

The Catholic Record

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A PRONOUNCEMENT ON DIVORCE

Since writing the articles on divorce in last week's issue of THE RECORD, the Anglican Synod of the Diocese of Huron was held in London

and the Bishop of Huron made a pronouncement which in fairness to him we shall quote in its entirety before commenting thereon.

"His Lordship," reports the Free Press, "expressed the attitude of the Church against relaxation of the divorce laws. On this subject he said:

"We rejoice that marriages legally contracted in this country can no longer be dissolved at the behest of any religious communion. To break up legally constituted families, merely on a religiously technical ground, is a monstrous thing, and wholly contrary to the teaching of Christ.

To do so in His name was simply defiantly and blasphemously to attack on His sacred character. The recent judgment of the Privy Council has put an end to that. No more in this Dominion can there be the dissolution of a legal marriage or the declaration of its nullity simply on religious grounds.

Secondly, the proposal to change the divorce law, and especially the possible extension of the grounds for divorce, is in suspense. So far no action has been taken, but it does not follow that the matter is dropped or that no further effort will be made to modify the existing law.

The Bishop's See were in Turkey would he so zealously uphold the "legal" right to keep a harem? Yet, the State as such, has just the same right in Turkey as in Canada to determine the status of Christian marriage. It may make polygamy "legal"; but that does not alter the law of Christ as to marriage.

Such is the magic of that blessed word—"legal." It is all perfectly legal. Yet Bishop Moreland has the audacity to find fault with it "simply on religious grounds!"

What matter so long as the Church keeps its impious hands off the sacrament "legal" marriage. "Even now," continues the Bishop of Sacramento, "our young people knowing that the law permits consecutive polygamy, enter into the married state with the deliberate purpose of breaking it off, should the first attempt be unsatisfactory, and of drawing another ticket in the lottery."

the Church of England Council for Social Service, from which we quoted last week, emphatically asserts "the undisputed fact that the Christian Church has never at any time recognized divorce and flatly refuses to do so now. For the Christian Church divorce simply does not exist."

From the petition to the Senate from the Anglican Diocese of Niagara we quoted an extract last week where the petitioners clearly state that the Church of England does or has done precisely what the Catholic Church courts of Quebec have done, namely, by Decrees of Nullity declared invalid marriages null and void.

By the marriage legislation of the Province of Quebec, as interpreted before the recent Privy Council judgment, such Church of England Decrees of Nullity received exactly the same consideration as those of the ecclesiastical courts of the Catholic Church. And the civil courts, if asked to do so, would have given civil effect to such decrees.

Moreover, it is the invariable practice of the Catholic Church to exhaust every possible means to induce a legally but invalidly married couple to validate their marriage. If they refuse to do so the Church cannot compel them. Those who delight in distortion of facts and calumny when the Catholic Church and Quebec are in question are careful not to mention the significant fact that, through the influence of the Catholic Church, the principals in the Tremblay-Despatie case were living quietly together, their marriage validated, long before the Privy Council handed down its decision on the legal aspects of the case.

The Bulletin of the Church of England Welfare Council says: "Without going at all deeply into the subject it may be said briefly that this doctrine and discipline rests upon the passages in the Gospels of St. Matthew (19: 3-12) and St. Mark (10: 2-12). A study of these passages cannot possibly lead to any conclusion other than that our Lord taught unequivocally that the re-marriage of divorced people is ipso facto adultery. It must be carefully noted that Christ did not say that under no circumstances should a separation take place in case of the adultery of one of the parties to the marriage. He merely says that re-marriage after divorce entails adultery. It is hard to see how any dialectical agility can possibly read any other meaning into His words. At any rate the Christian Church has always taken that view and it remains the undisputed law of the Church to this day."

Father Mahoney, we are sure, would have been delighted to cite this and similar pronouncements had they been available when writing his pamphlet. They concede the whole thesis he set himself to prove from Scripture. We should imagine that those who claim that Christ taught the direct antithesis should be grateful not to be called upon for a difficult exercise of "dialectical agility" in reconciling contradictions. Though registering his complaint of inaccuracy the Bishop of Huron in his "expression of the attitude of the Church" really throws no new light on the position of that communion of which the author of "Marriage and Divorce" paid him the natural even if mistaken honor of being an official spokesman.

4. The question raised by the proposed Divorce legislation is not primarily or chiefly, in fact not at all that of extending the legal grounds for Divorce. There is no divorce law at the present time in Ontario, and therefore no legal grounds for divorce. Those who desire divorce in Ontario must secure it through a special act of Parliament in each case. Though practically limited to cases of infidelity Parliament is not restricted to that reason when considering the merits of an application for divorce. This was the course of procedure in England until 1857. The passing of a divorce law recognizing adultery as a legal ground for absolute divorce and giving the civil courts jurisdiction in the premises was the first breach in the dyke that protected

3. When the Bishop of Huron says or insinuates that the position of some other communions is inaccurately set forth in the Catholic pamphlets, he is presumably referring to his own communion and to Father Mahoney's pamphlet. Father Mahoney quotes from the Anglican Bishop of Toronto when addressing the Synod on divorce. No inaccuracy there; the Bishop's very words are quoted. Then he gives the gist of the resolution of the Synod of the Diocese of Huron which recognized adultery as the "scriptural cause" for divorce and opposed any extension on the grounds on which divorce might be granted. No allegation that the press report of the proceedings was inaccurate.

In view of the Anglican statements we have already quoted in which the Catholic doctrine is unequivocally set forth as that of "the Christian Church" in all ages, we recognize that there are those within the Anglican communion who would repudiate the resolution of the Bishop of Huron and his Synod. But then which party expresses the "official" position of the Anglican Church? Could the Bishop of Huron himself state it "more accurately?" Of course everybody knows that there are conflicting beliefs within the Church of England in Canada (and elsewhere). And it is these conflicting beliefs that make the selection of bishops so difficult. If the "Protestant" and "Catholic" forces are nearly equal the man of strong convictions and clear-cut principles must stand aside while some prudent non-descript is accepted as a compromise. So that those who believe that they belong to "a branch of the Catholic Church" pay no attention to the official pronouncements of such bishops and appeal to traditional Catholic teaching and practice. Those who do so might object to Father Mahoney's statement of the "official teaching of the Anglican Church," though we think they would easily admit while deploring its accuracy.

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seed which has since become a tree of life to the nation, extending its branches and casting its shadows across a whole continent."

DEMENTED RED INDIANS IN IRELAND

Brazen denials of notorious facts had pretty nearly petered out in England as a face-saving device on the part of those responsible for the terror in Ireland. But Lord Parmoor's exposure in the House of Lords of the murderous orgy at Castleconnell will go far to shame the effrontery even of a Greenwood, and tax the capacity for evasion of the shifty demagogue who as Prime Minister must bear the chief responsibility for the Government policy in Ireland.

Shocking as it must be to Englishmen of civilized instincts, the graphic and unquestionably accurate narration of facts by the venerable old surgeon, Lord Parmoor's brother, is, alas, an old and stale story of the commonplaces in terror-ridden but heroic Ireland. And to Irishmen abroad it is but an English confirmation of the harrowing stories reaching them daily from Irish sources. The Irish abroad had never a doubt of the truth of their information, the stark horror of the stories, quite evidently had its origin not in the imagination but in actual experience.

Not that it is new nor that it is exceptional but that its shame is brought home to Englishmen beyond the veil of shameless denials, is what makes Lord Parmoor's public exposure of the Castleconnell affair important. That the House of Lords adopted the resolution demanding an impartial inquiry is significant.

Referring to the official apologies for such acts, apologies which disgrace the name of England quite as much as the acts themselves, the Daily News asks, "How long will the public conscience submit to an attitude of mind so impudently callous and so morally humiliating to the English nation?"

And this fearless exponent of honest English opinion indicates the answer: "The facts are becoming so notorious that we do not believe it will be possible for the Cabinet much longer to evade the inevitable consequences to its character and its prestige."

The editorials on the subject which we reproduce from the Manchester Guardian and the N. Y. Nation reflect the opinion of a large proportion of the English and the American people.

HOW TO WARM THEIR HEARTS

London, May 9.—(Canadian Associated Press)—Sir James Craig, the Ulster leader, speaking at a meeting at County Down, announced that he has taken steps through the British colonial office to invite the premiers of all the British overseas dominions to come to Belfast to witness the opening of the new parliament for the north of Ireland. They would witness a spectacle which would warm their hearts, said Sir James.

Some time ago, Sir Hamar Greenwood, Irish secretary, expressed the hope that the dominion premiers would be present at the opening of both the new Irish parliaments, but subsequently questions in the house revealed that no official invitation had been extended to the dominion premiers.

Sir James Craig is either a humorist, or a fanatic. Whichever he may be, there is not much in the politics of himself and his little company of north-easters to warm the heart of a Canadian. Let us see. The little legislature in which he hopes to be the leader, will have no power to pass on excise, customs, militia or police laws; nor laws respecting post office or harbors, or general taxation, or savings banks, or harbors, or harbor or coast lights, or buoys or beacons, or old age pensions, or trade agreements with other countries or with other parts of Ireland; or public records; or weights or measures; nor will it have any general power of legislation in respect of education or of real estate.

A Canadian premier, whether provincial or federal, would find it hard to warm his heart at such a slender blaze. Sir James would do better to invite the wardens of our County Councils, or the mayors of our incorporated towns; for they would find in the glorified debating society which is about to be set up at Belfast, something to remind them of dear old Canada. But I should not advise him to write the mayors of our larger cities. What could a mayor of such a city as Montreal or Toronto find to impress him in the truncated little legislature at Belfast?

If it were not the latest chapter in a long-drawn-out tragedy, the thing would be amusing. The Act is called "The Government of Ireland Act, 1920." It has been advertised all over the world as a grant of self-government. It contains no powers of self-government; it continues the bureaucracy of Dublin Castle almost intact.

The essential subjects of self-government are (1) Land; (2) Trade; (3) Taxation. In respect of all these, the two legislatures to be set up in Ireland have no power. Imagine a legislature which cannot control the registration of the public records of its country; which cannot negotiate a trade agreement with any other country, nor even with the other legislative division in its own country; which has no control of the levying of taxes, nor of the spending of them; which cannot control the appointment of the police or the magistrates, or the judges, in its own country.

What a glow comes to the Canadian heart at the contemplation of North-east Ulster in this ecstasy of legislative bliss!

Sir James Craig must be delighted at the prospect of leading a mock Parliament at Belfast. North-east Ulster does not want self-government; it wants the bureaucracy, which plays its game to its perfect satisfaction; and the bureaucracy remains. The last thing in the world that Sir James Craig wants is to have to do with responsible government. The North-east Ulster idea is not responsible government; it is irresponsible government.

But, if he were to look carefully enough in Canada, he might be able to find some men who would enjoy the Belfast farce, and for the same reasons which warm Sir James' heart when he thinks of it. Canada and her provinces have had responsible government for a long time; but it would be a mistake to suppose that every Canadian loves it. We have still in Canada a considerable number of people whose ideal in government is to have all things done at London; and who think the most important thing that is done in legislation in this country is the giving of His Majesty's assent to the bills passed by both Houses.

There are people in this country who regard Canada as an outpost of England, and who would gladly see some of the powers of self-government, so hardly won and so grudgingly conceded, given back into the hands of the oracles of Downing Street.

Now, Sir James Craig might recruit his tourist party amongst that comparatively small, but hardy, section of the Canadian people. He might make his first inquiries in Toronto; and it is quite possible he might be able to find there as many hearts as he could reasonably expect to heat up with the small fire that is to be kindled in "The Parliament of Northern Ireland."

NOTES AND COMMENTS

AS IS WELL known the State of Maryland was originally a Catholic colony, established by Royal Charter in the reign of Charles I, with the express purpose of not only affording a refuge to the much-persecuted Catholics of England, but also of securing freedom of conscience to all professing the Christian name who might seek asylum within its borders. An event reminiscent of that epoch-making charter which, as we learn from Baltimore papers, is to take place during the present summer, should have the effect of impressing upon the brilliant minds of the American people a sense of their obligation to that Lord Baltimore and his associates who first conceived and put into practice the principle which is now generally regarded as the very corner stone of the Constitution. "Upon the banks of the St. Mary's river, in the soil of Maryland, amid the wilderness of America," says Davis, the historian of the Proprietary, "they planted that

AMERICAN COMMISSION

ON CONDITIONS IN IRELAND

CHAIRMAN HOWE. I think we will accept all these historical data as valid. I was thinking about something contemporary. THE WITNESS, MR. GINNELL, M.P. The cotton and the glass industries have been suppressed in the same way. Ireland has peculiar ingredients for the manufacture of fine glass, and factories have been established at Birr and other places, where for some time a great variety of glass was produced. The products of these factories was a very high-grade glass which was much in demand for exportation. As soon as the industry began to flourish, the English Parliament prohibited Ireland from exporting glass to any country whatever.

Q. CHAIRMAN HOWE. You mean to say that if a person started a glass factory or a cotton factory today in Ireland, the British Parliament or the British Board of Trade would prevent it? A. Yes, they would by sheer force overwhelm us. They would stifle us out. Q. You mean that Ireland should be able to protect herself against such competition by necessary tariffs? A. Yes, certainly.

Q. COMMISSIONER ADDAMS. Mr. Ginnell, how many members who were elected to the British Parliament and instead became members of the Irish Parliament are still free—still at large? A. I do not know. People in Ireland do not know because there are so many of them on the run. They cannot appear in public. A rough estimate would be—well, 78 seats were filled by Republicans. In four or five cases one man was elected for two seats. In our circumstances we cannot adjust that. So that we really had 65 men for 78 seats. Of those 65, Pease McCann, member from East Tipperary, as fine a young man as I have ever seen, died in an English prison in March, 1919. Terence MacSwiney died after a seventy-four day fast in an English prison. There are two others in prison, twenty are on the run from the police, and the remainder are trying to mind their business as well as they possibly can, either their own or their country's business.

Q. CHAIRMAN HOWE. What kind of legislation did that Parliament pass? A. It was constructive legislation. We could not take up anything like a code of laws. The only thing we could do was to adopt a code of justice as much in harmony as possible with the old Gaelic system, the old Brehon laws, which have prevailed in Ireland from before the dawn of history. We intend our Republic to be a cooperative commonwealth as much as possible. That will be in strict harmony with the old Brehon system as it is expounded in five large volumes.

Q. CHAIRMAN HOWE. What do you mean by a cooperative commonwealth? A. I mean that we look to a future Ireland where most of the branches of business will be carried on by a cooperative system. By that we hope to escape from the difficulties of countries in modern times with labor problems. Q. That is along the line of industrial democracy? A. Along the line of industrial democracy. In connection with that, I think I ought to mention to the Commission that I wrote a book in 1884, published by Fisher Unwin, on the Brehon laws. The Brehon laws began in pre-historic times. In old manuscripts which we have in vellum they have come down to us. They begin in language which few living men are able to translate.

Q. Who conceived the idea of a cooperative commonwealth? A. We did. Q. The Irish Parliament was dedicated to that form of government? A. Not expressly, but I understood that that was what it would probably become.

Q. COMMISSIONER ADDAMS. You consider that the future state in Ireland will be along the lines of the present cooperative movement in Ireland? A. It will. You may be told by someone after me that the cooperative movement itself will be a solution for all difficulties. We are told that these cooperative societies formed in Ireland would solve all of our problems. We knew that to increase the farmer's income from the soil while the landlord was over him would only increase the wealth in the landlord's pockets. The only thing to do was to clear out the landlord and brush him away. And to increase the wealth of the people by the cooperative movement while England is over us will only increase the amount of money that will flow into England's treasury. It will do us no good. That is my answer to cooperation alone. We look for great things from it in a free Ireland, but nothing from an Ireland ruled by strangers. Now, on a subject on which you have questioned me, Burke says: "Every nation has formed for itself some favorite point, which for it becomes the criterion of its happiness." So have we. We do not interfere with the English nation or any other nation forming any point it pleases to choose as the criterion of its happiness while we are allowed to form the criterion of our own happiness.

Q. COMMISSIONER ADDAMS. Was the Home Rule Bill discussed during your membership in Parliament, Mr. Ginnell? A. Yes, I was there during the whole of it, madam. I have stated a good number of instances to you to prove that English policy in Ireland is a continuity, that its per-

Who but a poor man can realize the wealth of joy and bliss in the prayer of St. Francis of Assisi—"My God and my all."