Dr. Cassidy 341-6

LETTERS OF GUNHILDA.

MARRIAGE WITH A DECEASED WIFE'S SISTER.

A Lady's Letters to the Bishop of Ontario.

(From the Ottawa Citizen, Jan. 17th, 1881.)

It is doubtful if freedom could long be sustained in a country where anonymous writing is prohibited.—*Encyclopædia Britannica.*

Letter 7.

My Lord Bishop,—From the times of the Reformation to the present there have been two parties among the clergy of the Church of England, the Roman Catholic or—which is perhaps a better term—the Papal Catholic and the Protestant; in other words, the High Church and the Low Church. The former included, and still includes, with some exception, the bishops both outside and within the House of Lords, and who have ever been a clog to the wheels of legislation in England. It was they who were the first to rush to the aid of Mary who subsequently, and mainly by their advice, deluged the kingdom in blood, were the firm adherents of the Roman Catholic Charles I., of the Jesuit James II., and the most treacherous foes of William III., Prince of Orange. For several centuries after the Reformation they continued the worship of the Virgin, and up to the times of Elizabeth the public worship of images In 1547 Gardiner, Bishop of Winchester, said that "he thought the removing of images was on design to subvert religion and the state of the world" (Burnet's History Ref., vol. 2, p. 11). Up to the year 1551, in the reign of Edward VI., the oath of the King's supremacy taken by the bishops, closed with these words:—"So help me God by all the saints, when Archbishop Langham made inquiry respecting the pluralist clergy of the Province of Canterbury some were found who held as many as twenty benefices and dignities. These were mostly Italians." and the holy evangelists." (Blunt) The doctrine of transubstantiation was then as it is now, as much the belief of the High Church clergy as of Rome, "That the body and blood of Christ exist in the elements of bread and wine," says Blunt, "is as much the belief of the English Church as of the Latin and Greek Churches."

To show how completely the bishops of the Church of Rome in England ground down the people, we are informed that in the age immediately before the Reformation the laity received the Holy Communion only in one kind, that is, the consecrated bread. The Council of Constance (A D 1415) gave a law to withhold the consecrated wine altogether from the laity—subsequently teaching that if the people stood and *saw* others partake of the communion it had the same effect as if they took it themselves," (His Ref. pp. 33-35)—the wine, of course, being kept for the clergy! A High Church clergyman once contended with me that this taking of the wine wholly by the priest is perfectly proper and scriptural, for Christ said to his disciples—that is those who were to preach the gospel—"Drink ye *all* of it—(Matt. 26, 27)—meaning no one but the clergy should partake of it! Imagine his surprise, however, when I pointed out to him in his Greek Testament that "*all*" refers *not* to the wine but *to the disciples*, for the Greek word is not in the accusative case but in the nominative plural.

Mr. Blunt further says:—"So grossly had the custom of appointing bishops *who did not reside in the country* extend that but will you believe me, my lord, that when the House of Commons in Elizabeth's reign brought in a bill to remedy this monstrous evil, that Archbishop Whitgift wrote a letter to Her Majesty bewailing the wickedness of the times and declaring that the Church of England would be ruined should this bill become law!—(Fuller's Church History) "The woful and distressed state in which we are like to fall," says His Grace, "forceth us with grief of heart in most humble men to crave Your Majesty's most sovereign protection. We, therefore, not as directors but as humble remembrancers beseech Your Higness's favorable beholding of out present state and what it will be in time if the bill against pluralities should take place." The same Parliament afterwards brought down a bill giving liberty to marry, not merely as formerly but at all times of the year without restraint. Again is the Archbishop in terror, and again he prays at the feet of the Queen that this bill, which will pauperize the clergy, may not pass, but pass it did notwithstanding. The difficulty in the former case was that the bishops held each several benefices from which they drew immense sums every year; and in the second they had always received large sums for dispensations, similar to those now granted by the Pope, giving liberty to individuals to marry in Lent, and of course this source of revenue would no longer exist on the passing of the bill. In your lordship's letter to the Ottawa Citizen (March 24th, 1880) you used the following—and as usual, ungrammatical—expression:—"While I am amazed that any man should avow that he married his brother's wife, yet Mr. Lantier's letter corroborates my statement that the proposed bill is one to facilitate the sale of indulgencies and dispensations." This, my lord, is insolence and assurance combined, for surely your lordship must know that while Canadian legislation could not interfere with the canons of the Roman Church, for several hundred years similar dispensations were granted—as I have just shown—by the Archbishop of Canterbury, and are to this day. "The Archbishop of Canterbury," says Rees, "has a power by statute, 25 Henry VIII, c. 21, of dispensing in any case within the realm wherein dispensations not contrary to the law of God were formerly granted by the See of Rome, as well to the King as to his subjects. Every bishop of common right has the power of dispensing in common cases." In the history of the Protestant church, with the exception, perhaps, of the Burial's Bill, no legislation to restrict the ecclesiastical power has ever been more vigorously resisted by the bishops than that which sought to prevent this lucrative sale of indulgences by the archbishops and bishops of the English church. You say "Mr. Lantier gave £100 for a dispensation from the Pope to marry his brother's wife," and ask—'What is a poor man to do?" I answer your lordship's question by asking another—"What is a poor *woman* to do?" I have already cited an instance—and that only one out of thousands—of a poor woman having been excommunicated so late as the reign of George III., because she had not money enough to buy the pardon of the English bishops! The famous Alsop in his *Melius Inquirendum* referring to this conduct of Archbishop Whitgift, says, "no reformation in the marriage law can be made, but what will notably diminish the revenues, grandeur and credit of the church, and that whatever have been the *specious* pretensions, this has been the *real* obstruction to effectual reformation. Kings and parliaments have always been inclinable towards a redress of exorbitances but the covetousness and pride of churchmen have ever impeded their pious endeavors." (p. 68.)

The Table of Degrees, which seems the special object of veneration by your lordship and the Metropolitan of Canada, was made out from the Roman Catholic table by Archbishop Parker, and Bishop Jewel, both of whom not only believed in women being witches, but were foremost in prevailing the public to enact the most horrible laws [illegible] gift who so zealously contended for papal supremacy in the Church of England. In our Book of Common Prayer the heading is "A table of kindred and affinity wherein whosoever are related are forbidden in scripture and our laws to marry together" This is a falsehood to begin with; for while this table forbids marriage between uncles and nieces the Scriptures do not *anywhere* forbid such marriages. "Moses nowhere," says Huch "prohibits the marriage of an uncle and a niece. Indeed we have an instance of such a marriage in Othneil, the younger brother of Caleb, the spy who married Achsah, his niece and the daughter of Caleb" (Josh 15-17). In your petition to Parliament you say, "Any infringement of the Table of Affinity must inevitably lead to the abolition of the whole code, so that a man may marry his wife's mother or his wife's daughter." The Pope might have said the same to the English Reformers. But this is not as bad as marrying his half sister as did Abraham, or his daughters, as did pious Lot, or murdering a husband to get his wife, as did David, or marrying a thousand wives, as did Solomon. According to Moses, if the mother is not related to the child, there is no harm even in an ecclesiastical view, for a man to marry his wife's daughter if he be not her father. But the Table of Affinity *has* been remodelled scores of times by the Church, and has been so since the Reformation, and yet no attempt has been made to commit the immorality of which your lordship speaks. Moreover, though marriage with a deceased wife's sister was forbidden by ecclesiastical law, but admitted by the civil, before the marriage act of 1835 (5 and 6 William IV) yet the Church of England bishops in the House of Lords, in order to prevent by civil enactment such marriages in future *actually voted to legalize those that had been consummated before* the passage of this act. "Of this conduct of the bisnops," said Lord Houghton in the House of Lords in May last, "no explanation has ever been given which exhonorates them from a charge of the grossest inconsistency. Professing to believe that marriage with a deceased wife's sister was unlawful and incestuous only one course was open to them and that was to refuse on any grounds and for any reasons to assist in giving them legal sanction. Instead of pursuing this plain and intelligible course, they condoned all the sins of the past and consented to bless the incestuous couples who had been married before the 31st August, 1835" If the Scriptures do forbid marriage with a deceased wife's sister, then [illegible] women in England that has ever been known since Englishwomen began to be. This table was confirmed by a convocation of bishops in 1563, one of the leading spirits being this same Archbishop Whit- [illegible] under the Levitical law, but merely by *not being prohibited*, but being prohibited during the lifetime of the sister first taken to wife, it becomes doubly certain that it was permitted afterwards."

To deceive the Canadian Common- [illegible] their lordships voted to legalize what they knew God had expressly forbidden. Cease, therefore, my lord, bewailing the iniquity of the Canadian Commons for voting to legalize marriage with a deceased wife's sister, when they were but imitating the highest ecclesiastical authority in the United Kingdom. But are you aware that marriage with a deceased wife's sister was permitted by Christ and his apostles and by the Christian Church during the first three centuries of its history? "Constantine forbade marriage with a sister-in-law," says Huth, *but it was permitted up to his time* "The prohibition was renewed by Valentinian, Theodosius and Arcadius, but Justinian does not seem to have noticed it" (Marriage of Near Kin, p. 42.) On what authority, therefore, did your lordship presume to use the following language in your petition to the Commons, when you must have known that the Council of Trent had permitted marriage with a deceased wife's sister: "The church, for one thousand four hundred years after Christ held that a man's wife's sister becomes his own sister!" The first council of bishops that forbade marriage with a deceased wife's sister, also forbade marriage with bridesmaids, a wife's god-daughter or god-child! For twelve hundred years the church has forbidden *bishops* to marry, and yet your lordship has contravened the plain doctrine of the church, according to your *own* showing, by taking a wife! "Marriage with a deceased wife's sister," says Lange in his commentary, "is clearly allowable your lordship and the clergy generally pretend to have surrendered the scriptural argument, while during the last year, to secure the sympathy and signatures of church-women, the church journals have been flooded with anonymous correspondence, evidently by clergymen, arguing that Moses forbids marriage with a deceased wife's sister! In your letter to the Ottawa Citizen, March 22nd, 1880, your lordship says, speaking of Leviticus 18.18, "I knew that the Hebrew is capable of six different interpretations, all, however, tending to forbid marriage with a deceased wife's sister." Here I must claim your lordship's indulgence, but I affirm that you cannot summon a respectable author—not six my lord, but *one* who does interpret this passage to forbid marriage with a deceased wife's sister!!! I have searched all the great authorities, Jewish and Christian, and they all affirm that such a marriage *was lawful under the Levitical code.* All Jewish authors support the position I have assumed. The Targum of

Onkelos, the oldest and best of the Jewish commentaries, and which was read in the synagogue, says plainly that this is the meaning of the passage; for it translates it—"And a woman with her sister thou shalt not take to afflict her *in her lifetime.*" The Syriac version, made in the second century, says the same; so the translation made from the original Hebrew by St. Jerome. Philo the Jew, who wrote in the time of Christ, says this passage refers simply to *two sisters living at the same time*, and does not even hint that any other construction or interpretation had ever been suggested. In the Pentateuch "*newly translated* (into English) *under the supervision of the Rev. the Chief Rabbi of the United Congregations of the British Empire*," the passage is translated thus—"Neither shalt thou take a wife to her sister to vex her *in her lifetime.*" The Septuagint or Greek version, translated from the Hebrew text nearly three hundred years before Christ, gives a similar sense. This is the Bible that was publicly read in the Synagogue for nearly three centuries! Our Saviour and the apostles read and quoted it more than any other, and, excepting the Syriac, *it was for several centuries the only translation used in the church*, nor is any other used in the Greek Church to this day! The passage in dispute is thus translated from the Septuagint by Sir Lancelot Charles Lee Brenton: "Thou shalt not take a wife in addition to her sister as a rival to her * * * *while she is yet living.*" Cranmer, believing with High Churchmen of the present day that the church is higher authority than the Bible, did not scruple to give the correct translation. This passage in Cranmer's Bible of 1540 reads thus: "Thou shalt not take a woman and her sister sister *also* to vex her *as long as she lives.*" In the revision of Cranmer's Bible by [illegible] this prohibition—for even Bishop Jewel was opposed to it—had it not been for Thomas Cranmer, for "the prohibition in the Table of Affinity to legalize marriage with a deceased wife's sister," says Dr. [illegible], "passed, as is known, *by Cranmer's* [illegible] Tunstall, Bishop of Durham and Ridley, in 1541 the same translation is retained.

But Jewish law, like all others, is only followed by the bishops when it answers best for the moment the political exegencies of the Church. As a noted example your lordship exhonorates King Henry the VIII. for divorcing his wife, Queen Catharine, with whom he had lived happily for twenty years, on the plea that she had been his brother Arthur's wife, when, if the law as laid down in Leviticus, and of which your lordship and the *Dominion Churchman* are such admirers, is to be followed he was in reality *bound* to marry her, for Arthur had died childless! In your letter of March 22nd you say "Moses allowed marriage of a man with his deceased brother's wife *in one special case*, that is, when tribal inheritence was involved" But to use your lordship's words in that same letter, "a thing is morally right or morally wrong, and why should a dispensation be given to anyone to committ a moral wrong." I ask "why" also, and the answer must be that Moses gave the dispensation because it was morally right for a man to marry his brother's wife. If not, then you defeat yourself, for if Moses gave a dispensation to committ a moral wrong then there is no reason why that precedent should not be followed by the Pope of Rome, and Mr. Lantier was perfectly right to ask for the dispensation, and your lordship was perfectly wrong—Moses being judge—in reproving the Pope for granting it. We should never have had any difficulty with [illegible] *advice*" It is evident, however, that your lordship is in an inextricable difficulty, a difficulty as perplexing as that of Cardinal Wolsey when he had to please both the King and the Pope, and your lordship's fate may be as lementable as his. If you say Henry VIII did right in divorcing Catharine you offend Moses and make Queen Mary, her daughter, who for several years was head of the English Church, illegitimate. If you say he did wrong you make Queen Elizabeth illegitimate, the ground on which the Pope urged the claims of Mary Stuart to the English throne.

But there is another consideration which shows most clearly that the laws of marriage among the Jews were simply for the civil welfare of their own state, and were never intended, either in a moral or civil sense, to be binding beyond it. Your lordship says Moses permitted a man to marry his brother's wife for reasons of state, and so did he permit poleygamy:—the same principle. St. Augustine says on "Quoniam multiplicandæ posteritatis causa plures uxores lex nulla prohibebat." (Because, for the sake of multiplying posterity no law forbade many wives). Bishop Burnet, chaplain to Queen Anne, says "Polygamy was made in some cases a duty by Moses' law." Martin Luther says "the Mosaic law concerning the wife of a deceased brother and a daughter defiled against the father's consent, are well known which *compel* a man to have a plurality of wives." To this your lordship assents, for you say "under the Mosiac law a man might have many wives." Was the marriage law, therefore, which he laid down intended to be binding beyond his own state or not? If not then we are not governed by it; if so then Mormonism is right and polygamy should be the law; and when Christ said to his disciples "henceforth ye shall catch men," he meant "it will be your chief business henceforth," as it seems always to have been with the clergy, especially with the bishops "to catch women." The Metropolitan in his address before the Provincial Synod at Montreal a few months ago said that "we are under the law to Christ." The Rev. Mr. Madan, a clergyman of our own church, was right when he urged the doctrine believed in by many High Church clergymen and apparently by the Metropolitan, that polygamy *ought* to be the law in the British dominions. Paul, however, held a decidedly different opinion, for he says, "We are no longer under the law, but under grace;" "the law was our schoolmaster to bring us to Christ." But your lordship has surrendered the whole argument for to avoid the responsibility of encouraging divorce, which Moses in many cases permitted, you say his marriage law is no longer binding!! Your words are "Moses al- [illegible] authority which we attribure to the scriptures necessarily depends on the authority of the Church." Eccius maintains that "ecclesiam esse scripturis antiquiorerm et scripturam non esse authenticam nisi ab [illegible]" [illegible] lowed the Jews to put away their wives, but the Great Reformer *restored the primeval* law of marriage as we have it in Genesis 2:24!!"

But with High Churchmen and Roman Catholics it is not what the scriptures teach that decides questions ecclesiastical, but what the *church* teaches; and this is plainly the secret belief of your lordship. In your petition to Parliament before citing the evidence of holy scripture, you urge as the first ecclesiastical evidence, "The *Church of England* in Provincial Synod assembled in the year 1877, solemnly re-enacted *the table of affinity*," giving your *biblical* evidence as your *second* clause. This is the doctrine of Rev. Bedford Jones, Rector of St. Albans, Ottawa, a clergyman who is a Roman Catholic priest except in name. His words are: "The Holy Scriptures in the hands of God's ministers are the divinely ordained means of making men *wise* unto salvation. The scriptures *are no means* of salvation" (OTTAWA CITIZEN, August 17th, 1880). That is the ordained clergy—in other words the Church—are higher than the scriptures, and the latter only mean what the Church says they do. One of the articles in the famous creed of Pope Pius IV. is: "I do admit the Holy Scriptures in the same sense that Holy Mother Church doth whose business it is to judge of the true sense and interpretation of them." One of the papal canon laws is: "Omus quae nunc apud nos est scripturæ auctoritas ab ecclesiæ auctoritate necessario dependet?" that is: "All the [illegible] the Church is more ancient than the scriptures, and the scriptures are not authentic, save by the authority of the church.) The Roman Catholics are willing the bill should pass, because the authority for marriage is not in the Bible, but in the church, and dispensations will be as necessary in the eye of the Sovereign Pontiff as they are now, and your lordship is opposed to it—not because Moses forbids it—which he does not—but because the church, which is higher than Moses, has subscribed to a certain table of affinity, which originated *not* in the Bible, but in the Roman Church and a council of colonial bishops. In order, however, to catch the support of Protestant dissenters in the Commons you state, my lord, in your petition—in that contradictory logic which has made you famous that "The Holy Scriptures plainly forbid such marriages," and you appeal to Leviticus for proof! But while you are unwilling to judge as to what is right and wrong from the experience of modern society, but must subject our rule of life to Moses, why have you stumbled on a mite when a monstrous system of iniquity—first introduced by Christian bishops and which is condemned by Moses—exists in your own city as well as in every other on the continent—to women a sea of sorrow that has no shore and a crime against our sex that reaches to Heaven, threatening the moral and physical destruction not only of youth but of the human race. How piously your lordship can talk of the Christian hand of England that is staying the African slave trade—which, however, first introduced it in the person of Sir John Hawkins—but who ever heard of an English bishop, except the son of the great Wilberforce of abolition memory, either within or without the House of Lords, ever referring to the thousands of beautiful Georgian and Circassian women that are hourly abducted and sold under the rod of the auctioneer to the beasts of Constantinople, when not a night passes there are not sacks thrown into the Bosphorus containing the mutilated, worn out, and murdered bodies of those once beautiful women. This trade Russia called piracy, but her attempts to destroy it were frustrated by the holders of Turkish bonds, and the shylocks of London whose influence was sufficient to send Her Majesty's fleet into the Aegean Sea. Little did the British soldier know when freezing in the trenches before Sebastopol and breathing out his brave life on the red fields of Alma and of Inkerman that he was fighting in the cause of the Great Red Dragon, born under the throne of Christianity and Judaism, and which feeds and lives upon the beauty, virtue and blood of modern women. Did the lords spiritual ever press the magnitude of this inequity upon the attention of Her Majesty's Government? [illegible] policy sent out of his own country to purchase the linen of Egypt. But even this plain Mosaic command you were never known to respect, for although your lordship is fond of attending National Policy banquets you have ever [illegible] [illegible] Nor has your lordship ever declared from the pulpit that hundreds and thousands of young Canadian women are annually waylaid and kidnapped to lead a life of shame more horrible than death, even to crucifixion with the wormwood and the gall.

But why did you not attack Sir John Macdonald for asking an appropriation to take the census in 1881, for this is plainly forbidden in Scripture (1 Chron., 21, 1)? Why did you not reprove him for legislating to legalize a certain percentage in usury, for Moses, in this same book of Leviticus, says: "Thou shalt not give thy brother thy money upon usury, nor lend him thy victuals for increase," (Levit. 25, 37.) Is there a church in your lordship's diocese that is not five times more expensive than people can afford, and in which we are dunned the annual round for money to pay interest on mortgages? Why do you not excommunicate the Minister of the Interior for selling, and Hon. Edward Blake for advising to sell the lands of the North West, for Moses says, "The land shall not be sold for ever, for the land is mine." (Levit. 25, 20.) There are bishops in the Church of England who are fond of blood pudding, but this diet is strictly forbidden by Moses! (Levit. 17, 12) In Levit. 21, 5, it is written: "Thou shalt not shave off the corner of thy beard!?" Moses says, "neither shall a garment mingled of linen and woollen come upon thee." (Levi 19, 19) for this ancient National Policy lawgiver, like the enlightened legislators of modern days, did not wish to see the [illegible] tended for the use of the linen surplice in the Church of England. Moses says: "The seventh year shall be a Sabbath of rest unto the land; thou shalt neither sow thy seed nor prune thy vineyard." (Lev. 25, 27.) Did you ever attempt to show the ministry what a blessed thing it would be—enjoined upon them by Moses!—to introduce the Sabbatical year into Canada? "Every fiftieth year shalt be a year of jubilee." (Ch. 25, 11.) Have you ever sought to obtain for this country a year of jubilee? Moses says: "Remember the Sabbath day to keep it holy," but did you ever keep a Sabbath day holy in your life? These are questions your lordship cannot and will not answer. Nor is it necessary. The manner in which your personal influence was exercised, even in the lobby of the Senate, to secure the defeat of Mr Girouard's bill, and the tone of your past ecclesiastical career, are an answer to them all.

GUNHILDA.