

The Catholic Record.

"Christianus mihi nomen est Catholicus vero Cognomen."—(Christian is my Name, but Catholic my Surname)—St. Pacien, 4th Century

VOLUME XLV.

LONDON, CANADA, SATURDAY, JULY 28, 1923

2937

EDUCATIONAL RIGHT OF PARENTS

LAWS OF OLD AND NEW GERMANY PROTECT IT

ARTICLE V.

By Rev. Dr. Wilhelm Farn von Capitaine
(Cologne Correspondent, N. C. W. C.)

From the Peace of Westphalia until the advent of Socialism no organized group in Germany ever questioned the fundamental right of the parent to control the education of his child, or the essential part of religion in education. The Socialists were the first to demand the abolition of religion as an essential part of education, implying a destructive infringement upon parental rights; and oddly enough Bismarck, the inveterate and irreconcilable enemy of the Socialists, was the first German statesman in three centuries to attempt absolute State control of education. The death of the Kulturkampf, however, meant the resurrection of a part, at least, of the traditional educational principles. The State recognized the right of the parent to educate his child; but at the same time it made education compulsory, and prescribed a curriculum containing religion as an obligatory subject.

It is well to note the importance attached to religion in education. The Supreme Administrative Court of Bavaria in 1880 defined religious education as follows: "The religious education of a child forms a constituent part of his education as a whole; by this is meant all the activity which serves to explain to and inculcate upon children in the family, the church and the school the beliefs of a religion, and which tends to make children perform the duties prescribed by their religion."

This official attitude toward freedom of conscience as regards education has changed since the Great War, inasmuch as "freedom of conscience" at present does not mean merely "freedom of religious conscience" but actually unlimited freedom of conscience. The Administrative Court of Bavaria decided on June 20, 1917, that non-religious education is permissible. Furthermore, the Law of the German Commonwealth on the Religious Education of Children (July 15, 1921), provides:

(1) The religious education of a child is determined by the free agreement of the parents, in as far as they have the right and the duty to care for the person of the child; and (2) "The foregoing regulations find corresponding application to the education of children in a non-confessional ethical system." In addition, the Constitution of the German Commonwealth makes provision for the establishment of Public schools of more than one type; it does not bar religion from the public school; so that parental rights in regard to education are safeguarded in constitutional law, and freedom of conscience, in constitutional law, is perfect.

The provisions of the new fundamental law of Germany that bear on this matter are the following:

Art. 120. "The education of their offspring to physical, spiritual and social usefulness is the highest duty and the natural right of parents, whose activities are watched over by the political community."

Art. 146. No. 2. "In the communes, upon the petition of those entitled to educate (the parents) common schools of their faith or ethical system shall be established, provided that this does not interfere with an ordered system of school administration. The wishes of those entitled to educate are to be considered as much as possible. Details will be regulated by State laws in accordance with principles to be prescribed by a national law."

Art. 147. No. 2. Private elementary schools shall be permissible only if for a minority of those entitled to educate, whose wishes are to be considered according to Art. 146, No. 2, there is no Public elementary school of their faith or ethical system in the commune, or if the educational administration recognizes a special pedagogical interest."

UPELLED BY COURTS

This fundamental law has been carefully and unreservedly upheld by the German Judiciary. Late in 1920, the Supreme Court of the Commonwealth handed down a decision to the effect that the revolutionary school law of Saxony, which prohibited religious instruction in schools, was unconstitutional. Emphatically the decision stated that the Constitution of the Commonwealth was supreme, and that it would be impossible to enforce any State enactments not in accordance with it.

There have been numerous indications that public men in Germany,

legislators, jurists and administrators, understand and respect parental rights in education. When the question of converting the former Cadet schools into general educational establishments was discussed in the Reichstag, the Center attached considerable importance to the request that the bill contain the following clause: "When the parents express the desire that their children be placed in a given establishment, this wish is to be taken into consideration as far as possible." The clause was carried. German jurists, in increasing numbers, are coming to hold that religious education is in the province of private right rather than in the province of public law; they recognize the necessity of regulation but they oppose both prohibitive and compulsory measures. In Westphalia the municipal bodies have thus far offered firm resistance to repeated demands from certain quarters for purely secular schools.

PREFER RELIGIOUS SCHOOLS

Elections in different parts of Germany within the last few years have demonstrated that the majority of parents prefer the religious to the secular school.

The Evangelical as well as the Catholic teaching bodies are unyielding in their insistence upon parental rights. The Evangelical Teachers' Associations passed the following resolution on July 9, 1921: "One people today cannot benefit by a compulsory school, based upon State absolutism; they can benefit only by a school based upon parental right and freedom of conscience. Therefore, we do not protest against the establishment of mixed and secular schools beside confessional schools."

Four parties of the Reichstag, the Center, the Bavarian People's Party, the German People's Party and the Democrats, have reached an agreement in conference which provides for the establishment of the three types of schools mentioned in the resolution of the Evangelical Teachers' Associations. It is practically certain, that under the new national school law, which is being framed at present and which must not conflict with the Constitution, no justification will be found for denying to any parent the right to determine what school his child shall attend.

ZIONIST DREAM ENDS

BRITISH TO ADMINISTER HOLY LAND ON LINES OF CROWN COLONY

London, Eng.—An Order in Council has been published declaring that the elections to the Legislative Council, held recently in Palestine, are null and void, and that an Advisory Council will be constituted, which the High Commissioner will consult as and when occasion arises. In itself, the statement issued by the Colonial Office in London is somewhat bald and meagre; but there is more in it than appears on the surface. Briefly, the Arabs of Palestine decided to boycott the elections to the Legislative Council, as a protest against the overweening ambitions of the Zionists. The elections were thus a failure, and have accordingly been declared void. The new Advisory Council will continue in office until a Legislative Council is elected.

PALESTINE MAY BE CROWN COLONY

There emerges from the situation the fact that to all external purposes Palestine will be administered, temporarily at least, on the lines of a British Crown Colony, and the influence of the Zionists in Palestine will be exactly that of their number on the electoral roll—and nothing more.

The Jewish National Home never actually came into existence; but enough has been seen of the political and other tactics of the Zionists, even during this formative period, to show what their intentions would have been had their so-called National Home ever been put fully into action. With a High Commissioner administering the country through an Advisory Council, Zionist influence will sink to that of the insignificant minority that the Zionists actually are.

It is necessary to distinguish between the Jews of Palestine, because although the Zionists are Jews, not all the Jews are Zionists; and some of the old Palestine Jews have suffered as much annoyance at the hands of the Zionists as have the Arabs and other non-Jewish elements in the population.

A purely British Administration—and it is taken for granted in all organs of the British press that such will be its nature—has an enormous significance for Christian, and particularly Catholic interests in Palestine. The question of the guardianship of the Holy Places, which up to the present has exercised and agitated the mind of the whole Catholic world, will no doubt be brought to a speedy settlement. The fact that full diplomatic relations exist between the British Ministry and the Vatican will be a powerful factor in settling the many questions which the Commission

proposed by the League of Nations was supposed to solve.

ZIONIST AMBITIONS DEFINITELY CHECKED

It is, perhaps, too early to speak with any sort of certainty. What unorganized Catholic and other Christian protests were unable to effect, the stubbornness of the Arab voters seems to have brought about—that is a halt in the march of Zionist ambitions. The Jewish National Home may come into being or it may not, but this much seems certain: Zionist ambitions in Palestine have been broken, and the schemes for making Palestine "as Jewish as England is English" have been blown into fragments.

Under the new regime no ordinance may be promulgated by the High Commissioner which shall in any way restrict complete freedom of conscience and the free exercise of all forms of religious worship; nor may there be any discrimination on the grounds of race, language, or religion.

CATHOLIC CONVERTS' LEAGUE

His Grace, the Most Rev. Patrick J. Hayes, Archbishop of New York, has accepted the office of honorary president of the New York branch of the National Catholic Converts' League. Louis H. Wetmore, Secretary of the League, called on His Grace recently and asked the Archbishop if he would accept the position of Honorary President. His Grace accepted the office and expressed his interest in and approval of the work of the League.

The Converts' League has been in existence many years, having been founded by that illustrious convert to the Faith, Dr. Benjamin de Costa. As its constitution states, the purpose of the League is "to unite converts to the Church and Catholics reared in the Faith in an organization for the propagation of Catholic doctrine with a view to promoting conversions and for the instruction of Catholics in the doctrines of the Church."

Following Archbishop Hayes' acceptance of the office of honorary president, the Right Rev. John J. Dunne, Auxiliary Bishop of New York, has consented to become honorary vice-president of the League.

At a recent meeting of the League at which Archbishop Hayes was present, he spoke as follows about the Catholic Converts' League: "I shall go away tonight edified and instructed, as I have always been edified and instructed by the lectures I have heard at meetings of the Catholic Converts' League. It is leaving the door open to those who will come in and try to find the truth. I am very much pleased with the work it has done in the diocese and the intelligent manner in which the League's work has been handled, its lectures conducted, and the effects of its labors. The Converts' League fills a distinct gap in Catholic life."

There are branches of the League in Denver, Colo., Buffalo, N. Y., Los Angeles, Cal., Washington, D. C., and other cities.

POPE PIUS PAYS TRIBUTE TO PASTEUR

At the Pasteur memorial celebration held at the Sorbonne under the presidency of M. Millerand, the following letter from the Holy Father was read by Mgr. Cerretti's representative, the Nuncio being too ill to attend personally:

"The invitation sent to the Holy See to participate in the solemnities of the centennial of Louis Pasteur was particularly agreeable to Us, and We wish to associate Ourselves with it by delegating you to represent Us on this occasion.

Pasteur is too noble a figure of the Christian scientist, his scientific successes were too beneficent, his work of charity and devotion is too universal for the Holy See not to associate itself with the festivities organized to celebrate his memory. "His studies on the origin of life, his fight against disease germs were the point of departure of a whole series of applications which have not ceased to extend their benefits to all of suffering humanity.

"But above all, in the midst of his studies and magnificent discoveries, he kept his straight, simple and confident faith, and his scientific studies led him, more and more, to discover in all things the infinite God who enlightened and consoled his soul and who inspired his charity. It was with this divine assistance that he was able, as he stated in the speech with which he inaugurated the Institute which bears his name, to move back the frontiers of life, which, certainly, is not a modest title of glory for any mortal.

"Happy to be associated in the solemn festivities of the centennial of this great scholar, great among the great, We form the wish that student youth and men of science may be inspired by his magnificent example."

DANGER TO POLISH FAITH

COUNT LUBIENSKI HERE TO COMBAT MENACE OF NATIONAL CHURCH

The faith of millions of Catholics in Poland is menaced by propaganda directed from the United States in an effort to win them from their allegiance to the Catholic Church through a Polish National Church that appeals to the intense patriotic spirit of the people, according to Count Thaddeus Lubinski, President of the Catholic Populist Party of Poland, who is here to inform American Catholics relative to conditions in his own country.

NATIONAL CHURCH THE REAL DANGER

Protestant denominations, according to Count Lubinski, are making but little progress in Poland, where the idea of religion is traditionally bound up with the spirit of Catholicism. Such propaganda as is being carried on by Protestants has been chiefly instrumental in creating a spirit of religious indifference among the people who cannot associate religion with Protestant beliefs and practices. But a real danger lies in the activities of the so-called Polish National Church, whose head is Bishop Hodor and which was established about twenty years ago in the United States. Although not officially recognized in Poland, this sect is endeavoring to make inroads on the faith of the people through its attacks on the Polish clergy and by endeavoring to maintain that the Church is an enemy of the democratic system of government and of popular education.

Count Lubinski, who, like all his fellow-countrymen, was deeply impressed with the splendid example of efficiency shown by American Relief agencies in Poland, is here to study the best means of organizing against this menace to the faith of his people. He carries credentials from the highest Polish ecclesiastical authorities.

Already plans have been made by Catholic leaders in Poland to meet the danger, but as yet they are not sufficiently far-reaching to be effective. The real peril, according to Count Lubinski, will be during the next five years, which may be expected to have a great effect on the permanent future of the nation. With the country relieved from the necessity of actual military defense of its sovereignty, following a series of five wars since 1914, important internal changes may be expected in the resurrected nation. During the course of these changes, the people, who have a decided effect on the people, the Catholic Church besieged by enemies, cannot afford to shirk the duty of meeting the changes in the lives of the people.

CATHOLIC SOCIAL PROGRAM

In order successfully to combat insidious propaganda, the Catholic leaders in Poland have outlined a program of Catholic social action that includes:

1. The establishment of a great Catholic popular newspaper;
2. The organization of circulating libraries with reading rooms in every parish;
3. The publication of pamphlets on vital subjects;
4. The arrangement of lecture courses in which well-informed clergy and laymen will discuss the important problems of the day from a Catholic viewpoint.

The Catholic Populist Party of Poland, which was organized before the outbreak of the World War by the Right Rev. Leo Walega, Bishop of Tarnow, is now endeavoring to carry out this program. At present due to limited funds, the work is confined to what was formerly Western Galicia.

"Poland," said Count Lubinski, "is today the outpost of Christianity. Our people—the faith of our people, and on that depends very largely the fate of Europe—are menaced on two sides. To the east here is the menace of Bolshevism from which Poland had already preserved Europe as a whole and at terrible cost. From the west there comes this new menace of those who would steal the faith of the Polish peasants. The numerous Protestant denominations are spending gold in large quantities in an endeavor to win the Polish peasants and have created numerous Protestant communities. Their chief effect will be to create a spirit of indifference to religion which will make the people an easy prey to Bolshevistic doctrines. Then there is this new attempt from the United States to establish a Church that will win the people from the ancient faith through an appeal to their patriotic spirit. We must meet this two-fold menace and we seek in America the counsel and the advice which will enable us to do it."

NATIONALIST CHURCH ORGANIZED IN U. S.

"Our work is not alone for the twenty-five million Catholics of Poland. We feel that we stand in the breach between chaos and the

Christian world. For centuries Poland was the bulwark of Christianity against the terrific onslaughts of Mohammedans. Now she has become the bulwark against Bolshevism. In order to fulfill her mission in the world today Poland must be preserved as a powerful Catholic nation."

The Polish National Catholic Church, spoken of by Count Lubinski, was founded in the United States in 1904 at a convention of independent congregations. There are said to be about 20,000 adherents in five States, including Pennsylvania, Massachusetts, New Jersey, Connecticut and Maryland.

POINCARÉ PROMISES MORE FREEDOM

By M. Masland
Paris Correspondent, N. C. W. C.

Paris, June 30.—Extremely important statements regarding the religious policy of the French Government were made by M. Poincaré in the course of a recent debate in the French Chamber on the subject of domestic affairs.

This is the first time that any but incidental allusions have been made by M. Poincaré to religious matters, for he believed it a duty to his past record as Chief Executive and as arbitrator between the various parties, never to interfere in controversies which divide the different groups in the Chamber. He accepted his post, he says, to lead the reparations problem to a successful solution, and he has been quoted as having said: "I am not in politics."

However, as the elections for the new Chamber are but one year off, the parliamentarians have considered it necessary to establish a clear-cut program of domestic policy which would permit the various parties to classify themselves. In consequence, M. Poincaré was requested to make a statement with regard to the position his government intended to take concerning the domestic problems which will create the issues at the coming elections, and the program which his supporters would advocate.

M. Poincaré answered every point with the utmost precision. As regards the school and religious questions, in particular, he left no detail in doubt.

KEEPS ALSACE-LORRAINE PROMISE

The Premier declared that he intended making no change in the present school laws, but that he intended to apply them in a manner which will insure respect for every religious belief, freedom of worship and freedom of private schools. He will not apply the general school system to Alsace and Lorraine which have public religious schools, and have manifested the desire to keep them. France promised the liberated provinces to respect their traditions, and this promise will be kept.

As regards the religious congregations, the Waldeck-Rousseau Law of 1901 made their existence dependent upon the authorization of the Government, and M. Combes later caused all requests for authorization to be rejected. M. Poincaré is a partisan of State control and does not propose to change the Waldeck-Rousseau Law, but he has proclaimed that the State without modifying the law, has the right to authorize all congregations which are capable of rendering service at home or abroad, especially the hospital and missionary congregations. His announcement of this purpose was greeted with applause from the Catholic deputies.

"I have always found it strange," M. Poincaré added, "that the State should openly subsidize a certain number of religious congregations and not grant them legal recognition, which, after all is a guarantee."

The President of the Council also stated that he would soon invite the Chamber to vote on other propositions of authorization which have recently been received from other congregations. The Premier's remarks indicate that additional requests have been received besides those already mentioned.

REGRETS BREAK WITH VATICAN

Taking up the question of the relations between the Church and State, the President of the Council recalled the fact that he voted in favor of the Separation, but had always regretted that the Separation had been preceded by a rupture with the Holy See. "In any case," he said, "even the countries which have no Concordat or which are not Catholic, have ambassadors at the Vatican on account of the great moral power of the Papacy and also to keep in contact with a center which is a wealth of political information. France, which is a majority Catholic, and which assumes the defense of important Christian interests abroad, can only gain by being represented in Rome."

The Government will therefore maintain the Embassy at the

Vatican, at the same time retaining the Law of Separation unchanged.

After affirming that this law is not, in itself, directed against the Church, M. Poincaré announced that an agreement had been drawn up for its application between the Republic and the Papacy;

"About a month ago," he said, "the Nuncio forwarded to me the proposed statutes which had been submitted for the examination of the Holy See, and he informed me that before reaching a decision on the subject, the Holy See desired to be reassured with regard to the legal value of these statutes and find out whether or not the proposals contained therein were in any way opposed to French legislation on the subject."

"I sent the text to be examined by the Vice-President of the Council of State, by the Dean of the Faculty of Law of Paris and the Dean of the Faculty of Law of Strasbourg. They found the statutes in conformity with the prescriptions of the law. Associations recognized as legal by the highest judicial authorities in France and accepted, on the other hand, by the Catholic Church as in harmony with her laws, may now be formed."

ABBÉ LEMIRE—"THAT MEANS RELIGIOUS PEACE FOR FRANCE"

M. Poincaré—"It is, gentlemen, an important event which I know will compel a special debate very soon in this Chamber. I am the first to desire this debate, and when I shall have given more detailed explanations, the Republican majority will certainly recognize the fact that a great step forward has been taken for peace of conscience and union of minds." Both of these statements evoked loud applause from the Center, the Right, and from some members of the Left.

GOVERNMENT SUBSTA NED

The debate on domestic policy ended with a vote of 356 to 162 in favor of a resolution approving the declarations of the Government. All the Catholic deputies, with the exception of three who oppose the Government for other reasons, voted in favor of the President of the Council who has thus affirmed his intention of applying French legislation in the spirit more favorable to Catholic claims. The two priests who are deputies in the Chamber, M. l'Abbé Lemire, deputy of the Nord, and M. l'Abbé Hackspill, deputy of Moselle, give their full support to the program of the Cabinet. And a prominent Catholic deputy, M. Duval Arnould, professor of law at the Catholic Institute of Paris, wrote in the Libre Parole the day following the debate:

"No reasonable man could ask more, under present circumstances, from a Government resolved to promote the religious pacification of France, which is in majority Catholic. This interpellation on domestic politics is interesting not only from the Catholic standpoint, because of the explanation of the Government attitude on religious matters, but it is especially important because of the fact that, intended to permit the line-up of the political parties before the coming elections, it has thrown the radical anti-Catholics into the opposition with the Socialists and Communists, while the Catholic Republicans are now definitely included in the governmental majority where, on account of their numbers, they will exert a tremendous influence."

BISHOP'S AIRPLANE FLIGHT TO ROME

By Monsignor Enrico Pucel

The Bishop of Sgombathely in Hungary, Monsignor de Mikas, has just completed a journey to Rome by airplane.

Bishop de Mikas found the Holy Father the most eager listener to his description. As he portrayed the beauties of the scenery; the chain of mountains unfurled to view with its immense immaculate snow fields broken by thousands of bristling peaks, its majestic glaciers, its silent lakes encased like gems, sparkling in the sun and the splendid panorama of earth and sky, the Supreme Pontiff drank in every word as though it were a breath of the pure mountain air he himself had found so inspiring when, as a youthful Alpinist, he admired the superb panoramas from Monte Rosa and Mont Blanc. The Holy Father was prompted to recite again his own experiences on the mountains, vividly recalling many picturesque incidents.

Bishop de Mikas was surprised to find that Pope Pius had more than an ordinary knowledge of aviation. The Pope declared that aviation may now be considered as such an ordinary means of communication as railways and motor cars, and that safety of flight has practically been acquired. The dangers, he pointed out, were mostly to be experienced in alighting and the present studies of aviators are directed towards safer means of reaching the ground.

CATHOLIC NOTES

London, June 26.—Striking posters displayed in practically every large railway station throughout the United Kingdom will advertise the great National Catholic Congress of England, which will be held in Birmingham from August 3 to August 7.

Brussels, June 29.—Sixty-one Chinese students, coming from the large cities of France and Belgium, assembled at "La Sapinière," near Verviers, for a three-day closed retreat. The preachers were a missionary priest from China, Father Lebbe, who is in Europe on leave, and a Chinese priest, Father Wang.

Maryknoll, N. Y., July 6.—Anastasio O. Dogli, is the first native priest of the Gold Coast Vicariate in Togoland. German missionaries of the Society of the Divine Word had instructed him to become a catechist and in 1911, had made it possible for him to continue his studies toward the priesthood. He was ordained last month.

Alton, Ill., July 9.—Pontifical Mass of requiem for the repose of the soul of the late Right Rev. James Ryan, Bishop of Alton, and at the time of his death the dean of the American hierarchy, was celebrated last Friday in the Cathedral of St. Peter and Paul here. Archbishop Mundelein of Chicago, was the celebrant.

Dublin, July 2.—The Hierarchy has appointed the Very Rev. Garrett Pierce, D. D., Prefect of the Dunboyne Establishment at Maynooth. Dr. Pierce took his D. D. degree at Maynooth. Subsequently he attended theological courses at Strasbourg and Munich. He was for a time a Professor of Dogmatic Theology in St. Paul Seminary, at St. Paul, Minn.

Paris, June 28.—The Committee on Foreign Affairs of the Chamber of Deputies has adopted the conclusions of the report made by M. Maurice Barres in favor of granting the authorization requested by the Congregation known as the Society of the Missionaries of Africa (White Fathers). Except for two contrary votes cast by Socialist deputies, the report was adopted unanimously by the members present.

Baltimore, July 6.—The ecclesiastical court of the Archdiocese of Baltimore will be convened for the purpose of taking further steps to promote the canonization of Mother Seton, foundress of the Sisters of Charity of St. Vincent de Paul, it has been announced here. All available writings of Mother Seton will be collected and will be forwarded by courier to Rome for examination.

Maryknoll, N. Y., July 6.—The Rev. Father Heck, S. M., after having left the Imperial University, Tokyo, in order to take the direction of the Morning Star Middle School, has been declared Professor Emeritus of the Faculty of Literature. Later, at the request of the Imperial University, the Japanese government has decided to pay Father Heck every year, for the rest of his life, 1600 yen (\$200).

Milwaukee, July 9.—A two-day social study course will be given here following the annual convention of the National Catholic Central Society, which is to be held August 19-22. Very Rev. Father Och of Josephinum will give three lectures, in which he will discuss rural problems, the cooperative movement and the position occupied by Catholics in the history of economic progress. Father Engelen will speak on "The Ethical Valuation of Pesh's 'National Economy'" and Father Muench will discuss "Industrial Unionism in the United States."

London, July 2.—Hilaire Belloc's new paper, The Illustrated Review, has made its appearance. It is not specifically Catholic, but its strong Catholic tone and no uncertain Catholic philosophy promise to make it a bulwark of the Faith.

Catholic writers collaborate with the Catholic editor in the first number. Maurice Berling contributes an intimate appreciation of Sarah Bernhardt; Miss Monica M. Gardner gives an interesting sketch of Marshal Foch in Poland and Gilbert K. Chesterton has a miscellany entitled "The Rambling Road."

Twenty-two young men have been graduated in post-graduate work from the Catholic University of America in Washington, as scholars of the Knights of Columbus foundation established by the K. of C. at the request of the late Cardinal Gibbons and of the American Hierarchy. The post-graduate scholarships are entirely distinct from the K. of C. scholarships granted war veterans in various colleges and universities, and are based on an endowment fund of \$500,000 given to the university by the K. of C. The students all received master's degrees. They come from 17 different States and Canadian provinces. It is expected that a somewhat larger number of young men will receive post-graduate courses under K. of C. endowment scholarships for the 1923-24 school year.