

# The Independent

VOL. L

NEW YORK, THURSDAY, AUGUST 18, 1898

No. 2594

## SURVEY OF THE WORLD

### DIARY OF THE WAR.

Battle of Malate, July 31, reported Mon., Aug. 8.  
Spanish reply presented, Tues., Aug. 9.  
Peace Protocol agreed upon, Wed., Aug. 10.  
Coamo, Porto Rico, captured, Wed., Aug. 10.  
Gibara, Cuba, occupied by Cubans, Wed., Aug. 10.  
Spain accepts Protocol, Thurs., Aug. 11.  
Expedition to Isle of Pines, Thurs., Aug. 11.  
Spaniards defeated at Mayaguez, Thurs., Aug. 11.  
Peace Protocol signed, Washington, Fri., Aug. 12.  
Armistice proclaimed, Fri., Aug. 12.  
Manzanillo bombarded, Fri., Aug. 12.  
Hostilities ceased, West Indies, Sat., Aug. 13.

**Peace Signed.** The preliminaries for peace were definitely completed when on Friday, August 12th, at 4:23 P. M., the Protocol between the United States and Spain was signed in duplicate at the White House by Secretary Day and the French Ambassador, M. Cambon, acting for the Spanish Government. The entire instrument comprised 1,200 words, and only a summary of it was given out for publication, certain points being withheld, relating, probably, to matters in regard to which it was deemed expedient to maintain reserve. This summary covers essentially the same points as the conditions sent to Spain: (1) the relinquishing by Spain of all sovereignty over and title to Cuba; (2) the cession of Porto Rico and other Spanish islands in the West Indies, and of an island in the Ladrões, to be selected by the United States; (3) the occupation of Manila city, harbor and bay, pending the treaty, which will determine the control, disposition and government of the Philippines; (4) immediate evacuation of the West Indies, commissioners to be appointed in ten days and to meet at Havana and San Juan within thirty days to arrange and execute details; (5) the

appointment by the United States and Spain of not more than five commissioners each to meet at Paris not later than October 1st, and negotiate and conclude a treaty of peace; (6) suspension of hostilities by each Government on the signing of the Protocol. In accordance with this last point a proclamation had been prepared ordering the suspension of all hostilities between the two countries. With this suspension of hostilities went the removal of all blockade restrictions at Havana, Porto Rico and Manila, and of censorship of telegraphic and other dispatches from this country to the West Indies or Spain.

### The Negotiations.

The reply of the Spanish Government to the conditions of peace, which was decided upon at Madrid August 7th, and forwarded immediately to Paris, reached M. Cambon at Washington Monday afternoon, August 8th, but was not given to President McKinley until late on Tuesday. It was very long, requiring considerable labor for its translation and preparation. There was fear lest its length implied some quibbling as to the conditions; but this appeared not to be the case, for on the next day Secretary Day and M. Cambon had no difficulty in coming to an agreement as to the terms of a Protocol, which should involve the conditions necessary to a suspension of hostilities and the negotiations for permanent peace. The Protocol was immediately telegraphed to Paris and Madrid, on Thursday it was accepted, the acceptance returned, together with the necessary authorization for the French Ambassador to sign in behalf of Spain, and on Friday afternoon the signatures were affixed. It had been intended that the formality should take place at the Department of

# HERESY TRIALS.

## HOW THEY MAY AND SHOULD BE AVOIDED.

BY PROF. JOHN T. DUFFIELD, D.D.

THE current unqualified condemnation of trials for heresy by the so-called "liberals" in the Presbyterian Church and out of it would seem to render timely a distinct statement of what the Presbyterian Church is and what the fundamental principles of its Constitution.

The Presbyterian Church is *a voluntary association of Christians, organized to maintain and propagate WHAT THEY BELIEVE TO BE the system of doctrine taught in the Holy Scriptures.*

The Constitution is based on the following assumed or asserted civil and religious rights:

1. The right of private judgment. Presbyterians hold that

"God alone is lord of the conscience and hath left it free from the doctrines and commandments of men which are in anything contrary to his Word, or beside it, in matters of faith and worship." ("Form of Gov.," Chap. I, Sec. 1. "Conf. of Faith," Chap. XX, Sec. 1.)

2. The right of those who are like-minded in matters of religion to organize an association to maintain and propagate what they believe to be the truth. They hold that

"Every Christian Church, or union or association of churches, is entitled to declare the terms of admission to its communion, and the qualifications of its ministers and members, as well as the whole system of its internal government which Christ hath appointed." ("Form of Gov.," Chap. I, Sec. 2.)

3. The right to adopt a form of government based on the rule of the majority. They hold that

"The several different congregations of believers taken collectively constitute one Church of Christ; that a larger part of the Church, or a representation of it, shall govern a smaller, or determine matters of controversy that arise therein; that in like manner a representation of the whole should govern and determine in regard to every part, and to all the parts united; that is, that *a majority shall govern.*" ("Form of Gov.," Note prefixed to Chap. XII.)

4. The right "to make effectual provision that all who are admitted as teachers be sound in the faith." ("Form of Gov.," Chap. I, Sec. 5.)

Accordingly, the "Form of Government" prescribes that

"No candidate [for licensure], except in extraordinary cases, shall be licensed, unless he has studied divinity at least two years under some approved divine or professor of theology." (Chap. XIV, Sec. 6.)

This Constitutional rule is based on the reasonable principle that ordinarily no one should be authorized to teach officially in the Presbyterian Church who has not been duly trained to maintain and defend *what Presbyterians believe* is the system of doctrine taught in the Holy Scriptures. Candidates for licensure are examined by the presbytery on "Theology," and are not licensed unless the examination is formally approved. Further, before licensure, candidates are required publicly to avow, not only that they "believe the Scriptures of the Old and New Testaments to be the Word of God, the only infallible rule of faith and practice," but specifically that they "sincerely receive and adopt the Confession of Faith as containing the system of doctrine taught in the Holy Scriptures." Further, when a licentiate applies for ordination to the ministry he is re-examined on "Theology," is required to renew the vows assumed at his licensure, and to assume the following additional vows:

"Do you approve of the government and discipline of the Presbyterian Church in the United States?" "Do you promise subjection to your brethren in the Lord?" "Do you promise to be zealous and faithful in maintaining the truths of the Gospel and the purity and peace of the Church, whatever persecution or opposition may arise unto you on that account?"

Further, professors in Presbyterian theological seminaries are required, at their inauguration, solemnly to promise fidelity to the Standards; and, in view of the liability to a

change of doctrinal views, in certain seminaries they are required at stated intervals to renew these pledges.

5. The right to exercise discipline, not only for immorality in conduct, but for "unsoundness in the faith"—that is, faith in "the system of doctrine" contained in the Presbyterian Standards. They hold that

"Our blessed Savior, for the edification of the visible Church, hath appointed officers, not only to preach the Gospel and administer the sacraments, but also to exercise discipline for the preservation of both truth and duty." ("Form of Gov." Chap I, Sec. 5.) "The ends of discipline are the maintenance of the truth, the vindication of the authority and honor of Christ, the removal of offenses, the promotion of the purity and edification of the Church, and the spiritual good of offenders." ("Book of Discipline," Sec. 2.) "Heresy and schism may be of such a nature as to call for deposition." ("Book of Dis.," Sec. 41.)

The unique character of the Presbyterian Church as a branch of the Church of Jesus Christ should be distinctly observed. There are among Protestants three essentially different forms of Church government—Congregational, Presbyterian and Episcopal. Congregationalism does not require subscription to doctrinal standards or subjection to ecclesiastical authority. The Episcopal Church in America does not require subscription to the Thirty-nine Articles or any other definite statement of doctrine. Its bond of union is the so-called "Historic Episcopate." Of the vows required at ordination to its ministry, the one which is distinctive is,

"Will you reverently obey your Bishop and other chief ministers, who, according to the canons of the Church, may have the charge and government of you?"

The bond of union of the Presbyterian Church is a twofold cord—a common faith and the rule of the majority. Its distinctive characteristics are indicated in the vows,

"Do you sincerely receive and adopt the Confession of Faith?" "Do you promise subjection to your brethren in the Lord?"

6. One other important principle of the Constitution of the Presbyterian Church remains to be mentioned—the right, and in certain circumstances the duty, of a minister to withdraw from the jurisdiction of the

Presbyterian Church. The Constitutional rule is as follows:

"If a minister, not otherwise chargeable with an offense, renounces the jurisdiction of this Church, by abandoning the ministry, or becoming independent, or joining another denomination not deemed heretical, without a regular dismission, the Presbytery shall take no other action than to record the fact and to erase his name from the roll." ("Book of Dis.," Sec. 53.)

According to the organic law of the Presbyterian Church, antedating the present Constitution, there are circumstances under which the right peaceably to withdraw from the Church becomes an obligatory duty. A schism occurred in the Presbyterian Church in 1741. In 1745 certain presbyteries that had withdrawn from the jurisdiction of the Synod of Philadelphia—at the time the highest judicatory of the Church—met at Elizabethtown, N. J., and organized the Synod of New York. Among other "Articles of the Plan and Foundation of their Synodical Union" the following was prominent:

"Art. 2. They agree that in matters of discipline and those things that relate to peace and good order of our churches, they shall be determined by a major vote of ministers and elders, with which vote every member shall actively concur or pacifically acquiesce; but if any member cannot in conscience agree to the determination of the majority, but supposes himself obliged to act contrary thereto, and the Synod think themselves obliged to insist upon it as essentially necessary to the well-being of our churches, in that case such dissenting member promises peaceably to withdraw from the body, without endeavoring to raise any dispute or contention on the debated point." ("Baird's Digest," p. 608.)

A Reunion was effected in 1758, the two synods uniting in one body under the name of the Synod of New York and Philadelphia. In the Plan of Union the following article was prominent:

"ART. 2. When any matter is determined by a major vote, every member shall either actively concur with or passively submit to such determination; or, if his conscience permit him to do neither, he shall, after sufficient liberty modestly to reason and remonstrate, peaceably withdraw from our communion without attempting to make any schism, provided,

always, that this shall be understood to extend only to such determinations as the body shall judge indispensable in doctrine and Presbyterian government" (p. 614).

The principle here asserted in the organic law of the Synod of New York in 1745, and reasserted in the Plan of Union of the Synods in 1758, was incorporated in the Constitution of 1788 in the ordination vows, "to maintain the peace of the Church" and to be "in subjection to brethren in the Lord."

In view of the fundamental principles of Presbyterianism above mentioned, it is evident that the unqualified condemnation of trials for heresy in the Presbyterian Church is simply asserting indirectly—it may be unwittingly, it may be wittingly—that the Presbyterian Church has no right to exist. An association organized for a specific purpose is doomed to failure if powerless to exclude from its membership those whose influence is adverse to the object of the association.

There are undoubtedly persons of intelligence and piety who honestly believe that the Presbyterian Church as at present constituted ought not to survive. An eminent Theological Seminary professor has maintained that "subscriptions to elaborate creeds is the great sin of the Lutheran and Reformed Churches," and that "Presbyterians are bound by their own history to meet the Episcopalians on the platform of the Lambeth Articles"—two of which are "the Nicene Creed as a sufficient statement of the Christian faith," and the "Historic Episcopate."

Assuming, nevertheless, that the Presbyterian Church, with its Constitution substantially unchanged, will remain until the coming of the Lord—in view of the inquisitive and progressive spirit of the age, with its honest, earnest search for truth, its skeptical suspicion of everything traditional, its critical questioning of what has hitherto been unchallenged, its disposition to shake whatever seems firmly established that that which cannot be shaken may remain; moreover, the primal principle of Presbyterianism being what it is—the right of private judgment, and human nature, even when regenerated, being what it is, it must needs be that ecclesiastical "offenses" will come, and

when they come can trials for heresy be avoided?

That they should be avoided if possible is unquestionable. In a judicial trial by formal procedure, as prescribed in the "Book of Discipline," there is an apparent implication of criminality in entertaining, however honestly, an opinion that is of questionable orthodoxy. The personal element is introduced, and in an offensive way, in the consideration of a question that should be dealt with impersonally and dispassionately. In the progress of the trial through the different courts the main issue is liable to become obscured by irrelevant issues as to technicalities of procedure.

However objectionable, the Presbyterian Church being constituted as it is, can such trials be avoided? They may and should be avoided, by simply showing due respect to the above-mentioned principle inserted in the organic law of the Synod of New York in 1745, reasserted in the Plan of Union of the Synods in 1758, incorporated in the Constitution by ordination vows in 1788, and reaffirmed by the following deliverance unanimously adopted by the Assembly of 1877 for the very purpose of preventing the disturbance of the peace of the Church by a heresy trial:

"While in accordance with complete freedom of conscience the General Assembly would urge upon all fidelity to our doctrinal Standards, they would at the same time earnestly advise any one who may entertain views irreconcilable with our Standards, to take the authorized course, after consultation with his presbytery, and peacefully withdraw from the ministry of our Church."

When then a Presbyterian minister in his search for truth and in the exercise of his right of private judgment is led to entertain doctrinal views different from those held and avowed at his admission to the Presbyterian ministry, and regards his newly accepted views as of such importance that he feels it his duty publicly to announce them, if he has reason to believe that his "brethren in the Lord" might regard the views referred to as irreconcilable with the Standards and such as, if avowed at the time, would have prevented his admission to the Presbyterian ministry, we cannot but feel it is his solemn duty to confer with his presbytery, to state

fully and frankly the views in question to his brethren, and amicably submit for their decision whether holding and avowing such views he could honestly remain in the ministry of the Presbyterian Church. If the decision were adverse he would have the right of "complaint" to the Synod and the General Assembly; if favorable, any member of the presbytery would have the right of "complaint" to the synod, or any other presbytery would have the right of overture to the Assembly. The doctrinal issue might thus be authoritatively determined without

the distracting technicalities and the offensive accompaniments of a formal heresy trial.

Of course a minister in the circumstances referred to may decline a fraternal conference with his presbytery, and prefer a judicial trial by regular process. If so, fidelity to the ordination vow to "maintain the purity and peace of the Church" might render such a trial unavoidable, however undesirable; but in that event for any injurious consequences the accused and not the prosecution would be responsible.

PRINCETON, N. J.

## THE TWELFTH DIET OF JAPAN.

BY J. H. DE FOREST, D.D.

CONSTITUTIONALLY the Diet of Japan has but one annual session, with a limit of three months; but this year will be memorable for its three diets and the part they have played in the evolution of party cabinets.

When the Eleventh Diet was opened, just at the close of last December, it was certain that a large majority would, without debate, resist the Cabinet and demand its resignation. Altho this Matsukata Cabinet was allied with the Progressives and had given the people virtual liberty of the press, not a year had passed before it was a most unpopular thing in the Empire, being abused and ridiculed by the very press it had set free, the point of sharpest attack being the Cabinet's proposition to increase taxes by 25,000,000 *en* in order to meet the military and naval necessities of the Empire. There was not the slightest chance of any co-operation on the part of this Diet, nor will there be with any other, until the Constitution, which says, "The Ministers of State shall give their advice to the Emperor and be responsible for it," is interpreted to mean responsibility to the people as well as to the Emperor, or, in other words, until the formation of party cabinets.

No sooner, therefore, had the Cabinet submitted the budget than the House proceeded toward a vote of lack of confidence, whereupon it was peremptorily dissolved, which extreme measure was actually received with cheers—for it meant that the Cabinet, too, must fall; and thus one more step was taken

toward the one thing needful, government by party. Of course, if any foreign Power should threaten Japan, all this horse-play between the Cabinet and Diet would instantly cease until the danger was over, as it did during the war with China. Otherwise, the extent of the fight is seen from the average life of a Japanese Cabinet, which is but a little over one year.

The Matsukata Cabinet immediately resigned, and Japan's greatest statesman, Marquis Ito, "the Father of the Constitution," became premier for the third time in twelve years. The election of the new House was duly held, and the Twelfth Diet was opened in May, with permission to sit only twenty days. Yet there was an enormous amount of most important business to be done, the chief of which was the passing of the remainder of the codes, which must be in force one year before the operation of the new treaties. At first it was expected that Ito and the Liberals would co-operate, as they did just after the war. But unfortunately the Liberals made too excessive demands for Cabinet positions, which the Marquis refused, and instead of presenting a reduced budget, as was expected, he even urged an increase of taxes by about 40,000,000 *en*. Under these circumstances, when the Diet met the Cabinet was without a party, and the old chronic danger of dissolution was looming up.

The first trial of strength was between the Liberals and Progressives in the election of President of the House, Kataoka Kenkichi