 2 Peter 1:20, that 'no scripture is of private interpretation'. God alone interprets the Scriptures, and those who are able to read, and who believe the Bible, are governed by what it says. Counsel for petitioners insist that respondents have "mistakenly interpreted the Scriptures". In answer to that we say that respondents have made NO ATTEMPT to interpret the Scriptures. They sincerely and conscientiously believe what is stated in God's Word.

Almighty God says concerning images and symbols: "Thou shalt not bow down to them."

* *Nichols v. Lynn*, 7 N.E. (2) 577, 580; *People v. Sandstrom*, 279 N.Y. 523, 529-30; 18 N.E. (2) 840, 842; *Leoles v. Landers*, 184 Ga. 585; 192 S.E. 218, 222; *Hering v. State Board*, 117 N.J.L. 455; 189 Atl. 629; *Gabrielli v. Knickerbocker*, 12 Cal. (2) 85; 82 Pac. (2) 391.

That commandment is not subject to interpretation by human creatures, be they judges of courts or religious experts. No doubt is left in the mind as to what is the meaning of those words, because God himself has given the plain interpretation thereof.

The sole question, therefore, is: Does the individual sincerely and conscientiously believe what God has said? And if so, then that individual alone has the right, under the Constitution, to choose to obey his conscience, based upon the Scriptures and instructed by the Scriptures.

Men who are NOT in a covenant to do the will of God do attempt to interpret the Scriptures; but not so with God's covenant people. For the purpose of guiding men who desire to follow in righteousness the Lord God has caused to be recorded numerous instances in the Bible specifically interpreting the meaning of Exodus 20:2-5. In reply to what the State courts and counsel for petitioners say about "mistaken interpretation" we refer to the following divine interpretation:

THE STATE required everyone to salute or bow down to Haman. Mordecai, a man in a covenant with God, refused to obey that order. Preparation was made to hang Mordecai. Because of his faithful obedience to his covenant with Almighty God Jehovah saved him from the gallows.—Esther chapters 3, 4, 5.

THE STATE, at the instance of all the political officials, made a law that no man be permitted to present a petition (prayer) to any one save the king. That rule prohibited Daniel, a covenant man of God, from praying to Almighty God. Daniel refused to obey that rule, but publicly bowed down and prayed to Jehovah God. For his offense against the State he was cast into a den of lions. Because of Daniel's faithfulness to his covenant the Almighty God Jehovah sent his angels from heaven who delivered him from the lions, unscathed and unhurt. (Daniel chapter 6)

THE STATE made a law that every man, at a given signal, should bow down to a certain image. Meshach, Shadrach and Abednego, they being of the covenant people of God, refused to bow down, choosing to obey God rather than THE STATE. For their offense they were cast into a red-hot furnace. Because of their faithfulness to Almighty God and their covenant God delivered them from the furnace unsinged. (Daniel chapter 3) They did not need to interpret the Scriptures.

They only needed to obey. They trusted in the supreme power of the Almighty.

The prophet Jeremiah stood before THE STATE charged with treason because he had delivered God's message of warning to the rulers. His lifeblood was demanded. He remained faithful and true to God, reminding his accusers that if he was put to death his innocent blood would be upon their heads. Because of his continued faithfulness Almighty God saved him from death.

Another prophet, Urijah, also stood before the same authority charged with a like offense, and his lifeblood was demanded. He became fearful and fled, failing to trust in Jehovah God. He was apprehended and put to death. (Jeremiah chapter 26)

Why are these things recorded in the Bible? God caused these instances to be recorded for the guidance of His covenant people until the world shall end; and concerning this it is written in the Scriptures: "Now all these things happened unto them for ensamples; and they are written for our admonition, upon whom the ends of the world are come." (1 Corinthians 10:11) "For whatsoever things were written aforetime were written for our learning, that we through patience and comfort of the scriptures might have hope." (Romans 15:4) These words need no human interpretation.

Paul, at one time a member of the Supreme Court at Jerusalem, according to his own testimony, practiced a religion that led him to persecute the followers of Christ Jesus. (Acts 9:1-22; Galatians 1:1-16) Paul became a Christian and therefore suffered much persecution because of his faithful devotion to the Lord, and proved himself a faithful witness of Jehovah. Under inspiration from the Lord he recorded at the eleventh chapter of Hebrews a long list of faithful men who had covenanted to do the will of God, and who suffered because of their faithful obedience to that covenant. All of those men refused to obey the law of the State that violated God's law recorded at Exodus twenty. This they did conscientiously. All of those men received the approval of Almighty God because of their faithfulness. Recounting their sufferings it is written in the Scriptures concerning them: "Of whom the world was not worthy." All of these received a good report through faith. They had God's approval, and thus God interpreted Exodus 20:3-5. (Hebrews 11th chapter)

Attention is called to these instances recorded in the Bible for the purpose of showing that respondents have made no attempt to interpret the Scriptures, but have followed the lead of the faithful men of God who have gone before. They are conscientious and are faithful and diligent to obey Almighty God. Only the STATE COURTS HAVE ATTEMPTED TO INTERPRET THE SCRIPTURES IN THIS MATTER, which according to the fundamental law of the state and the supreme law of Almighty God THEY HAVE NO RIGHT TO DO.

The covenant people of Almighty God have pledged their lives to Him. All such who remain faithful to their covenant are properly designated Jehovah's witnesses. A violation of that covenant means to them loss of everything. Therefore they have no alternative. They must obey God. If the STATE and its courts insist upon interpreting God's Word and inflicting punishment upon those who conscientiously continue to obey God's law, then THE STATE must bear the responsibility before Almighty God. For the covenant people to obey Almighty God means to them everlasting life. They desire to live, regardless of the suffering it may cost them. This rule is not limited to any sect. It applies to all who have made a covenant with Almighty God whether that person be Catholic, Protestant, Jew or Gentile, bond or free.

Jehovah's witnesses are here asking only that they may be permitted to enjoy the liberty and freedom granted to all by the fundamental law of the land. All persons who are sincere in their obedience to Almighty God trust Him implicitly as to the result. Confidently we ask this Court to affirm the decision of the District Court and the Circuit Court of Appeals.

APPENDIX A

COMPULSORY FLAG SALUTING AND ITS RESULTS

Expulsions from the Public Schools

Children have been denied the right to attend public schools in the following states:

California	Massachusetts	Oklahoma
Florida	New Jersey	Pennsylvania
Georgia	New York	Texas
Maryland	Ohio	Washington*

* Many other states now join the list. See U.S. C. C. A. opinion, *Minersville, etc., v. Gobitis*, 108 F. (2) 683, first sentence (R. p. 155).

MAY 29, 1940

Additional Punishments Inflicted on Children and Parents

Nemacolin, Pa. JOHN KUROLA, age 14. Father arrested and fined on truancy charge, to wit, for failure to send his child to school after he had been expelled from school. The father had sent the boy regularly to school for quite a period of time, but each day the boy would be sent home.

Grindstone, Pa. STANLEY BRACHNA, age 12. Was knocked around by teacher; thrown against a desk; hit; teacher tried to force him to salute by holding up his hand.

Nemacolin, Pa. LOUIS WILKOVICH, age 11. Whipped and sent home from school. Parents arrested under the truancy law.

Nemacolin, Pa. MIKE KOROLY, age 9. Whipped. Tried to force him to salute.

Royal, Pa. CATHERINE KURNAVA, age 8. Tried to force her to salute.

New Ringgold, Pa. PAUL JONES, age 10. Punished by teacher. Had to stand for the entire day.

Canonsburg, Pa. ANNA PRINOS, age 13. Whipped and choked by principal. Sent home with great welts on back from beatings. No Canonsburg doctor would testify in court as to her condition. Pittsburgh physician had to be secured. Action brought against the teacher, but under Pennsylvania law malice must be proved, and apparently teacher is not considered malicious, no matter how hard the rod is applied.

Canonsburg, Pa. PAULINE PRINOS, age 12. Whipped. Threatened by principal with being sent to reform school.

Canonsburg, Pa. RUTH GEORGE, age 13. Beaten and taunted by principal. Needed medical aid. Called "anarchist" by teacher.

Canonsburg, Pa. TIMOTHY GEORGE, age 11. Beaten by teacher. Carried marks of the beating for a week. Threatened with incarceration in reform school. Child's health was upset so he could not eat and became hysterical.

Secaucus, N. J. JOHN and ELLA HERING. These parents were charged under the truancy law with failure to send children to school after they had been expelled. Proof given in court that the children were receiving equivalent education in a private school. Nevertheless parents were each fined five dollars.

Atlanta, Ga. GEORGE LEOLIS. His daughter Dorothy was expelled from school. His place of business was boycotted and picketed by the Ku Klux Klan. He was hounded by newspapers and various organizations until his business was ruined; threatened with deportation.

Bondsville, Mass. IGNACE OPIELOUSKI. His three children were sentenced to county reform school for failure to salute the flag. Cases were nolle prossed by district attorney when appealed. Father was fined forty dollars for failure to send them to school. Children now in school, but, nevertheless, the fine was affirmed by the Superior Court on appeal.

Chicago, Ill. MARY SCHLORCHETKA. Fined \$200 or given six months in jail for refusal to salute the flag at the command of an irate judge in court. Sentence reversed by the Appellate Court.

New Weston, Ohio. JONAS E. JENKINS. His business was boycotted; his children were threatened with

incarceration by juvenile officials; had to move to another community.

Ansonia, Ohio. Several children slapped, taunted, and insulted in school.

TEACHERS DISCHARGED

Canonsburg, Pa. GRACE ESTEP.

Henry Clay Township, Pa. IRA BIRD.

Lynn, Mass. CORA M. FOSTER.

Quincy, Mass. ELIZABETH M. GRAHAM.

MONESSEN, PA.

Jehovah's witnesses established a private school in this town; rented a building, and put a teacher in charge. Eighteen pupils attend. Mayor James C. Gold, of Monessen, decided it was a "communist" school. Had the chief of police padlock it, and held the teacher incommunicado two days. Took as evidence of its "communist" character one song book, a Bible, two small United States flags, and a book explaining the Bible, entitled "The Harp of God". The song book taken is entitled "Songs of Praise to JEHOVAH". The school was opened and locked three different times; finally held open through securing an injunction against the mayor and chief of police. After the injunction was secured bricks were thrown through the school windows on three different occasions. A petition was circulated throughout the community, protesting against the unlawful acts of the mayor and police; 146 of those engaged in circulating that petition were thrown into jail, their petitions taken from them, and they were found guilty of disorderly conduct in Mayor Gold's court, without any semblance of a trial.

GATES, PA.

Jehovah's witnesses established a private school, which houses 38 pupils. Application was made to the court for a corporation charter to hold title to the school property. This was refused because of prejudice on account of the flag-salute situation. The children attending this school were expelled from the public schools; their parents were jailed for failure to send them to school; and, additionally, the law refuses the parents a charter whereby they can provide for their children private schooling as required by law.

WASHINGTON STATE

ELLIOT CHILDREN were charged with being delinquents, and a petition was filed in court to remove them from their parents. The court overruled the petition.

OTHER CASES

In various places there has been mob action; beatings by police officials; loss of work by parents; parents taken off "relief" list; boycotting; all on account of children's refusal to salute the flag. The number of expulsions from school now run into the hundreds.

APPENDIX B

PART ONE

Extract from "The German Civil Code: Translated and Annotated by Chung Hui Wang, D.C.L.; Member of the International Vereinigung fuer vergleichende Rechtswissenschaft und Volkswirtschaftslehre zu Berlin; Member of the Société de Legislation Comparée; London: Stevens and Sons, Limited, Law Publishers, 1907."

Par. 1666. "If the moral or physical welfare of a child is endangered by the fact that the father abuses his right to take care of the child's person, or neglects the child, or is guilty of any dishonest or immoral conduct, the Guardianship Court shall take the necessary measures to avert the danger. The Guardianship Court may, e.g., order the child, for the purpose of his education, to be sent to a suitable family or an institution of education, or a reformatory . . ."

Par. 1909. "A curator is appointed for a person under parental power or guardianship, to take charge of the affairs of which the parent or guardian is prevented from taking charge . . ."

PART TWO

Extract from "Deutsche Justiz" [Official Gazette of the German Administration of Law; Bulletin of the Department of Justice] Berlin, November 26, 1937; Ausgabe A; No. 47; page 1857; [Translation supplied to the respondents by Dr. Anton-Hermann Chroust; Ph.D., Munich; J.U.D., Erlangen; S.J.D., Harvard; Formerly Sub-Judge (Referendar) in Bavaria; Formerly Research Fellow at the Law School of Harvard University]

Note: The following is a complete translation of the above-described periodical's report of the case in question. The matter is arranged in the same order as it appears in the report.

PARENTS WHO USE THEIR EDUCATIONAL INFLUENCE ON THEIR CHILDREN IN SUCH A MANNER AS TO BRING THESE CHILDREN INTO OPEN CONFLICT WITH THE NATIONAL SOCIALISTIC IDEA OF COMMUNITY ABUSE THEIR RIGHT OF GUARDIANSHIP.

DISTRICT COURT, WALDENBURG,

SILESIA, NOVEMBER 2, 1937,

— VIII, 195 —

Excerpts from the *ratio decidendi*:

The parents of the children belong to the sect of International Bible Students. Like all Bible Students, this sect is concerned not only with purely religious matters but also deduce from their religious premises the necessity to deny the simplest and most self-evident duties towards the State and the German people. Obstinately they refuse, even on solemn occasions, to take part in the German salute, and by doing so express their disagreement with the principles upon which the new German state rests. Purposely they put themselves outside of the German community. The father admits openly that even in case of war he would refuse to take up arms. The philosophy which the parents espouse is inimical to the will to resist by armed force, and, therefore, capable of impairing the foundations of the State.

This conviction of the parents is also transmitted to the children. Of course, the parents have denied this during the hearing; they have declared that they did not influence the children's general view of life (Weltanschauung). But such an attitude, as encouraged by the Bible Societies, dominates the whole of life. It is a matter of practical experience that such a philosophy of life, expressing itself daily in the narrow family circle, influences the children, even though it is not put in express words. Indubitable evidence has also been introduced to prove that in this case such active influence actually exists. The father, when admonished by the court, had to admit that he

had already been penalized for not sending his children to National Socialistic festivals. The father, in this connection, also made the plausible statement that his children did not care for such meetings, and that they themselves had expressed the desire to be excused from going. This statement only goes to prove the strength of the influence which actually originates from the parents; and, furthermore, the degree to which the children have already succumbed to such influence.

This statement of fact compels us to the following juristic considerations:

If parents through their own example teach their children a philosophy of life which puts them into an irreconcilable opposition to those ideas to which the overwhelming majority of the German people adheres, then this constitutes an abuse of the right of guardianship as expressed in Par. 1666 of the Civil Code. This abuse of the power of guardianship endangers to the highest degree the welfare of the children, inasmuch as it ultimately leads to a state of mind through which the children will some day find that they have cut themselves off from the rest of the German people. To avert such danger the Guardianship Court has to take the necessary steps according to Par. 1666 of the Civil Code. A permanent remedy in this respect can only be found if the right of guardianship over the person is withdrawn from the parents, because only through such withdrawal we can be sure that the evil educational influence of the parents is eliminated and broken.

In accordance with the opinion of the Guardianship Court, the following must be admitted: the law, as a National Socialistic form of State order, entrusts German parents with the right to educate only on condition that this right is exercised in a manner which the people and the State have a right to expect—a condition which is not specifically expressed by the law but which must be considered as something self-evident. Here in particular we have to remember that all education must have as its ideal aim the creation of the belief and conviction in children that they are brothers forming a great nation; that they are molded into the great union of the German people together with all other German comrades through the sameness of their fundamental ideas. Whoever in the exercise of a purely formal right to educate his children evokes in those children views which must bring them ultimately into conflict with the German community ideal does not comply with those self-evident presuppositions. Therefore, out of purely general considerations the right to educate must be denied to such a person without the necessity of having to refer to the implicit presuppositions of Par. 1666 of the Civil Code.

The Brief of the American Bar Association with clearness and great force shows that compulsory saluting of a flag is in violation of the Constitution of the State of Pennsylvania and the Fourteenth Amendment to the Constitution of the United States. The legal authorities cited and considered therein show beyond all doubt that the State has no right in America to compel persons to violate their conscience by adopting and practicing any formal ceremony. After discussing at great

length the legal principles involved, the Brief of these distinguished lawyers says:

"It follows that a recognition of this new ground—the presumed promotion of loyalty and morale—as a basis for the overruling of religious scruples would be a new extension of legislative power. The present dominance of totalitarian ideas in other parts of the world suggests that an extension of legislative power in this direction should be viewed with suspicion and, *in the absence of a showing of clear necessity*, should be condemned as a deprivation of individual liberty without due process of law."

The Brief filed by the American Civil Liberties Union is equally strong in its argument against the compulsory saluting of the flag. With full approval their Brief quotes from Judge Lehman as follows:

"The salute to the flag is a gesture of love and respect—fine when there is real love and respect back of the gesture. The flag is dishonored by a salute by a child in reluctant and terrified obedience to a command of secular authority which clashes with the dictates of conscience. The flag 'cherished by all our hearts' should not be soiled by the tears of a little child. The Constitution does not permit, and the Legislature never intended, that the flag should be so soiled and dishonored."

Oral Argument

Mr. Joseph W. Henderson, of the Philadelphia Bar, presented before the Supreme Court the oral argument in behalf of the State of Pennsylvania and the School Board invoking the compulsory flag saluting rule. The American Bar Association and the Civil Liberties Union jointly selected George K. Gardner, Esq., of the Law Department of Harvard University, to make the argument in support brief opposing the compulsory flag saluting. Counsel in charge of the case on behalf of Gobitis and children selected Joseph F. Rutherford, of the New York Bar, to make the oral argument before the Court. By the courtesy of press reporter who made a report of the speech we are privileged to have a copy of Judge Rutherford's speech, which we insert as follows:

May it please the Court:

I think it due this Court, in view of what counsel [for the School Board] has said and

what appears in his brief, for me to briefly say that the plaintiffs here called Jehovah's witnesses are not a sect or cult.

"Jehovah's witnesses" really means every man who testifies to the name of Jehovah God. They have been in existence for five thousand years, as shown by history and the Scriptures; and that is true without regard to denomination of anyone who practices Christianity. They are not founded by any man. They have no earthly leader.

[By Mr. Justice McReynolds: I am hearing with difficulty.]

I am sorry, Mr. Justice McReynolds; may I repeat then.

In fairness to this Court I should say Jehovah's witnesses are not a sect or cult. Jehovah's witnesses are those who bear testimony to the name of Almighty God, whose name alone is JEHOVAH. They have been in existence for at least five thousand years. The apostle Paul, who was one time a member of the supreme court of Jerusalem, in the eleventh chapter of Hebrews submits a long list of such men and calls them witnesses for the Lord; and these are set forth as examples to everyone who follows in the footsteps of the Lord Jesus.

The prophecy of Isaiah, written more than three thousand years ago, expressly calls all men who are in a covenant to do the will of God and who fulfill that covenant *Jehovah's witnesses*. Jehovah so names them Himself. It is fair to this Court that I state we are not here representing some religious sect. There have been Jehovah's witnesses since the founding of this nation. Every man who has stood for God and His kingdom is one of them.

The difficulty with the state courts that have heard these cases is they have made no distinction whatever between those who are devoted to God by a covenant and those not devoted to Almighty God. The record in this case shows that the father and the children have made a solemn covenant to obey Almighty God and obey His law. That the father, in obedience to the command in Deuteronomy, had taught his children to obey the laws of Almighty God. That they had done so. That they acted in obedience to the commandment in Exodus chapter twenty, that 'thou shalt not have any god besides Jehovah'. The reason for the law is the life of it, as has been said. What was the reason for Jehovah giving such

a law to His people, which law applies today as it did at the time He gave it?

The reason was this: As history shows, a totalitarian government was organized after the flood of Noah's day in defiance of Jehovah's law. Its purpose was to turn people away from God and cause them to follow idolatry. The Lord God gave His law to Israel, His covenant people, not to everybody; only to that nation. He gave it to them through Moses. He declared:

"Thou shalt have no other gods before me. Thou shalt not make unto thee any graven image, or any likeness of any thing that is in heaven above, or that is in the earth beneath, or that is in the water under the earth: thou shalt not bow down thyself to them, nor serve them."

The Israelites were bound by that covenant. They must keep it or else they would die. In First Corinthians, chapter ten, eleventh verse, as well as Romans 15:4, it is stated that all these things were written aforetime for the benefit of those Christian people who live upon the earth at the end of the age. So the law applies to all of such. It applies to Methodists, Presbyterians, Catholics, or any other person who practices the following of Christ Jesus and who has made a covenant to obey God's law.

Now answering counsel for the other side, as to loyalty: There never has been any question among the Lord's people concerning their loyalty. In that connection I want to read from the record of the court below.

The trial court in its findings of fact said:

"Plaintiffs are American citizens and honor and respect their country and state, and willingly obey its laws, but that they nevertheless believe that their first and highest duty is to their God and His commandments and laws, and that true Christians have no alternative except to obey the Divine commandments and to follow their Christian convictions.

"That the said Lillian Gobitis and William Gobitis did not and were conscientiously unable to salute the flag because their religious beliefs and manner of worship forbade such salute, and the giving of such salute was in contravention of and in conflict with the commands of Almighty God, as they sincerely believed." (Record, page 108)

"That the sole reason for the said expulsion and their subsequent inability to attend classes at the said school was the refusal by the said

Lillian and William Gobitis to salute the flag as required by the regulation of the Board." (Record, page 109)

I want to answer here about the Mormon case. There is no analogy whatsoever between that case and this one. Of course, this Court has held without any deviation from it that where the practice of any religion interferes with or endangers the state or personal or private property, then the religious practice must yield to the state. This Court has never held that conscience could be coerced, and that persons are required to obey the law of a state when that law violates God's law within the belief of the person who holds that belief.

Now these persons, being in a covenant to do God's will and having agreed themselves to do it, must obey what the Lord has said to them; and that is the only reason they decline to salute the flag. They did no act of disrespect to the government or to the flag. They merely stood silent and declined to have anything whatsoever to do with the ceremony. They followed exactly the rule announced by the Lord Jesus himself, whom they follow. When the coin was presented to Him He said: 'Render unto Caesar the things that are Caesar's, and unto God the things that are God's.' Things belonging to the state He illustrated by the payment of taxes.

The respondents here have never hesitated to obey any law of the state. The father has taught his children to be obedient to the laws of the state. Therefore there is nothing in this case except an effort on the part of the State of Pennsylvania to enforce a rule which, in my opinion and in the opinion of the court below (and I borrow it from that court), is the practice of the totalitarian government rather than a republican government.

I wish to refer to the record of this case which bears the opinion of the court below, in which Judge Clark used these words, that 'the salute in this case is very like that of the Hitler régime'. Then he quotes Hitler in these words, footnote at bottom of page 156:

"... I consider them quacks. I dissolve the 'Earnest Bible Students' [referring to Jehovah's witnesses] in Germany; their property I dedicate to the people's welfare; I will have all their literature confiscated."

Now as to the salute here. It was the practice, as shown by the record, to place the right hand over the heart (the symbol of loving devotion), and then certain words were repeated. Nobody objected to the words. Then

the hand is extended, with the palm toward the flag. The question then raised was, Is that a religious practice or not?

We think it is an effort on the part of the state, through the school board, to force a religious practice upon those to whom it is repugnant; and that is what the court below found.

As to whether or not this is a violation of the Constitution, we raise the point that it is a violation of the Fourteenth Amendment; but if this rule had been inaugurated by the United States it clearly would be in violation of the First Amendment of the Bill of Rights. While that point is not here, I merely mention it to show that the state assumes to do what is exactly contrary to the Constitution of Pennsylvania.

I want to call attention to the constitutional provision, Section 3 of Article I of the Constitution of Pennsylvania, which provides that "All men have a natural and inalienable right to worship Almighty God according to the dictates of their own consciences; . . . no human authority can, in any case whatever, control or interfere with the rights of conscience . . . and no preference shall ever be given by law to any religious establishment or modes of worship".

The state here delegates to the school board the power to make the rule, and certainly there can be no objection to making rules as to teaching loyalty to the children, loyalty to the United States. There is no question about that. When it comes to making a rule requiring them to bow down to an image or salute an image, which is exactly the same within the meaning of the Scriptures, that raises the point that causes us to violate the express commandment of God written at Exodus 20:3-5. It constitutes idolatry. If after making a covenant with God we willfully disobey, then we are worthy of death. That is the plain pronouncement of the Scripture written by Peter at Acts 3:23. In that scripture (and that is what the respondents believe) it is stated, 'The Lord thy God will raise up unto you a prophet; him shall ye hear in all things whatsoever he shall say unto you. And it shall come to pass that every soul which will not hear that prophet shall be destroyed from among the people.' That applies specifically to those who have made a covenant with God. The reason is made plain in the Scriptures. God holds a man to his agreement. There is written at First Samuel 15:23 that stub-

bornness in obeying God's law constitutes idolatry.

So this is getting back to both sides of the Bible, which we call the Old and the New Testament. In the New are the words of Paul, that covenant-breakers are worthy of death.

These children have no alternative. They wanted to go to school. They went to school. They obeyed every rule of the school until it came to the rule about the image, the flag. They say it is an effort to put a doctrine or practice upon them.

I think the state courts in considering this matter have not properly considered what constitutes religion. Philosophers have defined it. Some law writers have attempted to define it. On page 13 of our brief a definition is set forth based wholly on the Scriptures. I shall read it with your permission:

"A formal ceremony of reverence, adoration, devotion, or praise, practiced or indulged in by human creatures and directed toward, or bestowed upon, a higher power, real or supposed, thereby attributing to such higher power sovereignty, protection and salvation, is a religion. When such ceremony ignores the specific commandment of Almighty God, that ceremony is idolatry."

That was defined explicitly and treated by the apostle Paul in Galatians, first chapter. Heretofore we have proceeded upon the theory that "the higher powers" mentioned by Paul in Romans thirteen refers to the political rulers. The Scriptures point out that Jehovah God and the Lord Jesus Christ are the "higher powers". Our duty first is to obey God and then every law of the land which is not inconsistent with His law.

As to whether or not the flag or saluting the flag is a religious ceremony. I wish to direct the Court's attention to the fact that this honorable Court in *Halter v. Nebraska* held that the flag is "an emblem of sovereignty".

The Encyclopedia Americana, Volume 11, page 316, says, "The flag, like the cross, is sacred." That doesn't mean that we should not obey the laws the flag represents; but when it comes to making the flag an equal to Almighty God, that is what one in a covenant with Almighty God cannot do.

Further, the *Americana Encyclopedia* says, "The rules and regulations relative to human attitude toward national standards use strong,

expressive words, as, 'Service to the Flag,' ... 'Reverence for the Flag,' 'Devotion to the Flag.'"

Webster's *International Dictionary* defines the words used as follows:

"SACRED, set apart by solemn religious ceremony."

"DEVOTION, a form of prayer or worship."

"REVERENCE, veneration, expressing reverent feeling, worship."

"SALUTE means to greet with a kiss, to bow and courtesy."

According to the Bible, First Kings 19, bowing down to a symbol includes any posture or attitude toward that image, even a kiss.

These are definitions given by recognized lexicographers. This Court will take judicial notice of their standing; and such definitions clearly show that saluting of the flag is a religious ceremony to those who are in a covenant with Almighty God, not to others. The obligation is not on the world in general. If a man has agreed to do God's will, then he has no alternative. If the state makes a law and says he must do so, and he does so in violation of his oath to Almighty God, then he will be destroyed, as these children believe.

Various state courts believe the children are not right in taking this position. That is a matter for the individual to determine. The courts will not go into the matter of whether one may be compelled to obey a rule, whether right or wrong. The courts will not go into the question of defining religious beliefs.

I wish to confine myself to certain points. Professor Gardner, my colleague, will cover other legal points.

I wish to call attention to precedents laid down. Counsel for the other side states that this is not a religious question, quoting one of the state judges to the effect that 'by no stretch of the imagination can this be a religious question'. I think in that they are entirely wrong.

Then counsel said that if respondents here are mistaken in their interpretation of the Scriptures, still it doesn't justify them to refuse to salute the flag on the ground that it is a religious rite. In answer to that I say that respondents have not attempted at any time to interpret the Scriptures, and cannot. Our contention is that no human creature on earth has power to interpret the Scriptures. The apostle Peter stated (Second Peter 1:20) that 'scripture is not of any private interpretation'.

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Almighty God himself makes all the law and He has interpreted it, and He has caused to be written in His Word the interpretation for men, women and children who have agreed to do His will and anybody else who wants to follow that rule.

So in this record there is cited a case decided in Pennsylvania long ago and which is reviewed in the opinion delivered by Judge Maris. I will call attention to these precedents. Let me state this: This case is of such great importance that it strikes at the very root of the United States Government and the fundamental principles upon which it is established. It is really a move of subtlety, whether men who have to do with it know it or not, to put the totalitarian rule in force that was put aside for a long while, substituting it for a free people and a free government.

I call attention to this fact, that every man who has stood by his covenant that he made with Almighty God has been protected by Jehovah. And every man who has violated that covenant has received exactly what the Scriptures state, destruction.

It was at the time of the Persian empire, when the covenant people of Jehovah had been taken over to that country, that the state made the totalitarian rule that every man should bow to Haman as he passed out the gate. A Jew named Mordecai sat at the gate at the direction of the king. He refused to bow. He was sentenced to death. Because of his faithfulness God delivered Mordecai.

Daniel was another of the Hebrews in a covenant to do the will of Almighty God. The state made a law that no man should present a petition to anybody except the king. Therefore Daniel could not pray to his own God. In defiance of that law and in obedience to Jehovah God Daniel knelt at his open window and prayed to God. He was brought to court and found guilty and cast into the lions' den. Almighty God delivered him, unharmed.

Three other Hebrews, Meshach, Shadrach and Abed-nego, were required by the law of the state, a totalitarian one, if you please, which practiced a totalitarian religion, these men were required that they should bow down at the sound of the music. They refused. They said to the court, 'We cannot be obedient to that law; we must obey our God.' They were cast into the fiery furnace. Because of their faithfulness to Almighty God, He delivered them unsinged.

The prophet Jeremiah stood before the ruling powers of Jerusalem, warning them of God's impending judgment coming upon the nation, and pointing out the danger thereof. He was sentenced to death and put into prison. He stood firm and said, 'If you take my life, I am innocent; I represent God; if you take my life the responsibility is on you.' The Lord God delivered him.

Another man, Urijah, exactly in the same position, standing before the same authority, became frightened and fled. God did not protect him. They brought him back and executed him. The apostle Paul, at Hebrews 11, records how those men testified to Jehovah God by their own lifeblood, and then adds, 'The world was not worthy of them.' But they all received a good report at the hands of Almighty God. I say this is an interpretation of this law. And it is such a high interpretation that the state courts have no authority to attempt to set it aside and to say it is not a religious question. It involves the right and the privilege to obey Almighty God.

I call attention to the fact that Jehovah God, more than six thousand years ago, promised to establish through the Messiah a government of righteousness. He will keep that promise in due season. The present-day facts in the light of prophecy indicate that it is near. There are many evidences. One is this: Since 1918, when the World War ended, the spirit of totalitarianism has again come to the front; it has overrun Europe, and now is striking at the very life of the British Empire and the British people. It is assaulting the walls of the American Republic; and if a rule such as the Minersville school board enforced can be upheld, then all other rules similar thereto may be made and enforced against people to take away all liberty.

Today more than six thousand of Jehovah's witnesses linger in filthy prisons in the land of Germany; and only a few weeks ago a number of them were shot because they refused to "heil" Hitler and bow to his dictates, because they desired to be faithful to Almighty God.

In the State of New Jersey a law has been recently passed, and one arrest made under that law, that the father is guilty of a crime because he teaches his child what the Scriptures say concerning the saluting of an image. In a number of states children have been taken away from their parents. I say that any rule that is made that forces the parent to disre-

gard his own belief in the Word of God and forces him to refrain from teaching his children what the Lord commands him to teach is depriving him of his liberty guaranteed by the Fourteenth Amendment of the Constitution of the United States and is violative of the Pennsylvania Constitution without any question of doubt.

I am certain, if your honor please, if the spirit of William Penn ruled the Commonwealth of Pennsylvania today my opponent would not be here arguing this case before this Court. No such thought would come into the minds of Christian people within that state.

He may say, Why don't they obey and salute the flag? They have no alternative. They want to live. Their greatest desire is for life and they believe that God, Jehovah, is the only source of life. No one else can give life. The State of Pennsylvania cannot give life. The American Government cannot. God made this law, as Paul puts it, to safeguard His people from idolatry. That is a small thing, you say. So was the act of Adam in eating of the forbidden fruit. It was not the apple that Adam ate, but it was his act of disobeying God. The question is whether man will obey God or obey some human institution.

The respondents in this case have the greatest desire to be loyal and faithful to obey every principle of the American government. In obedience to the Divine commandment set forth in the law of God at Deuteronomy, the father tried to teach his children the right way, but now the school board says, "You can't do that. And if you do it and they obey you, we will expel them." I say, if your honors please, that this question is of far more importance than merely the putting of a few children out of school for refusing to salute the flag. As the Court below well said, 'Acts of omission seldom result in anything wrong, but wrongful acts of commission are the things that should be restrained.' These children committed no wrong; they did nothing. They stood silent in respect to the ceremony and all present. I remind this Court (it is hardly necessary that I do so) that in the case of *Church v. United States* this Court held that America is a Christian nation; and that means that America must be obedient to the Divine law. It also means that this Court takes judicial notice of the fact that the law of God is supreme. And if a man conscientiously believes that God's law is supreme and conscien-

tiously deports himself accordingly, no human authority can control or interfere with his conscience.

In the marble above where this honorable Court sits the builders inserted a slab containing ten numbers which I presume represents what is known in the Scriptures as the ten commandments. That is a splendid recognition of the Divine law, and the courts of America should follow it. The founders of the government of the United States and those who wrote the Constitution of the United States likewise recognized Jehovah God and His law as supreme. The writers of the Constitution of the State of Pennsylvania also acknowledged the supremacy of Jehovah God and His law. Therefore, those men, as shown by the very language of the Constitution, both of the United States and of Pennsylvania, were witnesses for Jehovah.

I may be permitted to call attention to this: that at the opening of every session of this Court the crier announces these words: "God save the United States and this honorable Court." And now I say, God save this honorable Court from committing an error that will lead this people of the United States into a totalitarian class and destroy all the liberties guaranteed by the Constitution. This is a matter that is sacred to every American who loves God and His Word. The members of this Court respect Jehovah God, and I assume that they are desirous of serving Him, because in no other way can anyone gain life. The Commonwealth of Pennsylvania can grant life to no one. The United States of America can grant life to no one, because Jehovah God is the fountain of life. "Salvation belongeth to Jehovah." The respondents in this case conscientiously relied upon the Bible. Their conscience is not to be controlled or interfered with by any human power, as stated by the Commonwealth of Pennsylvania in its own Constitution. Therefore the decision of the trial court and of the Court of Appeals should be affirmed and thus make the members of this Court witnesses to the name, majesty, and supremacy of "the Most High, whose name alone is JEHOVAH".

The American people will await with keen interest the opinion of the Supreme Court, which opinion no doubt will have a wide influence throughout the nation.

In our next issue of *Consolation* we will consider this Case editorially.

On Liberty of Expression

In School

◆ For quite a long time I have been wishing for an opportunity to write on religion. At length that time came, when my English teacher gave the class such an assignment that this desire of mine was made possible.

I wrote a composition of about three hundred words, stating that religion is a snare and a racket of the Devil; and this composition also included a very effective witness on "life after death". My composition was mixed in with the papers of the other students and they were then passed out to be read by the students. One girl absolutely refused to read mine, with the excuse that her eyes were bad and that she had left her glasses at home. (For these twelve weeks of school, as yet I have not seen her wearing glasses.) Finally one girl read it to the class of over twenty-five students.

My teacher told all the class, as soon as my composition had been read, that there was free speech in the school and that if one person could express himself "religiously", so could the rest. Later she told me that my composition had dumfounded her and that she was greatly surprised that someone was actually doing some thinking in that school. She said she had always been interested in the philosophy of religion. I told her that this was not man's philosophy, but the truth as it came directly from the Bible, man's greatest authority for truth and happiness. My teacher (a First Presbyterian), upon hearing that I studied the Bible by means of Judge Rutherford's books, consented to read *Enemies*, if I would bring it to her. I ask her now and then how she is getting along, and she says she is enjoying the book.—A high-school student in Ohio.

In the Press

◆ Jehovah's witnesses cannot help but laugh at that stuffed shirt of reaction called the *Chicago Tribune*. The *Tribune*, and every other newspaper publisher, is for free speech, because that is all there is to the newspaper business, but it is also for Big Church, because it is itself Big Business in the extreme. It has not the nerve, the honesty or the courage to put up a real fight for free speech, and when the battle for free speech was won by Judge Rutherford and Jehovah's witnesses its re-

action was comical in the extreme. It did not wish to give any honest credit (and this was the general position of the Press) but it could not help but say something; so this is what it said:

The defense of the freedom of the press in the courts has generally been a defense of obscure and unimportant men and of publications for which *The Tribune* had little or no regard. It was obvious, however, to us if not always to others that if such publications could be censored or suppressed no citizen could feel secure in the protection of the first amendment. As an institution, *The Tribune* is now nearly a century old.

It Sounds Rather Bad

◆ It sounds rather bad to hear that one reporter in Finland sent out a wonderful story about a Finnish soldier at Petsamo who climbed a fir tree and shot down 57 Russians single-handed, when it so happens that at that point in the Arctic plains there are no fir trees. Also, it sounds rather bad that Robert Magidoff, Moscow correspondent for the London *Daily Express*, resigned rather than send in lies which he was ordered to send, but which lies were published anyway over his name. Looks as if the time for the housecleaning of the press were almost here.

An Iowa Proofreader's Break

◆ In a two-column story of the wedding of Miss Ruth McManness and Arthur Lauritsen the Estherville, Iowa, *Daily News* explained to a startled world that, to quote exactly as it read: "The Rev. ate relatives and friends." The Scriptures speak of the clergy as dumb dogs, and it is true that dogs will sometimes worry themselves frantic over a bone, but isn't it something new for the main gazabo at a wedding to turn on the bride's relatives and bite big holes in them?

What Is a Newspaper?

◆ At Los Angeles, California, Federal District Judge Yankwich ruled that a publication is none the less a newspaper because it may not have a large paid-up circulation or even any paid-up circulation at all. The city of Pomona had undertaken to prohibit distribution of any newspapers not admitted to the mails as second-class matter, but had no power to make such a discrimination.

Something About Flowers

HOW the Lord must love the flowers: He made so many kinds, and all so astonishingly artistic and beautiful in shape and color! Don't expect much on this: the subject is too big. The dahlia has the floor, with more than 10,000 varieties on the market, embracing every color, size, form, and some varieties that hold their heads high ten days after the stem is cut. It is a native of Mexico. The American Dahlia Society has over 2,000 members. A single plant will sometimes produce solid-colored flowers of two entirely distinct colors and at the same time various combinations of these two colors.

The chrysanthemum was once a weed on the hillsides of China. This ought to make one take off his hat to the unknown weed. Who knows what its future may be? The Japanese cultivated this flower some eighteen hundred years after it had been known in China. In 1860 a Japanese lad, formerly a stowaway, but taken home and educated by a kindhearted American sea captain, suddenly popularized the chrysanthemum by sending to his benefactor a chrysanthemum stock which subsequently sold for \$1,500; an unheard-of price in those days. One man introduced more than 2,000 varieties. The chrysanthemum sometimes flowers even in December, and lives and smiles after all the dahlias have been frozen to death.

Many capable men have devoted their lives to rose culture. It is well established that there is an occasional plant of green roses, with the roses so absolutely green that they can hardly be told from the foliage.

The daisy or "Day's eye", once called the Marguerite, has many varieties and many names, including some bad names that some farmers call them. At Rolfe, Iowa, some years ago, a bunch of yellow daisies distinguished themselves by growing from the trunk of a box-elder tree eighteen feet from the ground.

The peony! What a flower! It came from the east via Persia to Greece, where it gave the land of Paeonia its name and also left its name 'paean' to mark a song of praise to the Creator. It is itself such a paean. Florists often keep them for weeks in cold storage.

The iris, a blessing from Japan! It has been known in America for eighty years. And there were German and native varieties earlier. A marvelously beautiful thing.

Carnations! Some can remember when Thomas W. Lawson paid \$30,000 for a carnation to bear his wife's name. Newer and finer varieties appeared long since.

Geraniums! A heavy frost last night. The garden was white this morning, but not everything was slain. Still in bloom are the coreopsis, aster, petunia, zinnia, gaillardia, and geraniums with blooms more than three inches across.

Poinsettia! In Florida these marvelous bursts of flame rise to a height of fourteen feet. It is a native of Mexico, but is also found in South India. It suffers from cold winds, but even after it has lost all its leaves its brilliant and beautiful flowers remain perfect and glorious examples of the Creator's handiwork. The milky juice of the poinsettia, and its bountiful supply of sweets, make it a living restaurant for butterflies, bees, wasps and ants.

Lilies! Lily blossoms at 50c each and lily roots that sell at \$25 each. Lily plants with leaves six feet wide, and able to support a fifty-pound child. A woman in Kenilworth, D.C., has a twelve-acre water garden, consisting of thirty ponds fed by springs, in which she raises several hundred varieties of water lilies. The Suffragette pure white lily, with blooms up to eight inches in diameter, opens its buds only at night, closing them again the following morning.

The leaves of all house plants should be sponged occasionally, to remove the accumulated dust and give them a chance to breathe.

It is said that there are approximately 750,000 seeds in the pod of a full-grown orchid plant. It seems like a big story. Also, it takes from eight to ten years of constant care to bring an orchid plant to bloom.

There are 6,000 distinct varieties of daffodils.

Tree Planting in the Plains

◆ Everybody seems pleased with the success of the tree-planting in the plains. Eighteen-inch seedlings planted four years ago are now thirty to thirty-five feet high, and some 127,000,000 of them have been planted. The government actually grows and plants trees at four cents each. The 1939 crops in what was once called the dust-bowl area are very satisfactory indeed.

In Devastated Poland

"THE Gouvernement-General" is the name which Hitler and his friends have given to all the rest of the world, outside of Germany proper, which may become a part of the world-wide dominion which the Nazis anticipate or did anticipate. At the moment it is the name for German Poland. In that area compulsory labor duty has been introduced for all Poles, at jobs and wages under conditions designated by the government. There is death for any act of violence against the government, for damage to its property, for disobedience to its decrees, for incitement to violence against a German, or for damage to his property, or for failure to notify the authorities of any plot to commit such acts of violence, or failure to notify them of the possession of arms. The Poles may still breathe, but after a little they will probably be in danger unless they breathe softly, gently and smoothly. Anything in the nature of a snort of disgust would bring death from the "master race" of Aryans now in control.

Conditions in desolated Warsaw are vividly described by Princess Sapieha (an American girl and Vassar graduate), as follows:

Since the inhabitants of Warsaw hoisted the white flag over the ruins of their city, more than two months ago, the streets have not yet been cleaned. Rain and sleet fill the shell holes and cover the piles of bricks and plaster, shattered pavement, torn car rails, and broken furniture with a mantle of mud, but even the downpour has not rinsed from the air the stench of the bodies which lie unburied in this debris.

Along the main thoroughfares, the crossings are not to be recognized. From time to time, fragments of houses, giving in to the wind, fall over.

No stores are open, so everyone hawks his wares outdoors. Here stands a line of women waiting for bread. There stands another line waiting for soup from the German relief kitchen. But before the soup is handed out, each person must repeat aloud Pilsudski's old slogan: "We Poles are strong, united, and prepared." Many turn away with empty stomachs. For these relief kitchens, the Germans sent a bill to the municipal authorities for several million zloties (par for the zloty is 18.99 cents).

Besides the German cars which bump over the streets at reckless speed, there are two bus lines now functioning, but these do not stop from end to end of the city. Since nothing is left of the central railroad station, the few trains running leave from a station far on the outskirts, at uncertain hours.

MAY 29, 1940

The ordinary means of communication, such as telephone and post, do not exist. Anyone who has something to sell or is looking for a lost member of the family pastes up a sign on the front door. No one knows what is happening in the world outside. There is one newspaper, edited by the Germans, but the Poles do not buy it. Of the thirteen Warsaw theaters, ten were burned and the remaining three stay closed. There are no moving pictures. Official notices are daily pasted on the houses, proclaiming the police orders, arrests and executions of the previous day.

One morning, a poster appeared simultaneously in all parts of the city, showing, at the top, Warsaw in flames; on the left side, a dying Polish soldier shaking his fist toward Chamberlain, whose portrait loomed large on the right side. Underneath it was written: "England, this is what you have done." Before nightfall, from every poster, Chamberlain's face and the word "England" had been torn away. The posters immediately disappeared.

Everyone in Warsaw is hungry. For the first two weeks after the Germans came in there was plenty of meat, especially poultry, to be bought at high prices, but suddenly it vanished. Those of the pigeons which did not perish from bombs were promptly eaten. Now there is neither meat, fat, milk nor potatoes. Vegetables can be had at fifteen times their cost, and fruit, ripe or unripe, is sold in great quantity. A lump of sugar, if you can get it, costs something over a cent, and a pound of salt 40 cents. No one has any cigarets or tobacco, nor are there any matches to be bought.

After seven o'clock in the evening, no Poles are allowed on the scarcely lit streets except the doctors, all of whom are in constant demand, and certain groups of men who have been ordered by the Germans to dig up and remove, by night, the corpses which were hastily buried under the grass plots in front of private houses during the bombardment. Almost everyone in Warsaw is ill. The water, coming from only partially restored waterworks, is unclean. The lack of milk has caused a high mortality among the children.

The hospitals, also badly bombed, are full of people with typhus and pneumonia. The dearth of medical supplies is such that old curtains are being torn up to make dressings.

Several hundred thousand Polish war prisoners are working to reconstruct those parts of Poland, now Germany, which in eighteen days were more completely wrecked than northeastern France in four and a half years of war. The prisoners receive a credit of 60 percent of the wages paid to free labor, but are charged living expenses.

The Fuehrer Trend

Want Hitler Excommunicated



At Chicago a group of 250 delegates from various national, religious, veterans' and Trade Union bodies sent telegrams to the pope and to the then three cardinals and the apostolic delegate in the United States, drawing their attention to the fact that Hitler was born and baptized a Catholic, reared and educated as such, and still claims to be such. They want him excommunicated. They should reach for the moon, with as fair a chance of getting it. The Fuehrer, Hitler, is one of the most useful men connected with the entire racket. On his uniform he wears an iron cross.

Education in Mexico

◆ That Mexico is determined to educate the masses of the Mexican people is proved by the fact that the second-largest item in the budget is 73,000,000 pesos to be used for that purpose in 1940. The educational campaign is being fought by the Roman Catholic Hierarchy, which realizes that its only hope is in keeping the people in ignorance. The Scriptures make it plain that "people are destroyed for lack of knowledge". Those responsible for withholding knowledge from the people will also be destroyed, and that everlastingly. A new Mexican law provides a term in state prison for any person who teaches religion in a public school.

"God's Cause Goes Under"

◆ To speak plainly, the existing Fascist rule, in many respects unjust—it is one example of the present-day deification of Caesarism—I say that the Fascist rule prevents worse injustice; and if Fascism, which in principle I do not approve, goes under, nothing can save the country from chaos. God's cause goes under with it.—The Roman Catholic archbishop of Westminster in his address at the Church of St. Edward the Confessor, October 13, 1935.

To Arouse Sympathy for Hitler

◆ To arouse sympathy for Hitler the Dutch Roman Catholic paper *Maasbode* represents Germany as willing to grant independence to Czechoslovakia, Austria and Poland, and to enter into an alliance with Britain and France for the annihilation of Bolshevism in Europe. How perfectly silly to talk that way about Stalin's bosom friend and partner!

Patting Himself

◆ Patting himself on the back for his justice, wisdom and liberality, Frank Hague, mayor of Jersey City, told of the thousands of permits for open-air meetings which he says were granted under his administration, mentioning particularly "All religious groups and associations", but not mentioning that when Jehovah's witnesses came to his priest-ruled community, and he was notified beforehand that they would come and would take the message of God's kingdom from door to door, his cops were so eager to do his will and the will of his priestly directors and guardians that some of them were hauled from their automobiles and jailed before they had had time to make even one call, and were given ten days in jail for it, too. Hague has had excellent training in earth's greatest lie factory.

No Doubt Sincere

◆ There is no reason to doubt that "Reverend Father" Flanagan, founder of Boys' Town, Nebraska, was sincere when he nominated Frank Hague for president. Without a doubt there are many cardinals, bishops and priests in Germany who honestly believe their fellow Catholic, Adolf Hitler, is God's choice for ruler of Germany. Frank Hague for president of the United States would be an even greater tragedy for this country than the choice of Hitler to be fuehrer of Germany. The extension of the unspeakably brutal and vicious totalitarian rule to the world's leading republic would be, in many important respects, one of the most dreadful things of history.

Boring In at Princeton

◆ In the great Princeton University, a Presbyterian institution, a priest is allowed to have a room in one of the buildings and to proselyte among the students. Some of the professors are Catholics. One attends mass every morning and holds meetings for certain ones behind closed doors. Many of the Protestant professors have Catholic secretaries, and it is almost impossible for a Protestant to get a job. I spoke to a professor one time about these conditions. He fairly raved, threw his arms in the air, and said, "Let them alone; they won't hurt anybody." I am not so sure.—W. W. Leggett, New Jersey.



British Comment

By J. Hemery (London)

Fears of Religionists

● The leaders of every section of organized religion as it is represented in the great church systems show that they are in fear for their interests whatever the outcome of the present world troubles may be. Some tell of their fear more readily than others; they begin to see that when the war is over the peoples will have no use for them, nor for the worship of God as they have represented it to the peoples. It is amongst the nonconforming sections that freest expressions are made, and, one might say, naturally so, for these have less organic rule and control than the two older systems of the Anglican and the Roman "churches". And they have not the same strength to withstand the storms which are sure to come. The clergy of the church of England expect to stand with the State as an integral part as long as it lasts in its present form. The Papal system is viewed by the Hierarchy at the Vatican which controls it as unmovable by any commotions among the nations: states may come and go; great upheavals among the nations may shake them like earthquakes, but, they claim, their church will continue, the one permanent institution on earth. What fears these men may have when they meet in secret council in the privacy of the Vatican cannot be known; but one thing is certain: their assurance is not based on the only sure foundation, the Word of God, but on the assumption that as the Papacy has survived through the centuries, and the ability to handle the masses of the peoples through the deceptions of religion is still with them, they have a good expectation of being able to keep what they have gotten.

A leader amongst the Congregational section said the other day, "It is evident that we are going to see great social upheavals with repercussions affecting every phase of our life. Not the least of these changes will be that in organized religion. Those who are carrying on waiting and hoping for the war to end in order that their interrupted work may be resumed will, I am afraid, receive a great shock.

Organized religion as expressed through churches of whatever denomination is fast coming to an end. People in all classes of society are simply not coming to church. We are a dwindling body of churchgoers, and soon we shall not be able to afford the luxury of maintaining the ministry. Nearly ninety percent of our generation has never been to church. Sons and daughters, in the twenties and thirties, know little or nothing of what we mean by worship, or what is involved in many of the principles governing human conduct. The call to religion has received little or no response." Plain words, used with the intention of making his hearers face some facts. The speaker wants a complete change in the character of religion's witness, and with it a restatement of the "Christian philosophy", something that will suit modern needs. His mention of the parsons as a "luxury" indulged in by the congregations indicates that in his opinion they are not specially necessary; also, in asking for a restatement of what the church teaches he indicates he has little respect for the dogmas which every system must have. What this gentleman says is not of particular note, but it serves to reveal what some of the principals of the flock are thinking, and, too, that these men who would reform and reconstruct religion are in ignorance of meaning and purpose of the teaching of Jesus, and have no conception of the difference between religion and Christianity. The clergy of his section will never agree to restate their dogmas, nor, in fact, will any other of the many sections of religionists. To come out openly and say they had believed and stated untruths would be to commit suicide. They cannot start afresh, but will perish with their dogmas, and the shame of false teaching exposed, weighted as a millstone, in the troubled seas now beginning their raging.

A Nuneaton Vicar

● A vicar of one of Nuneaton's churches warns his parishioners against house-to-house visitors who carry publications of the WATCH TOWER BIBLE & TRACT SOCIETY. To aid his warning he tells his magazine readers the literature is 'written by Judge Rutherford—a man dangerous to read'. He says the church of England has men able to give knowledge of the Scriptures, and of Judge Rutherford he says, "He does not know the origins of the Scriptures, and is therefore quite unable to explain them or to understand them." What

the vicar means is perhaps known to himself, but, in any case, he discloses both his own ignorance and his unbelief in the Scriptures as the Word of God. The vicar shows his unbelief, or his ignorance, when he talks about the origins of the Scriptures. Probably he let his tutors tell him that the Bible is mostly folklore or is full of ancient legends, and that the greater sayings of the Psalms and the prophets are but expressions of the desires of men who had unusual ability to put their thoughts into words. That the things written and preserved to us in the sacred writings are of God, and are the words of God, and all are necessary for the guidance of the people of God, is something which neither the vicar nor his teachers believe. How, then, can they interpret them? But to them interpretations of the Bible are not a necessary thing, and to most of them knowledge about it is little more than something they must have in order to pass examinations, so as to get them ordination and the style of "reverend". If the vicar would take a little time with one of the books written by Judge Rutherford, and with his Bible at hand, and would use his Bible as passage after passage from the Book is mentioned and quoted, he could learn more about the Bible and its origin in an hour than he has learned in all the time he has professed to represent it to his flock. No doubt the vicar measures up to the requirements of his church: he can read the prayer book portion, can sing in its creedal statements and its litanies, can baptize infants, marry folk and bury his parishioners; and little more is required of him and his fellows. He is 'wise in his generation' when he warns his people to refuse to read books brought to the people by Jehovah's witnesses, but they that heed him act foolishly, for they miss the only message that will guide them to safety in this day of Jehovah's judgments in the earth, and it is for the purpose of guiding men of good will at this time that Jehovah has raised up His witnesses.

General

● The extension of the war area into Denmark and Norway very materially affects Britain's food supplies, as the following figures show. The import records for the year 1938—the last available—give imports from Denmark as 3,389,192 hundredweight of bacon, 2,365,291 hundredweight of butter, 329,755 hundredweight of fish (fresh or frozen), and of eggs (in number) 1,141,320,000. From Norway in

that year there were 605,960 hundredweight of fish (either fresh or frozen) imported, and 36,715 hundredweight of cured fish (brisling, but commonly called "sardines"). The imports of these foods have, of course, been lessening since the war at sea began, but now it appears that all this trade is at an end for the time being. The British Government has provided as far as it has considered possible against such shortage, and at the present time it announces that there is an ample supply of butter in the country. Eggs must of necessity get into scarcity as the months go by, and will undoubtedly become a costly article of food. Large supplies of butter are being imported from Australia and New Zealand, and it is believed that with the great quantities which Canada also can supply of bacon and other meat, and farm produce, and the increased domestic supplies there is little to be feared of such shortage as would become hurtful to the health of the nation. The Food Control, though it has apparently equalities of distribution, may be said to be working fairly well. One object of the Government, and an important one in its view, is to prevent too much spending; and that objective is being gained, and sometimes to the embarrassment of the Food Control, as in the case of butter. The controlled price of butter is one shilling and seven pence a pound and the people have turned to buying margarine at less than half price, and, as the article is good, they are content with it. To get their stocks of butter less, the Control now allows twice the quantity recently allocated per person; but the butter is being left in the stores—for the present. Another limitation that is going to be severely felt is the stoppage of timber (lumber, in America and Canada) imports from Scandinavian lands. The value of imports of timber, wood pulp and paper-making materials in the year 1938 was £73,803,000, and a large proportion of this was from Scandinavia and Finland. For the present, and presumably for the duration of the war, all these are going to be in short supply. Already timber is under very strict control. One user writing to his newspaper complains that whereas during six recent months he purchased for his ordinary needs £6,000 worth, he can now get no more than the man who used only £5 value a month. The building trades will suffer, and so will many others. The newspapers, already reduced in their number of pages, will have to curtail very much more, and the publishing

businesses will be hit severely. There may be some good come out of that side of the limitation; for surely many of the trashy journals and magazines which flood the bookstalls will be forced out of business. A current item of news is that Leslie Burgin, the Government's controller of supplies, has written to workless building operatives expressing his regret at the severe unemployment among sections of the industry. Some days ago a deputation of 200 skilled men marched to the Ministry of Supply to interview Mr. Burgin about their unfortunate position. He says, "All possible steps are being taken to increase supplies of timber, and to ensure the use of alternative materials."

Evacuation

● The great scheme for getting children out of danger areas proved a failure. The children were got out and the initial part of the scheme, being well organized, was a great success. But, as is commonly known, it proved to be impossible to work out, and mainly, perhaps, because there has been no dropping of bombs to emphasize the danger to the cities. The Roman Catholic church through its priests did

much to prevent its good working; they wanted the children where the priests could get them, and in the scattered billeting they lost their control. Now the Government announces through the secretary of state for Scotland that "the Government does not intend to put another evacuation scheme into operation unless real necessity arises in the form of large-scale air attacks". The minister said, "The evacuation problem is one of the most difficult problems we have to reckon with. . . . A big evacuation was carried out at the beginning of the war in the belief that the campaign was likely to open with savage and ruthless attacks on the larger towns and cities. . . . We have been proved wrong, but who could say at the time that we should be wrong? . . . we cannot disregard the possibility of it happening."

The greater business houses of the city, and the banks, evacuated some thousands of clerks and others, and have found themselves involved in much difficulty and great expense. They must bear this "for the duration"; for the same uncertainty, if not the same urgency, is present, and Hitler has unmistakably revealed that a chief feature of his technique is sudden and unexpected action.

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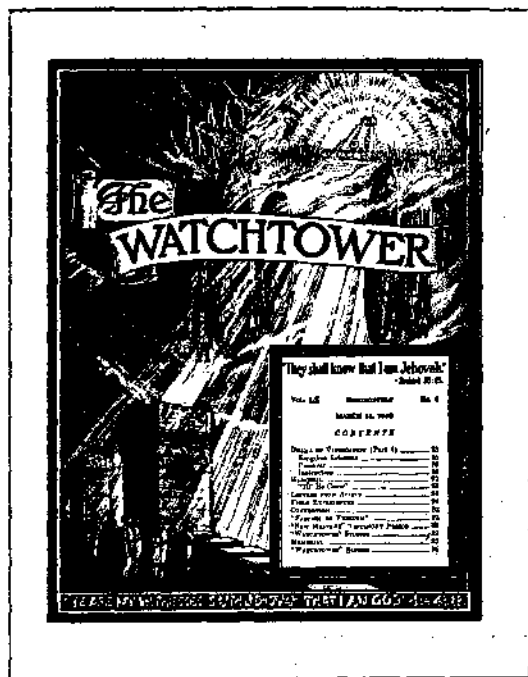
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