

A New Calvinist: Reformation of Rights

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I have been writing on the history and theory and law of Human Rights and religious freedom a central focus of this work has been on the historical contribution of the reform tradition Calvinism in particular to the development of rights in the western legal tradition in an earlier title the Reformation of Rights I tracked the development of Rights talk in Protestant lands inspired by 16th century genevan reformer John Calvin and his new teachings on Authority and Liberty and duties and rights and church and state and law and religion Calvin's original teachings were periodically challenged by Major crises in the west the Saint Bartholomew's Massacre and the French Wars of religion that followed the Spanish Inquisition and the Dutch Revolt against Spanish Authority the English Revolution and the Civil War that followed American Colonization and the American Revolution and each such crisis moment a major cowardice Titan emerged teodor beza in France Johannes al-thusiasts in the Netherlands John Milton in England John Adams in the United States who modernized Calvin's teachings on rights resistance and Revolution and converted them into dramatic new legal and political forms and reforms and this activity helped render early modern Calvinism one of the driving engines of Western constitutionalism the SQL volume is now on my desk and that will be my contribution to the Gifford tradition it is focused on calvinist contributions to Modern rights from Circa 1776 the date of the American Revolution to 1948 when the universal Declaration of Human Rights was promulgated I shall again be focusing on major events that proved to be watershed moments in the development of Rights challenges like the slave trade and its abolition the Industrial Revolution and its impact on workers and the environment the women's rights and suffrage movement and its emergence and Temperance as well the Great Depression and the massive burden of the rights of the poor World Wars one and two and what it did to prisoners and to refugees of the world over and I shall again be focusing on Calvin's Titans who redirected the calvinist tradition to address these new rights challenges in their day in accordance with and an extension of the original teachings of John Calvin and his followers as an illustration of this new project allow me to use my precious 52 minutes given to me by Professor Nemo to focus on one key development in the evolution of Rights the abolition of chattel slavery and the removal of the transatlantic slave trade and I take as my case study a calvinist Titan that you doubtless have never heard of before although he lectured here in Scotland several times in the 1840s and 1850s and that is the black abolitionist and

Presbyterian preacher the Reverend James WC Pennington Pennington's story is one of Hope resilience reform courage prophecy and prescience as he navigated the horrible world of chattel slavery and helped to bring about emancipation in the name of Rights and Liberty dignity and equality allow me to take you into his world a little bit and please bear with me with some of the ugliness and violence and racism and misogyny that you will hear in this story and that you will hear in quotes from him Pennington was born into slavery in the American state of Maryland in 1809 as a young child he was whipped severely by the Masters overseers and raped repeatedly by the master servants and children and so he spent long lonely and hungry days hiding and freezing in the woods while his parents worked the fields as a youth he was periodically leased out to other Masters and forced to live away from his parents often returning starved and beaten after witnessing the brutal whipping of his own father that maimed his father for life in 1827 Pennington resolved to make a harrowing escape with an eye to getting help for himself and for his family twice he was captured by fugitive slave Hunters twice he escaped again he made his way to Pennsylvania where Quakers took him in and provided food and shelter kindness a paid job his first Bible and his first education Pennington then moved to New York City and took night classes after working during the day as a footman and Coachman in 1830 Pennington converted to Christianity and immersed himself in learning he taught himself how to read the Bible eventually in Greek and he mastered Theology and history in rhetoric he became the first black man ever to study at Yale University although he had to sit in the hallway to hear the lectures and he was ordained as a presbyterian minister in 1838. and for the next three decades Pennington pastored several churches and became a leader the moderator of the New York City Presbyterian in that same year of 1830 21 year old Pennington joined the Abolitionist cause and gradually Rose to become the leader of the world abolitionist Society he worked assiduously for the abolition of slavery in the Emancipation or Escape of individual slaves he spent his life savings to Ransom two of his brothers and father though to his great grief he could not find his mother and three sisters who had been sold off and Scattered mounting pulpits and lecterns on both sides of the Atlantic he led efforts to promote Temperance education family stability missionary work and charity among blacks in the United States the Caribbean and Africa and to end racism segregation and other forms of Injustice in church State society and economy alike Pennington treated slavery as a form of domestic tyranny as he called it that needed to be resisted and removed as an assault on the fundamental Norms of dignity Liberty and equality for all much like the 16th century Protestant reformers who revolted against the spiritual tyranny of the medieval church and much like the 18th century American revolutionaries who revolted against the political tyranny of the English crown Pennington revolted against what he called the domestic tyranny of the American chattel slave system he called it blatant hypocrisy for the devouredly Christian Nation of America to declare proudly that all men are created equal and endowed with certain unalienable rights and then systematically to deny those rights to most of the population the women the children the immigrants to indentured servants to Native Americans and African Americans whether enslaved or free he called it a monstrous crime for slaves to be treated as items of personal property of their masters rather than as image bearers of their Creator God he called it Divine treason to refuse sanctuary and comfort to an escaped slave to re and to con or to comfort them or to return slaves to their

masters for a perverted verbal 30 pieces of silver and he called the American law of slavery a covenant with death and hell that would bring the entire nation under God's judgment and Wrath Pennington's guide throughout this was the Mantra of sacred Liberty equality and dignity for all and he traced this Mantra to various Protestant traditions of rights to resistance and Revolution that he encountered in his work as a Yale Divinity student and as an emerging Presbyterian Pastor as he put it in a later sermon and I quote from him at a bit of length the Reformation was a contest for the rights of the people in matters of religion and conscience from his Monkish Apartments Martin Luther looked out upon the moral state of his countrymen he beheld them without the word of God in their own language he assumed it to be the right of every man to have and to hear God's holy word and to read it for themselves Luther was especially prompted by his conscience to oppose slavery whether physical mental or religious it mattered not to him whether the Rights of Man were attacked by the Pope the Emperor or civilian he resisted that attack upon the authority of his conscience and the fear of God Alone Liberty of conscience he claimed as the birthright of all humankind end quote Pennington followed Protestant convention in viewing Liberty of conscience as the natural corollary to the sovereignty of God Liberty of conscience is not the Liberty to do as one wishes but to do as God commands he insisted in practice it requires the Liberty to discharge one's spiritual duties to worship God to honor God's name to observe the sabbath to avoid idolatry and blasphemy to enjoy the free exercise of religion it also includes the right to discharge one's moral duties towards neighbors to respect a neighbor's rights to Life Property reputation marriage household and business Pennington further followed Protestant convention in seeing Liberty of conscience as what he called the mother of Human Rights the Wellspring from which all other fundamental rights naturally flowed under the government of God and Nature's God Liberty of conscience is natural to every human being said Pennington it is a gift of God to the human race conscience claims and requires the exercise of free speech and free publication it tells a man he has a right to be and to be free it tells them he has a right to have a lawful wife and children it tells him that he has a right to enjoy and have all of these in his state of Freedom every human being has a right to be and to act as such and to possess life liberty and pursue happiness said Pennington since the days of Luther Pennington continued many Protestant revolutionaries have fought in the name of these god-given religious and civil rights Liberty equality and dignity were their manifestos as they marshaled their protests and revolts against the political tyrants of Germany and France the Netherlands England Scotland and Beyond these Protestant revolutionaries believe fervently that Rebellion to tyrants is obedience to God the American Revolutionary said Pennington built on this great tradition and taking up arms against the British and throwing off its tyrannical laws and oppressive Rule and declaring themselves free but many Americans were not free either in 1776 or in Pennington's day they still lived under the Tyranny but one now imposed by their own governments rather than some foreign power blacks and whites and Penningtons slaves and Freeman alike fought bled and died shoulder to shoulder in the American Revolution they were literally brothers in arms yet with notwithstanding the Star-Spangled Banner notwithstanding the Fourth of July orations Pennington wrote America has remained for many a land of Oppression while the 1776 Declaration of Independence proudly proclaimed that all men are created equal and endowed by the creator with certain unalienable rights the reality a

half century later was that many Americans were fundamentally unequal and systematically denied many basic rights to property education charity contract political office suffrage and more and more brutally still black cattle slaves were denied rights altogether even the right to Legal recognition as human beings as image bearers of their creator moreover while the Declaration of Independence heralded the end to the political tyranny of the colonial system the American Constitution preserved the domestic tyranny of the slavery system the Constitution allowed the odious Atlantic slave trade to continue for at least a generation a brutal trade in human flesh and blood that ultimately carried some 12 million Africans to the Americas and killed 3 million more in Passage The Constitution's Infamous Three-Fifths Compromise strengthen southern states by counting their slaves to representation in Congress even though slaves were discounted as mere chattel at home and the Constitution established the hated fugitive slave laws that required Escape slaves and free states to be returned to their masters and there to be reduced again to items of mere property to be bought sold at least to be beaten raped and starved to be worked bred and boarded like beasts and foreclosed by state law from the basics of human life marriage education literacy art play paid work free worship Church Life and much more slavery is the very antipode of Liberty Pennington thundered if it is a self-evident truth that men are Born Free by the hand of the god of nature the American Constitution of slavery uproots that hallowed constitution of nature it opposes the hand of God it prostitutes the Divine ordinance it is an act of mortal sinfulness it is a covenant with death as Isaiah 28 puts it in agreement with hell that cannot stand Pennington attacked slavery with all manner of arguments he attacked popular biblical arguments of his day that aimed to justify the subjugation and enslavement of Africans the gospel rightly understood taught received felt and practices as anti-slavery as it is anti-sin he said does the gospel sanction cruelty there's a gospel sanctioned mangling that sanctioned starvation does it sanction torture and rape the gospel sanctions none of these nor the institution of slavery that allows them the gospel is a story of redemption and Liberation not enslavement and subjugation he said Pennington called chattel slavery not only tyranny but also blasphemy in betrayal of God's claim and call on all of his children for a slave holder to admit the right of property in a man said Pennington amounts to stealing from God himself whose image Bearer and Ambassador each person is called to be for a slave holder to deny the personhood of another race is to defy God's order of creation and Christ's order of redemption as Saint Paul reminds us there is neither Jew nor Greek male nor female slave nor free for We Are All One in Christ Jesus Pennington was especially incensed that the slave system deprives slaves of their religious freedom he recounted how southern slave masters for all of their Christian piety and faithful Church attendance sternly resisted the efforts of Christian missionaries and pastors to evangelize and to educate slaves how Christian missionaries to Southern states were assaulted whipped and shot at and sometimes killed just because they shared the good news of the Bible to Slaves how pastors and deacons who dared provide food and shelter to slaves were run out of their churches homes and towns at gunpoint how black and white churches in both the North and the South that tried to provide Sanctuary to fleeing slaves faced criminal prosecution and state convocation of their properties along with private acts of vandalism and arson that went unrequited and unindicted the effects of slavery upon the Christian church are horrible to contemplate Pennington wrote all the great denominations in the country Quakers

accepted have their hands stained with human blood think not of the bleeding hearts and manacled limbs alone the nakedness the starvation the darkness of mind the premature death the murder the theft the rape of slaves which the church's countenance by action or Omission think even more said Pennington of the loss of The Immortal Souls to which the church is an accessory an agent This truly is a covenant with death a pact with hell even freed or Freeborn blacks have little religious freedom or social equality Pennington lamented now taking on racism more broadly blacks are treated with indignity in the white churches forced to sit in their own pews if allowed in the door at all and rarely allowed to stand at the pulpit or in leadership positions or to kneel at the rail even in free states slaveholders are allowed to worship freely but freed slaves and Freeborn blacks sometimes cannot get in the door nearly all denominations again Quakers accepted are segregated Pennington charged this sacrilegious principle is Blasphemous especially in the church in many locales even in free northern states free blacks must not only stay in their own pews and churches they must also stay in their own houses and neighborhoods and schools and boarding houses and Fort orphanages asylums Charities businesses and more they must not marry or employ whites they must sit in their own seats in railroads ships fairies and carriages they may not vote run for elections sit on juries service policemen carry non-military arms or participate in any government offices or activities perhaps most ironic of all they must often keep to their own separate black abolitionist societies men and women of color even if not enslaved are fundamentally separate and unequal Pennington concluded what then was the proper Christian response to this racism and slavery to this National Covenant with death resist reform and remove this odious legal institution root and Branch was Pennington's response but such resistance should be as non-violent as possible Pennington insisted contrary to many sword-swinging Protestants in his day and before Pennington was a principled pacifist committed to non-violence so much as possible colored people must bear and forebear he wrote in 1842 they must accept Christ's injunction to love your enemies do good to them that hate you pray for those that spitefully use and persecute you resist not evil but overcome evil with good and again at a lecture given down the road in Glasgow in 1850 he declared we blacks have been wronged but we do not wish the wrong others for the spirit of the Gospel commands us to tolerate our wrongs for centuries we've endured the most hard and intolerable oppression we have been denied of the joys of property education and family of all that is dear to humanity but we have faith in God and in unalterable Justice we believe our emancipation will come but without the help of the sword end quote but pacifism does not connote passivity Pennington insisted and turning the other cheek does not require martyrdom he wrote the best way to fit a man for freedom is to lay upon him the responsibility of acting the part of a free man and that requires him to speak and preach and petition and demonstrate and work with all legal means available to end the scourge of racism slavery and Prejudice and vindicate the rights and Liberties of all that starts with the church where racism slavery and segregation should find their least refuge and their strongest rebuke that's why Pennington insisted on preparing for the ministry at Yale even though no black student had ever set foot there before he insisted on sitting in white pews and standing at White pulpits he insisted on serving as the duly elected moderator of the Presbytery of New York even though that had him awkwardly judging the ordination and discipline of white ministers he urged black

ministers to Grace white pulpits and black parishioners to attend white churches and religious schools he urged all persons to pray for slaves and for slaveholders too he urged them to plead with slave holders and their heirs to release their slaves he urged churches to raise Ransom funds for the purchase and release of slaves as Pennington himself did to rescue his father and two brothers and he led and sponsored Christian missions to slaves and the Americas and the Caribbean insisting that the gospel provided ultimate liberation much like Martin Luther King Jr a century later Pennington regarded the church as the soul fire of any true Human Rights Movement Pennington also pushed the same message of racial integration and desegregation in other areas of life he sat in white seats on public carriages Rosa Parks like and successfully brought a lawsuit in New York to end segregated seating to break down economic segregation he urged fellow free blacks to enter the workforce with others to watch out for each other on the job to unionize and petition for labor and economic standards that were Fair he called for the universal suffrage in federal state and local elections for blacks and whites men and women alike he called for black men and women to serve on juries especially when fellow blacks were on trial and he urged black families to stay together or reunite after emancipation or Escape even if slave laws that prevented Couples from marrying and separated parents and children and even if lustful Masters and overseers had raped their female slaves forced them into concubineage or grossest forms of immorality and debauchery the intact marital family for him was a Bastion and bulwark of Liberty for men women and children alike Pennington called loudly on ministers and other Civic leaders to preach and publish and lecture constantly against slavery and work toward abolition at the local state and federal levels he urged their congregants to raise funds to buy slaves and release them he urged slaveholders to emancipate their slaves by contractor divides or gift he pointed to the peaceful and successful British abolitionists as a model for American abolitionists Britain's he said had displayed their talents and energy in collecting and arranging their anti-slavery facts so as to carry the question home to the moral feelings to the deep deep natural Sentiments of the nation they pushed their arguments and thundertones to the throne into the parliament said Pennington declaring that slavery is a monstrous crime which endangers the very existence of a Nation by exposing it to the wrath of heaven and that freedom is the slave's Birthright that Justice demands his immediate and unconditional release in the 1840s Pennington was optimistic that all of these efforts at abolition and integration starting with and in the churches would eventually lead to the peaceful abolition of slavery in the United States too he listed a number of examples of progress toward abolition and desegregation in 1849 for example he declared down the road now in Edinburgh the mind of the slaves as well as the free people of color in America is rapidly expanding it is coming more and more into contact with the great principles of Truth and dignity of civil and religious liberty which is fire the hearts and minds of the Anglo-Saxons of earlier times and of the Protestant reformers most recently but despite all of these efforts and advances slavery remained firmly in place in the United States and the number of slave states was in fact expanding not Contracting moreover in 1850 Congress passed yet another Fugitive Slave Law and in the 1857 Dred Scott case the Supreme Court confirmed that slaves were mere channeled with no constitutional rights of persons that followed them into free states this betrayal of the Abolitionist cause at the highest level of government hardened Pennington's opposition to

slavery and opened him to more strident means of opposition even in his earlier non-violent phase Pennington had insisted that the laws of slavery and fugitive slave return were unjust and could in good conscience be broken any law or agreement that is contrary to the law of God he says is by definition null and void and is not binding on the human conscience in practical application this meant that slaves themselves were free to escape their masters if they could do so without undue violence as Pennington himself had done as he wrote in 1843 although the cause of abolition is advancing slavery is still the same for the individual slave he still breathes in pain and in Blood and in sorrow and the only way to change his condition is to break his Fetters in a later speech Pennington called escape a legitimate form of natural self-defense he wrote the loud voice of natural conscience is the tribunal which charges every man with what he has the right to be and a duty to do it tells a suffering slave what are his rights and what are his wrongs it prompts him to escape from his oppressors chains cannot bind him boats and bars cannot confine him the horse whip cannot deter him every fugitive slave who escapes is a monument to the sacred whisperings of the voice of God and of nature that tells him that he is free Pennington further insisted that Christians could not in good conscience assist with the capture and return of fugitive slaves regardless of what the law says he wrote If you re-enslave a man you not only Rob him of his own dear Liberty and happiness you rob God of his right as a Creator and Redeemer of that man it's even worse to collect the Bounty for slave catching a slave catcher said Pennington is a modern day Judas Iscariot who betrays yet another Son of God for 30 pieces of silver Pennington tempered his pacifism even more when bloody conflicts broke out between African-American and Irish immigrant communities in New York and New England in the later 1850s he now clearly asserted for the first time the right of blacks to use arms or other Mortal means for necessary and proportionate self-defense he wrote there is no principle of civil or religious obligation that requires us to live on in Hazard and to leave our person property our wives and children at the mercy of Barbarians self-defense is the first law of nature he concluded after the Civil War broke out in 1861 Pennington further encouraged African Americans to enlist and himself volunteered to serve as a military chaplain colored men he said should enter the Army in force for the strength that will give them the education they will obtain the pay they will get the good service they will do for God this country and the race Pennington admitted that he was thankful that the Civil War was started by the slaveholders and not by the slaves indeed had the slaves risen and attacked at Fort Sumter the world was cried out against them as the perpetrators of an unjust War but now no one can see that this is not a just war no one could oppose emancipation at a count of the turbulence and the blood thirstiness of the slaves Pennington noted that it isn't slave Brethren See Clearly the hand of God in this war they believe God has risen to make Inquisition for blood to purge The Land by the blood of the guilt which rests upon it because of its slavery and its slave law and slaves are willing to leave that cause to God Alone in the assured Faith and Hope that God would send deliverance and would use them to find a better way Pennington's remarkable struggle for what he called the sacred dignity Liberty inequality of all is an inspiration for those of us struggling today against the many ugly forms of pathos that beset us at home and abroad we can take inspiration from his rise from a beaten raped and battered slave youth through the leadership of church State and the Abolitionist cause worldwide Pennington stood firmly in the Protestant especially the

calvinist tradition he repeated Cardinal Protestant themes of Rights resistance and Revolution by a Covenant Community called to worship God before Men He repeated the central premise of protestant rights talk that religious freedom is the mother of many other rights for individuals and communities he repeated the Protestant Mantra that reform and renewal of law politics and Society must begin first and foremost in the church and he repeated the Protestant ethic that a Christian church and Community must always be restless to reform semper reframanda particularly in times of spiritual and political turmoil and tyranny but Pennington added appreciably to this calvinist and broader Protestant tradition by treating chattel slavery as another form of tyranny that needed to be resisted and reformed just as early a revolutionary movements are done with spiritual and political tyranny emancipation From Slavery Pennington believed must begin with proclamation of the gospel and the free exercise of faith just as God miraculously LED his chosen people out of the house of bondage just as God's grace irresistibly leads his elect from their bondage to sin so God will ultimately break the Fetters of human slavery Pennington believed God equips the conscience of each slave to know that he or she has endowed with liberty and has the right to break free from the Fetters of slavery and escape to Freedom when the time comes God also Searns the conscience of every slave master to know that slavery is wrong and emancipation is right whatever the unjust laws and false prophets of the day might tell them God calls on everyone to exercise the threefold office of prophet priest and King on behalf of slaves as prophets to speak powerfully in opposition to slavery and racism and Injustice as priests to evangelize slaves and Masters and provide pastoral care comfort and sanctuary and as kings to work hard to break those unjust laws of slavery that betray God's word and work hard for justice and mercy rights and Liberties for all but Pennington was no sword swinging revolutionary like some of his Protestant forebearers anticipating by a century the Civil Rights Movement led by Martin Luther King Jr Thurgood Marshall Andrew Young and so many others Pennington advocated primarily non-violent resistance against slavery and racism he led sit-ins and lawsuits political protests and constitutional challenges he advocated the integration of churches schools Charities and public accommodations he encouraged blacks to prepare and place themselves in positions of leadership in all sectors of society starting with the church whose segregation of blacks and whites and exclusion of slaves he called outrageous heresy the church was the sole fire of the human rights movement.

Pennington believed just as religious freedom was the mother of many other human rights freedom of conscience and free exercise of religion are the first freedoms of any constitutional order he argued the first pillars of a just Democratic Society Pennington and prescient and prophetic ways anticipated the 20th century civil rights movement in America led especially by Protestant black churches he anticipated the reality that the more fully the state protects religious freedom the more readily the church helps in the great task of bringing liberty and justice for all he anticipated Martin Luther King Jr's famous saying that quote if the church Will free itself from the shackles of a deadening status quo and will speak and act fearlessly and insistently in terms of justice and peace that will rekindle the imagination of mankind and fire The Souls of men imbuing them with a glowing and Ardent love for truth justice and peace Pennington also anticipated our late modern discovery that

religion is a Cornerstone of Human Rights and indeed indispensable to constitutional order even in today's liberal societies religions helped to define the meanings and measures of Shame and regret of restraint and respect of responsibility and restitution that a human rights regime presupposes they help to lay out and tie down the fundamentals of human dignity and human community and the essentials of human nature and human flourishing upon which human rights regimes are built moreover religions stand alongside the state and other institutions and helping to implement to protect the rights of a person and Community especially at times when states are weak distracted divided cash-strapped corrupt or non-existent religious communities can create the conditions and sometimes the prototypes for the realization of civil and political rights of speech and press assembly petition and more they can provide a critical and sometimes the principle means of vindicating the rights of Education Health Care Child Care labor organization employment artistic opportunity and more and churches offer some of the deepest insights into the duties of stewardship and servanthood that lie at the heart of environmental care and what we now call the rights of nature and finally Pennington challenges us to see that tyranny comes in many forms beyond the tyranny of the totalitarian state or the authoritarian Church other legitimate authorities too and families schools corporations hospitals Charities Farms factories unions movie houses locker rooms and other institutions wield enormous but often invisible and unchecked Power and these authorities can become corrupt abusive and can crush the rights and the Dignity of their local subjects with as much cruelty and Devastation and outrage as the early modern State inflicted on their local subjects even more distressing are the great number of illegitimate but powerful authorities that have emerged in recent years that now exercise massive tyranny at home and abroad gangs and drug cartels who hold whole Nations Hostage to their malevolent designs pimps and sex traffickers who control and strangle the lives of tens of millions of traffic women and little children worldwide hackers with keyboards Shooters with machine guns terrorists with global networks who have caused such massive suffering at home and abroad particularly in contrast to the loud and Brash nativist and xenophobic voices that we now hear today on both sides of the Atlantic we can take comfort and courage from Pennington's abiding message of Hope and resilience of peace and reform of righteous protests and rights-based living of just war and Jester reconstruction built on the foundations of family church and school of democracy constitutional order and rule of law and of the firm resolve to ensure that every member of society may enjoy their sacred dignity Liberty and equality thank you very much Professor Whittier thank you so much for such a challenging but fascinating lecture we have some time for questions and answers if you'd like to ask a question if you could raise a hand and when I offer the floor to you if you could speak into the microphone that's in front of you you'll allow us all to hear you'll need to press the button on the right hand side of the circle in front of you to be heard Professor Whitty is asked to elaborate on the role of quakerism in the story of protestant rights discourse and thinking there's really are anomalies in the colonial period in the United States as well as in England before William Penn and his company went across and eventually established the state of Pennsylvania The Colony before Quakers have drawn from the tradition of Toleration of Love Of Peace of literacy of openness of embrace of all regardless of race and Creed and color and ethnic origin that was one of their founding mantras they self-described as Christians the charter of

1682 that creates Pennsylvania as a colony insists that it's a Christian Colony but dedicated to free exercise of all and establishment of no religion and in that sense they were anomalous in the 17th century when they preached that gospel here in England they ran into Anglican and Presbyterian establishments and ran into the reality that there was a religious caste system in place with Anglican conformist and tolerated Protestants and Jews and Catholics no thank you and here are the Quakers arguing to the contrary that under the sovereignty of God we must recognize that religious pluralism is a good rather than a bad and it should be left to God the cultivator of the garden of religion to decide which form of Faith should flourish in which form of Faith should fade that message in the 17th century was the object of scorn made the Quakers pariahs made them very unwelcome in places like New England where the Quakers were treated with great disdain by the pure authorities the four Quakers that insisted on coming back were hung in the Boston Common Quakers were constant whipping boys and girls in the evolution of 18th century republicanism but they were consistent in their basic teachings that I just described and that insistence eventually began to draw respect because the argument for religious pluralism in particular began to take root and the argument that we have good rather than bad in recognizing a variety of peaceful communities in our own geographical area maybe something we want to take into account why should we have a purity narrative why should we insist upon One Faith one territory one baptism and all others being viewed as Heretics or as dissenters maybe it's better to flip the Paradigm and in the 18th century more and more non-quakers began to embrace that Quaker message as a way of respecting God's sovereignty over the conscience the nature the natural teachings that every person can enjoy and they added utilitarian arguments to this which the Quakers rejected and the utilitarian arguments were arguments that James Madison starts making famous at his discussion of factions and Federalist Paper number 10 and 51 where the idea was well it's good to have multiple factions good to have multiple sex multiple denominations checking and balancing the other they provide as Thomas Jefferson says the a role of censor morum over the other keeping them from excess keeping one of them from dominating ensuring that each of them is going to be tested and contested in their fundamentals and kind of early religious Darwinism a Marketplace of religious ideas idea begins to emerge that idea gets ensconced second really important thing that the Quakers do is they are in the Vanguard of abolitionism because of the teachings that they have in general about humanity and about society and about equality and about Toleration for all they find the institution of chattel slavery and Abomination and Abomination just in the sense of common sense but an Abomination against the very scripture which they adhere to as well and while more selective than hard-nosed Sola scriptura Puritans check out these passages come on now there is neither Jew nor Greek slave nor free male nor female we're all one in Christ Jesus aren't we aren't we shouldn't we be as a guiding Maxim for what we're about um the argument against the gratuitous cruelty against a particular race in a particular being because of how they happen to have been born the idea of matrilineal descent into slavery and you know inescapable condition except that the discretion of the master it was an abominable form of tyranny and early on already in England and certainly after 1680s in Pennsylvania that message becomes important that too is unpopular Protestant denominations Catholics in the day many others were happy participants in the slave trade even if they lived in one of the free states North many of

those chartered companies in Boston and New York and Pennsylvania nonetheless participated in the slave trade to their great profit and again the Quaker message ran deeply afoul of those fundamental convictions but over time together with other voices including Calvinist voices Presbyterian voices that we see illustrated by Pennington the movement toward abolitionism begins to take hold but it takes a bloody Civil War six hundred thousand people killed Untold Millions maimed and harmed and orphaned and widowed before we have a settlement of that and I dare say the settlement even born of war and even ensconced in Civil Rights Acts and reconstruction amendments the Vestige of that still has not ended as we see in the United States still today Professor received received by the writings of John woman a prominent Quaker campaigner in the mid-1700s and whether there was a parallel to Pennington's thought in Roman Catholic thinking around the same time books that he had in his library that ended up getting sold to Ransom his brothers doesn't have we don't have a preserved list of that so we don't really know to what extent he drew on particular figures.

Beyond Luther and Calvin and Knox and others that he periodically would induce but very generically not with any particular uh chapter and verse citation so I I just don't know that um that story of the historical pedigree of some of his ideas I do know that he was very sympathetic uh to the Quakers in part from his own autobiography being taken in as an escape slave and in part because they tended to sit with the abolitionists in leadership in many of the northern States including in New York where they had prominent positions in the Abolitionist forces um yes the Catholic tradition is going through its own deep reflection on this as you know since we're dealing with Lord Gifford and natural theology there is a natural argument for slavery that we inherit from Greco-Roman times and that people can be consistent with if not the use not the rally consistent with the US gentian the common law of Nations we can recognize that some people are slaved and some people are not slave that old tradition is perpetuated in the civil law and common law and picked up in Catholic circles throughout the Middle Ages and throughout early modern times what's new in the American story and eventually the Americas story Brazil and others in the Caribbean participating is the chattalization of the slave that a slave now has lost personhood that a slave has lost basic rights of personhood that they've been reduced in many ways to simply the prerogative of their Master with very little constraint upon what the master can do to them and that a slave status is simply something that you are born to that is comes to you because you're you have a slave enslaved mother You by definition regardless of who your father is you are a slave which of course creates these horrible systems of reading and other things that go on in the ugliest times of the slave cold system that system is in place in Catholic countries too Catholics also participate in the transatlantic slave trade the very very robust Brazilian slave trade in particular but other parts of Latin America too we're very deeply engaged in many of the same kind of atrocities that we see in the Americas the slave trade in Brazil goes on for 40 more years long after the American slave trade is over in 1808 it continues in Brazil I think the 1858 or 1856 and those principally are Catholic Traders so what is the response of the responses and academic response first the academic response building on the school of Salamanca people like Victoria and Las Casas and others who had spoken very powerfully against the abuse of indigenous peoples against the the use of slave

labor in general let alone slave labor that gets catalyzed are powerful early sources that echo in 18th and 19th century discussions in Catholic circles interestingly those arguments have a very anomalous application because here's Francisco Suarez one of the great great synthesizers of this neotomas movement in Salamanca and he writes these beautiful wonderful books on natural law and natural philosophy and natural rights and extraordinary and he amongst others goes after the participation of the Catholic church in the condonation and even participation in actuality and slavery and we should not enslave indigenous peoples we should not render indentured servitude the equivalent of slavery and then very sadly Suarez says we shouldn't do that to the natives we should instead import blacks from Africa and all the arguments are there all the arguments of dignity and equality are there all the arguments of humanity are there all the arguments about Imago dei are there and then they are color-coded by this rebuke of his own arguments by a paragraph or two throwaway line and that throwaway line becomes one of the for a hundred plus years becomes one of the crucial texts on which uh Catholic moral theologians and philosophers hold until finally these things are gradually removed but there is no so far as I know would you please correct me if I'm wrong so far as I know there's no Universal papal encyclical on point it takes until 1880 in Leo the 13th encyclical *libertas* where for the first time I can see a powerful rebuke of slavery uh for the sake of the Liberty that God has given us as human creatures and nature has given us as part of our human Natures it takes a long time and that's not to condemn the Catholic Church there but it is to recognize that um we have Clay on our feet and blood on our hands in the Christian Traditions which we inhabit Professor wissy is asked to elaborate on how a calvinist Reformation of Rights would differ from a Lutheran Reformation of Rights um Pennington in part because of his eclectic education in part because he's looking for anybody who is an ally Pennington kind of alights onto the Protestant tradition with less concern about the niceties of Lutheran versus calvinist distinctions he's also taught at Yale Divinity in the 1830s where those denominational divisions are eroding and general protestantism becomes a little bit more a little more common if you want to get real hard-nosed denominationalism go down to Princeton Theological Seminary you can get it all there but yeah it's a softer kind of generic Christianity so part of it's that it's his own Pennington's own particular eclectic sourcing of his argument um the argument that I argued that I'm pressing in the book is not to pretend that Calvinism has a monopoly or even the dominant influence on the development and of new kinds of Rights or new applications of traditional rights talk or new reformations of right stock it's simply to say look in this tapestry this fabric of different Traditions that contribute to what we now call Human Rights and liberty for all and religious freedom for all there is a thread called the calvinist thread a thread that deliberately tries to find its origin in John Calvin's own teachings that deliberately tries to work within the premises of followers that reappropriated and revised that tradition in light of the new exigencies of the day and it's that story that I want to try to tell with no pretense that that's the only story and with no but granting each figure that speaks as a Titan in that tradition granting each of them their particularity or their eclecticism and their sourcing some of these guys I mean another guy that's going to be featured pretty powerfully in my story is Abraham Kuiper his 19th century Dutch Theologian Minister prime minister of the Netherlands founder of the Free University of Amsterdam well he's very proud of his Calvinism and a very chauvinistic sometimes in in

his denominational particularity as a Dutch reformed Minister but boy is he eclectic he reads the church fathers he reads Aquinas he reads the the some of the medieval Scholastics and scotus in particular he dabbles around in some of the Salamanca jurists that I discussed with your colleague here he's eclectic and I want to Grant him his eclecticism and part of the reason for that eclecticism and Camper's case and I dare say also in Pennington's case is these guys apropos Lord Giffords inspiration these guys are trying to make a natural argument a natural law and a natural rights argument and the argument then becomes look natural law is not a particular denominational expression of what natural law is no natural law is reflected in both teachings and practices of all God's people and anybody if you believe in the universality of a set of Natural Instincts or a set of natural dictates or a set of natural promptings of conscience the argument becomes inevitably other communities are going to have their own way of thinking and doing and acting and practicing that natural law in action and what they say and how they deal with it and their casualty around it is interesting and that kind of um informs the methodology of this second book in the Reformation of Rights series maybe so bold that's kind of my take two um in the sense that I'm working on the third book in this series and that's going to be kind of the modern kicker and looking at some of the modern rights theorists to self-identify as Calvinists and then apply the tradition in new ways new interesting and creative ways people like Nick waltersdorf and Herman doya weird and Johann vanderviver and David little and a few others who are out there doing this creative and interesting work and then I'm going to try at the end to kind of have a chapter or Sue on here I stand and it's going to be kind of my take and my take is going to be informed by this General natural law methodology this General appeal to what I would call as a Christian reform guy growing up the order of nature or the created order but in many ways is a kind of the product of common Grace General Revelation that people can appear people can absorb and act on and the way they act on it and write about it is interesting is interesting nobody no denomination has a monopoly on the wisdom of God and as a consequence when that wisdom is reflected in other Traditions.

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