

**THE LAW OF ANTI-  
RELIGIOUS  
LIBEL RECONSIDERED, IN A  
LETTER**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649449163

The Law of Anti-Religious Libel Reconsidered, in a Letter by Joseph Blanco White

Except for use in any review, the reproduction or utilisation of this work in whole or in part in any form by any electronic, mechanical or other means, now known or hereafter invented, including xerography, photocopying and recording, or in any information storage or retrieval system, is forbidden without the permission of the publisher, Trieste Publishing Pty Ltd, PO Box 1576 Collingwood, Victoria 3066 Australia.

All rights reserved.

Edited by Trieste Publishing Pty Ltd.  
Cover @ 2017

This book is sold subject to the condition that it shall not, by way of trade or otherwise, be lent, re-sold, hired out, or otherwise circulated without the publisher's prior consent in any form or binding or cover other than that in which it is published and without a similar condition including this condition being imposed on the subsequent purchaser.

[www.triestepublishing.com](http://www.triestepublishing.com)

**JOSEPH BLANCO WHITE**

**THE LAW OF ANTI-  
RELIGIOUS  
LIBEL RECONSIDERED, IN A  
LETTER**



**THE LAW**  
OF  
**ANTI-RELIGIOUS LIBEL**  
RECONSIDERED,  
IN A LETTER

TO THE  
EDITOR OF THE CHRISTIAN EXAMINER,  
IN ANSWER TO AN ARTICLE OF THAT PERIODICAL AGAINST A  
PAMPHLET, ENTITLED

“CONSIDERATIONS, &c.” BY JOHN SEARCH.

BY  
THE REV. JOSEPH BLANCO WHITE, M.A.  
OF ORIEL COLLEGE, OXFORD.



*Et sentire que velle, et que sentias dicere.*

DUBLIN :  
RICHARD MILLIKEN AND SON,  
BOOKSELLERS TO THE UNIVERSITY.  
B. FELLOWES, LUDGATE-STREET, LONDON.

1834.

744.

**DUBLIN:**  
**Printed by JOHN S. FOLIOS, 5, Bachelor's Walk.**

## LAW OF LIBEL,

&c. &c.

---

DEAR SIR,

IT is very satisfactory to my feelings that, finding myself (as I conceive) bound to publish some observations on the 1st article of the new series of the Christian Examiner, for March of the present year, I can address you as a person with whom I have the honour and pleasure of being acquainted. That this is not a mere complimentary introduction to the present letter, you will readily perceive by what I am about to state.

1. Whatever affords the slightest countenance to the principle that the man who feels convinced of his being in possession of revealed truth, has a right to exert whatever portion of temporal power he may happen to possess, in preventing other men from reasoning against that conviction, brings to

1. The persecuting principle, irritating to the author's mind. His practical knowledge of that principle.

my mind associations and recollections so deeply painful, that I am hardly able to check the expression of my internal suffering. On the other hand, finding myself to be one (I will not say singular) but certainly somewhat remarkable living instance of the effects of that principle, against the happiness, against the most unquestionable natural claims of men who love TRUTH, and respect their own intellectual rights; seeing also that my strength is fast declining by age, and long and severe bodily suffering, I am irresistibly moved to enter my solemn protest against the intolerant opinions, which, to my utter regret, I hear proclaimed in that very country, and by those very persons who are most alarmed at the intolerance of the Church of Rome.

2. The author especially called to write upon this subject.

2. Whether I am right or wrong in this notion of a personal duty on my part, it is for others to judge. I fully anticipate the decision of a certain class of men, of whose temper I have before had considerable experience. To them I have not a word to say. To persons of common candour I wish to state, that one of the reasons why I feel myself individually called to the performance of this public duty is, that having at length learnt by long practice not to mind obloquy, I am probably the only man of my profession, in the whole of this kingdom, who can undertake that duty at *no* risk of loss or



suffering ;—certainly at *no risk* which can make me uneasy. The sacrifices by which I have obtained this freedom have long, long been made. Other men would have to prepare themselves for similar ones if they were about to speak as freely as I intend.

3. And now I am confident you will easily be convinced why, in such circumstances, I heartily congratulate myself in being able to address a person I esteem and respect. My only apprehension when I made up my mind to answer your Reviewer of *John Search's Considerations on the Law of Libel in regard to Religion*, was that my painful recollections might make me write more as giving vent to indignation, or perhaps disguising it into scornful satire, than it becomes a Christian. This apprehension, however, entirely subsided when I resolved to address you ; for as I know that you will receive what I am about to say with the frankness and candour which I have found to be in your character, the idea of such a reception will act as a mild and friendly constant check to over-excitement on my part.

4. Perhaps since you began to read this letter, you have been under the impression that this eager stepping-forward in defence of *John Search*, has disclosed to you the real person whom that name

3. The author's determination to check his feelings.

4. The author knows not the writer who calls himself *John Search*.

disguises. If your suspicion falls upon me, you certainly do me too much honour. I remember the familiar but expressive words which I uttered when I first read the work in question. "I would (I said) endure a dozen lashes at the halberds to have been the author of this argument." You will observe that I confined myself to the *argument*; for probably I would have expressed myself differently upon some incidental points. If, on the other hand, you should construe my zeal into an expression of personal friendship for the author, then I must tell you that both the person and name of the writer of the pamphlet are totally unknown to me. All that I know of this matter is, that the author is *none of my acquaintance*.—Having, as I hope, cleared myself of all suspicion of partiality as to the author, I must add that as I am in a similar state of ignorance in regard to the writer of the article, I may be considered as equally free from any personal prejudice against him.

5. State-  
ment of the  
law of reli-  
gious libel.

5. One more preliminary I must beg you to allow me; and that is a brief statement of the point in question; for I conceive that every book and pamphlet should be so complete in itself, that the reader may be able to understand, by means of it alone, the subject of the discussion. In the present case, this precaution is the more necessary, because I have

found well-educated persons in this kingdom, who are not aware of the existence of any law limiting the right of publishing opinions on religious subjects. I shall therefore insert the clear statement which the author, who calls himself "John Search," has given in his first two paragraphs, of the state of the law of libel on religious subjects, as it exists in his Majesty's dominions.

"By the existing law of the land, so far as relates to the publication of religious opinions, any writing whatever, which shall tend to impeach the evidences of the Christian faith, or in any manner to impugn Christianity as a whole, is, I believe, indictable as a blasphemous libel, and punishable as such by fine and imprisonment, 'or other infamous corporal punishment.' Be the work, in all other qualities, what it may—be its tone and language temperate or insolent, serious or flippant—or its object pursued by sober argumentation, or gratuitous invective and contumely;—all this makes no other difference, I apprehend, in the eye of the law, than simply in the way of *aggravation*. The advised attempt to dispute the truth of Scripture is itself the legal crime: statute law and common law unite in declaring it such: and the writer is liable in every such case to the penalties forementioned.