

LAWS WRITTEN AND UNWRITTEN.

It is constantly stated, by non-Catholics, that our Church slight the Holy Scriptures and lays them aside for the sake of Papal dictation. Nothing could be more erroneous. Without entering into the numberless evidences of the preservation of the Bible by the Church, we can simply state that the Protestants have part of what we possess, while we have all that they possess, and added thereto that which is equal, if not greater importance. The Catholic Rule of Faith is "The Word of God, both written and unwritten;" that is to say, the "Scriptures and Traditions," and these "pro-pounded and explained by the Catholic Church."

That in every system there must be an unwritten law which takes precedence of the written law no student of legal history will attempt to deny. Equally true is it that all laws must have a legally appointed and duly authorized judge to interpret these. Otherwise they would be worse than useless. As Dr. Milner ably expresses it: "In this kingdom (England), we have *common, or unwritten law*, and *statute, or written law*; both of them binding, but the former necessarily precedes the latter. The legislature, for example, makes a written statute, but we must learn beforehand, from the common law, what constitutes the legislature."

Blackstone, in his introduction to his 'Commentaries on the Laws,' says: "The municipal law of England may be divided into *Lex Non Scripta*, the unwritten, or common law, and the *Lex Scripta*, or statute law." In the same work he calls the common law "the first ground and chief corner-stone of the Laws of England." "If," he continues, "the question arises, how these customs or maxims are to be known, and by whom their validity is to be determined, the answer is, by the judges in their several courts of justice. They are the depositories of the laws, the living oracles, who must decide in all cases of doubt, and who are bound by oath to decide according to the law of the land." "It would be absurd to bind men by written laws, without laying an adequate foundation for the authority of those laws, and without constituting living judges to decide upon them."

These principles are so elementary that surely they require no further explanation at our hands. It would be passing strange if the Almighty, in His Infinite Wisdom, were to be less consistent than men in the foundation of a great system of jurisprudence. And it would be tantamount to accusing God of a lack of Wisdom and fallibility as a law-giver, to suppose that He gave men a book of laws to guide them to salvation, without having established the authority of that book and having accorded competent judicial power to an infallible interpreter. Otherwise, as it would be in the case of human laws, no end of contradictions, mis-interpretations, and perpetual confusion would follow. Imagine each citizen of Canada interpreting the civil law according to his own lights, his prejudices, interests or inclinations. Were there no duly authorized judge to decide between the right and the wrong interpretation, chaos would reign in the place of order; such chaos as reigns to-day amongst the countless sects and individual interpreters of the Scriptures. Christ, as the great Legislator, began by establishing His authority, which He did by most positive miracles; He then appointed His judges or interpreters of the law. He commissioned His Apostles, and their successors, unto the end of time, to preach and teach, by word of mouth.

He also inspired some of them to write down portions of the doctrines and precepts, which they did in the form of Gospels and Epistles. These were principally addressed to individuals and for certain occasions. But the fact of some of the disciples and followers of the Legislator having penned part of the law, by no means rendered null and void the command to preach and explain the law verbally. In fact, while St. Paul, the great—and often only—authority of non-Catholics, not only wrote epistles to the Corinthians, to the Romans, to Timothy and others, but he obeyed the unwritten law by preaching and teaching. He was a Legislator delegated by Christ when he wrote the Epistles; but he was a duly appointed interpreter when, under the Vicar of Christ, he preached from the Hill of Mars to the Athenians, or in the Forum to the Romans.

Instead of slighting the Scriptures, it is from them that the Church draws the written proof of her authority, and by the Scriptures she has carried on her warfare with error throughout the centuries. From the days of the Apostles, down to the time of the Reformation, she preserved the Scriptures intact. It was reserved for Protestantism to mutilate them. She obliges her ministers, the persons ordained by her for the great work of propagating the Faith, to constantly read the Scriptures. In the Books of Holy Writ she finds the sources of her strength and through their instrumentality does she carry on her mission. St. Augustin, in a famous passage, when arguing with the Donatists, says: "In Scripturis discimus Christum, in Scripturis discimus Ecclesiam. Si Christum tenentis, quare Ecclesiam non tenentis?" It is in the Gospel of St. Matthew that the Church finds the written order, "Go ye therefore and teach all nations;" it is in the Gospel of St. Mark that she reads the command: "Go ye in all the world, and preach the Gospel to every creature;" it is in the Gospel of St. John that she learns the assurance of the presence of the Holy Ghost—the Comforter—in her bosom. And St. Paul places the unwritten law even before the written one. He it is that wrote: "Therefore, Brethren, stand fast and hold the tradition ye have been taught, whether by word, or our epistle." (2 Thess. v. 13). And to show that the written law not only is insufficient, but that both for the written and unwritten laws there must be some duly authorized interpreter, St. Peter writes: "No prophecy of Scripture is of any private interpretation." (2 Pet. i, 20).

There must have been some interpreter or judge to deal with this written as well as with this unwritten law. And the Scriptures again show that Christ appointed such judge in the person of His Vicar on earth. And then that Vicar and the other first ordained disciples must have had the power of transmitting their judgeships to successors. St. Peter preached in Judea, Syria and Rome; St. Paul preached in Asia Minor, Greece, Italy and Spain; St. Bartholomew went as far as India; they scattered over the world; they founded churches, consecrated bishops, and ordained priests, and all by virtue of the unwritten law. The Scriptures were not even completed at the time when the first ordinations took place. "They ordained them Priests in every church." (Acts xiv. 22.) St. Paul, writing to Titus, said: "For this cause I left thee in Crete, that thou shouldst set in order the things that are wanting, and shouldst ordain Priests in every city, as I had appointed thee."

This is a portion of the Scriptures; yet before it was written St. Paul had ordained Titus, and Titus had power to obtain others—in virtue of the unwritten law of Christ's Church. It was three

hundred years after Christ's time on earth that the Scriptures were finally settled. The Apostles' Creed, a profession of Faith made by the Apostles before separating, was not written. And in that creed we find that the Apostles repeated the words "I believe in the Holy Catholic Church;" no place in it do they say that they believe in the Holy Scriptures.

Here then we have the Laws of Christ's Church—unwritten and written; both equally important, the written deriving their strength and source from the unwritten. The next thing we must look for is an interpreter, a judge, one duly and Divinely authorized to enforce and explain those laws. For the Catholic such a tribunal is not hard to find; but for the non-Catholic there may be a certain unwillingness to accept that judge. We will try and help our friends out of the difficulty in another issue.

SEPARATE SCHOOLS.

There are cases in which, as a Catholic organ, we must speak out. At the present moment there is a question upon which we do not feel justified in being silent. It belongs not to our Province, but it affects Catholic interests so clearly that it becomes our business as well as that of our Ontario contemporaries. We refer to the state of local politics in that Province.

It has been the misfortune of the Opposition in Ontario to have been directed by hands that held aloft a banner under which Catholics could not always conscientiously walk. The present Chief Justice—Hon. Mr. Meredith—was, and is still, in private life a most estimable gentleman, one who was devoid of any narrow sentiments, and who possessed a generous mind. But strange as it may seem, for one cause or the other, he was unable to exercise in public life that which he gladly put into practice in private; he was not one who preached all that he would like to have carried out. The consequence was that the party he led became too closely allied with the more fanatical element, and the Catholic interests were made subservient to what was considered the "exigencies of politics." So much so was it that we have found thousands of Ontario people, going Liberal in a local contest, who always went Conservative in a Dominion election. And the course was very natural, for in the local issues there was ever a tendency, on the part of the Opposition—a tendency encouraged by its leader—to ignore Catholic rights and to make them subservient to the interests of a great and grasping majority.

We want it thoroughly understood that the Catholics do not seek to be made exceptions either in the benefits of public affairs or in the disabilities that political injustice too often enforces. All that the Catholics ask is to be placed on an equal footing, under the constitution, with all the other creeds. Hon. Mr. Meredith has passed from the scene and has been succeeded by Hon. Mr. Marter. This gentleman took the leadership of the Conservative party in Ontario a few weeks ago. He has opened out with an address that, to the superficial reader, may seem charged with fair play and justice to all, but which is a most emphatic pronouncement against the dearest interests and most sacred rights of the Catholic citizens of that Province.

We raise our voice in protest against the very clever, but very dangerous, address of the honorable leader of the Conservative party in Ontario. On the face of it Mr. Marter's programme is very liberal and fair; but he lays down such conditions, of a decidedly anti-Catholic nature, that it is easy to see his inten-

tion of walking in the footsteps of his predecessor and of riding a horse that certainly was never bred in Rome.

Speaking of the schools he said: "It is a great pity we ever had separate schools, but here they should be put on the same basis as public schools. They should have the same inspection and the text books should be the same."

We thoroughly understand that Mr. Marter is speaking for an Ontario audience, the majority of which is Protestant; that he is seeking votes for his party, that he wants to get into power, and that he will use in public arguments that, as a reasonable man, he could not uphold in private life. We will ask Mr. Marter a few questions. Suppose the positions reversed, the Catholics in the majority and the Protestants outnumbered by two to one, would he repeat those same words? Would he regret that the Protestants had separate schools as they have in Quebec? Would he wish to have their separate schools on the same footing as the Catholic public schools? Would he desire the same inspectors? Yes; would he insist that the text books should be the same? Suppose Mr. Marter's principles were to obtain all over the Dominion, how would he like to have the Protestant separate schools of Quebec obliged to accept the text books dictated and chosen by the Catholic majority? How would he like histories that would no longer contain pictures of old, sprawling monks in every ridiculous attitude, drinking wine from casks and exhibiting all the coarseness of Punch's abominable and unchristian caricatures, but would be illustrated by representations of the Blessed Virgin, the Saints, and the sacred events of Catholic story? How would he like readers that instead of abusing Pope and Popery, telling lies about the Church of Rome and belittling all that Catholics held sacred, to give exact accounts of the glorious miracles that have proven the Divine origin of our religion throughout the ages? With all his broadness of mind and conservatism of principle, he would be the first to raise a howl and to cry out against the injustice done the Protestant element.

Why cannot he learn that what "is sauce for the goose is sauce for the gander"—that the Catholics have feelings, hearts and principles equal to those in any other section of the community? What we said a few weeks ago of the Greenway Government in Manitoba, equally applies to the Marter Opposition in Ontario. There is a sense of Equal Rights about the whole combination—that is to say equal as between one Protestant denomination and another, exception always being made of Rome and Catholicity. If Mr. Marter thinks that he can thus fling dust in the eyes of his Catholic fellow citizens he is greatly mistaken. Had we space this week we could go on pointing out one political iniquity after another foreshadowed in his declaration of principle. So much so is it that were a Catholic leader in Quebec to take a similar stand he would be a real Marter—with a y instead of an e in the last syllable of his name.

It is all very fine to believe in Political principles and to cling to party; but eternity before time, God before man, faith before party. We foresee great difficulties for the Catholic element in Ontario if ever the incidious Marteronian philosophy, with its veneering of false logic and transparent veil of diplomatic charity, should prevail. It is time to watch such men, for we know not what harm they may do. His Conservatism seems to consist in conserving the anti-Catholic traditions of his party, and in Canada we want larger policies and higher principles. In private, like his predecessor, Mr. Marter may be a most amiable man, but once he steps out on the public platform he must expect to be judged by his public utterances and by the policy he lays down.