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The  
**Australasian Catholic Record**

A Quarterly Publication under Ecclesiastical Sanction

"Pro Ecclesia Dei." St. Augustine.

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# Official Documents

ENCYCLICAL LETTER  
OF OUR MOST HOLY LORD  
PIUS XI.

BY DIVINE PROVIDENCE POPE  
TO THE VENERABLE BRETHREN, PATRIARCHS,  
PRIMATES, ARCHBISHOPS, BISHOPS AND  
OTHER ORDINARIES

IN PEACE AND COMMUNION WITH THE HOLY SEE  
ON THE HOLY ROSARY OF THE BLESSED VIRGIN MARY

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VENERABLE BRETHREN:

We have more than once—and most recently by the Encyclical *Divini Redemptoris* (*Acta Ap. Sed.*, 1937, vol. xxix, p. 65)—declared that there can be no remedy for the increasing ills of this our age except through the return to Christ and to His most holy precepts. He alone has “the words of eternal life” (cf. John vi, 69); and if His Sacred Majesty be neglected and the Divine Law rejected, neither private persons nor public societies can achieve anything which does not fall into immediate and miserable ruin.

Whoever carefully considers the records of the Catholic Church, will clearly see that the powerful patronage of the Virgin Mother of God is linked with all the annals of the Christian name. When widespread, growing errors were attempting to rend asunder the seamless robe of the Church and to disorder the whole Catholic world, our fathers turned with faith to her who “alone destroyed all heresies throughout the world” (from the Roman Breviary); and the victory obtained through her aid brought happier times. When too the impious power of Mohammed, trusting in vast fleets and in great armies, was threatening the peoples of Europe with slavery and destruction, then, at the Pope’s behest, the protection of the heavenly Mother was most earnestly besought; the enemy were defeated and their ships sunk. And as in public dangers, so in private necessities, the faithful of every age have turned in supplication to Mary, asking her of her kindness to come to their aid and obtain for them some ease and healing of their troubles of body and mind. And never did those who implored her most powerful help in devout and trusting prayer, ask for that help in vain.

No less dangerous are the ills which threaten religious and civil society in our own times. Because the supreme and eternal authority of God, Who lays on us His commands and His prohibitions, has been despised and rejected by so many, it has come about that consciousness of Christian duty has grown weaker, that in many souls the faith has sickened or perished, and that finally the very foundations of human society have fallen in ruin. Wherefore on the one hand we may see social classes waging terrible war upon each other, those of greater resources ranged against those who have to work for their own and their families' bread. In some places, as we all know, things have gone so far that the right of private possession has been annihilated, and all goods brought into common ownership. On the other hand, too, there are some who profess to advance the power of the State to the highest degree of honour, who declare that the civil order and authority must be reinforced by all possible means, and pretend that thus they may utterly repel the execrable theories of the *Communists*; but they despise the light of the Gospel's wisdom, and seek to renew pagan errors and a pagan way of life. To these must be added that monstrous and baneful sect of men who deny and hate God, boasting themselves the enemies of Eternal Majesty; they are to be found everywhere; they attack the faith of all creeds and uproot it from men's minds; they trample human and divine law under foot : and while they mock the hope of happiness in heaven, and incite men to pursue a false happiness in this present life, even by unlawful means, they boldly drive them, by stirring up riots, bloody rebellions and the conflagration of civil war, to annihilation of the social order.

None the less, Venerable Brethren, although so many and such great disasters threaten us, and we may well fear the advent of worse in the future, we must not despair nor discard hope and faith which relies only on God. He indeed, Who has made peoples and nations healable (cf. Wisdom, i. 14), will surely not desert those whom He has redeemed by His precious Blood; He will not desert His Church. But as We said at the beginning, let us make use of the most Blessed Virgin as our most acceptable intercessor and patroness, since, to use St. Bernard's words, "such is His (God's) Will, Who desired us to have all things through Mary" (Sermon on the Nativity of the Blessed Virgin Mary).

All the faithful know that among the various forms of prayer which may fitly be addressed to the Virgin Mother of God, the Holy Rosary has a special and particular place. This means of prayer, which some

call the "Virgin's Psalter" or the "Breviary of the Gospel and of the Christian life," has been thus strikingly described and recommended by Our Predecessor of happy memory, Leo XIII: "Admirable indeed is this chaplet, woven of the angelic salutation and of the Lord's prayer, and bearing with it the duty of internal meditation, an excellent means of prayer . . . and very fruitful for the attainment of eternal life" (*Acta Leonis*, 1898, vol. xviii, pp. 154, 155). This may clearly be seen from the very flowers of which that chaplet is woven. For what fitter or more divine prayers could be found? The first is that which our Redeemer Himself gave in His Own words to His disciples when they asked Him: "Teach us to pray" (Luke, xi, 1); a most holy supplication, which looks, so far as lies in our power, to God's glory, and considers all our bodily and spiritual needs. Indeed how could it be that the Eternal Father, when asked in His Own Son's words, should not come to our aid?

The other is that angelic salutation, which begins with the praise of the Archangel Gabriel and Saint Elizabeth, and ends with that most devout request whereby we pray the Blessed Virgin to help us now and at the hour of our death. To these prayers, said aloud, there is added the contemplation of the sacred mysteries whereby the joys, sorrows and triumphs of Jesus Christ and of His Mother are brought almost before our very eyes, that thence we may draw solace and consolation in our own distress; and that also, following such holy examples, we may be encouraged to aspire to the bliss of heaven by ever higher ascents of virtue.

This means of prayer, Venerable Brethren, wonderfully taught by St. Dominic, not without the inspiration of the Virgin Mother of God and heavenly counsel, is clearly suitable for all, even for the simple and uninstructed; but how far are they from the truth who consider it the monotonous repetition of a tiresome formula, and reject it as fit only for women and children. Here we may first notice that the same words repeated no matter how often by devotion and love, are not simply a repetition of the same thing, but of something always new, as springing from an eternally renewed well of charity. This kind of prayer, too, contains a savour of the devotion of the Gospels, and demands humility of spirit; we are taught by our Divine Redeemer that if this be despised, it is not possible to attain the Kingdom of Heaven: "Verily I say to you, unless you be converted and become as little children, you shall not enter into the Kingdom of Heaven" (Matt. xviii, 3). Even though an age puffed up with its own pride mocks and

rejects the Holy Rosary, yet a great company of most holy men, of every age and of every condition of life, have not only held it dear and recited it with the greatest devotion, but have always used it as a powerful weapon to drive away devils, to preserve integrity of life, to rise more speedily to virtue, and to persuade men to peace. There have also been many men of outstanding learning and wisdom who have never let a day pass, however taken up with the care of their studies and scientific researches, without kneeling before an image of the Mother of God and addressing her devoutly with these prayers. This also has been the custom of kings and princes, however hard pressed by various troubles and duties; so that this chaplet of the mysteries is not only to be found in simple and poor hands, but is honoured by those of every degree.

Nor would We omit here to mention that in our own time too the Most Holy Virgin has most earnestly recommended this form of prayer, when she appeared in the Grotto at Lourdes to an innocent girl, and taught her to recite it. Of what, therefore, need we despair, if duly and devoutly, as is fit, we thus supplicate our heavenly Mother?

We desire, Venerable Brethren, that in the coming month all the faithful, whether in church or privately at home, should recite the rosary with greater devotion. This is the more necessary this year in order that all the enemies of the Divine Name, all who deny and rail against God's Eternal Majesty, all who plot against the Catholic Faith and the due liberty of the Church, and all who, madly rebelling against divine and human rights, seek to drive human society to perish in ruins, may, at the powerful intercession of the Virgin Mother of God, be at last defeated and led to repentance, and return to the right way, entrusting themselves to the protection and faith of Mary. May she who was once victorious over the sect of the Albigensians and drove them out from Christian lands, give ear to our prayers and drive out the new errors, especially that of the *Communists*, who for more than one reason, and by more than one misdeed, recall the former to our memory. And as at the time of the Crusades the peoples of Europe had one voice and one prayer; so now throughout the whole earth, in cities and towns, in villages and hamlets, may all join their mind and strength to obtain from the Great Mother of God the discomfiture of these enemies of Christianity and of civilization, so that the weary and distressed peoples may enjoy true peace. If all men do this with the fullest faith and a burning devotion, then we may hope that as in time gone by, so in our own age, the Blessed Virgin

may intercede with her Divine Son to grant the waves of the storm may cease their raging and be at peace, and that the faithful's praiseworthy contention in prayer may be followed by a brilliant victory.

Moreover, the Holy Rosary is not only strong to defeat the haters of God and the enemies of Religion, but also to inspire, nurture, and implant in all men's minds the evangelical virtues. First and foremost it nourishes the Catholic Faith, which soon revives by due meditation on the sacred mysteries, and directs men's minds towards divinely revealed truths. There can be no one who does not see, too, how salutary it is, since our age shows a certain distaste for spiritual things and a certain weariness of Christian doctrine, even among the faithful.

It gives us too a keener hope of the joys of immortality, when, meditating on the triumph of Jesus Christ and of His Mother in the last part of the recitation, we are shown the heavens opened, and are invited to attain the country of eternity. Wherefore it is fitting that all men should be recalled to the treasures of heaven, "where thieves do not steal, nor moths corrupt" (Matt. xii, 33), and to everlasting goods, at a time when so great desire for earthly things possesses men's minds, and when men daily more ardently long for perishable riches and for fleeting pleasures.

And though charity has grown weak and cold in so many hearts, how should they not all burn again with love, if they sorrowfully consider our Redeemer's agony and death, and the dolours of His Sorrowful Mother? It is impossible that a greater love of one's neighbour should not arise from that divine charity, if the labours and sorrows which Christ the Lord bore are carefully considered, so that all should be restored to the lost heritage of the sons of God.

So, Venerable Brethren, let it be your care that so fruitful a means of prayer should grow day by day, should be held by all men in the highest honour, and increase their devotion. Let its praises and its value be expounded to the faithful of every degree by you and by those who assist you in your pastoral care. Hence let young people draw strength which may help them to crush growing incitements to evil and keep their soul's purity safe and unharmed; in this let the aged seek rest, consolation and peace in difficulties and in trouble. Let it inspire those who give themselves to Catholic Action to be keener and more diligent in the work of the apostolate they have taken up; and may it bring ease and an intenser hope of eternal joy to those who are suffering from any kind of sickness, especially those who are lying in the last agony of death.

And in this matter let fathers and mothers of families especially be an example to their offspring; when at the end of the day all return home from their work and their business, then let them kneel before a holy image of our Heavenly Mother, and with one voice, one faith and one mind, let the parents lead their children in the recitation of the Holy Rosary. This is a beautiful and a salutary custom, from which the family circle cannot but draw peace and tranquillity and obtain heavenly gifts. Wherefore, since We often receive newly married couples in audience and give them a fatherly address. We give them a Holy Rosary, strongly recommending them, and giving them at the same time Our Own example, never to let a single day pass, however hard pressed they may be by cares or business, without making use of these prayers.

For these reasons, Venerable Brethren, We have thought fit earnestly to exhort you, and with you all the faithful, to this devout method of prayer, and We do not doubt that when you make your customary willing response to Our recommendation, a rich harvest will be reaped. We have had another motive in addressing this Encyclical Letter to you, desiring that all Our Children in Christ should join with Us in giving thanks to the supreme Mother of God on account of Our recovery of health. As We have had occasion to write (cf. Letter to His Eminence Card. E. Pacelli, published in the *Osservatore Romano*, Sept. 5th, 1937), We attribute this to the intercession of the virgin of Liseux, Tersea of the Child Jesus; but We know that We obtain all things from Almighty God through the hands of Our Lady.

Lastly, since a blasphemous insult has lately been published in the public Press against the Most Blessed Virgin, We cannot refrain from taking this opportunity, together with the Bishops and people of that country which honours the "Queen of the Kingdom of Poland," to give that great Queen, as Our office requires, due reparation, and indignantly to denounce this act, which has been committed with impunity among a civilized people, as a sacrilege to the whole Catholic world.

Meanwhile We sincerely impart to you, Venerable Brethren, and to the flock entrusted to each one of you, the Apostolic Benediction, the herald of divine grace and a pledge of Our paternal good-will.

Given at Castel Gandolfo, near Rome, on the 29th day of the month of September, on the Feast of the Dedication of St. Michael the Archangel, in the year 1937, the seventeenth of Our Pontificate.

PIUS, P.P. XI.

## PAPAL LETTERS.

CHIROGRAPH LETTER TO CARDINAL EGENIO PACELLI, WHEREBY  
THE SUPREME PONTIFF RESERVES TO HIMSELF THE PREFECTURE  
OF THE SACRED CONGREGATION OF SEMINARIES AND  
UNIVERSITIES.

Dear Lord Cardinal,

It has pleased the ever holy and beneficent will of God, our Lord and Father, to deprive Us of the well-beloved and edifying presence of his Eminence Cardinal Gaetano Bisleti. In being deprived of this gem of the Sacred College We have also been deprived of the devoted and assiduous, enlightened and conscientious help which he gave Us in the various positions occupied by him and particularly in the Prefecture of the Sacred Congregation of Seminaries and Universities—a position of very great importance and entailing much labour. In presence of these dispositions of the divine will:

We desire in the first place, as We ought, to submit Ourselves filially, with Our whole mind and heart and soul, to the most holy ordinance of God. In the second place We are conscious of the duty and the need of providing immediately, ad interim at least, for the government of the said Congregation. In view of such provision, after praying much and having obtained many prayers from others, We have decided to reserve the Prefecture to Ourselves from this day forward, desiring moreover that the reservation be regarded as a new testimony of the importance which We attach to the same Congregation.

Perhaps it is in this way that the Divine Goodness has accepted Our humble resolve to refuse nothing, whether it be labour or pain, for the Church and for souls. Perhaps it is in this way also that the Lord gives Us a ready and signal opportunity of co-operating very specially in the good of the Church and of innumerable souls, in an answer to whose prayers, with the intercession of St. Theresa of the Child Jesus, He has granted Our return to life and strength.

Be so good, Lord Cardinal, as to give notice of this in the usual forms. Meanwhile We bless you most cordially.

PIUS XI, Pope.

Castelgandolfo, September 3, 1937.

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## SUPREME SACRED CONGREGATION OF THE HOLY OFFICE.

By a Decree of September 17, 1937, the Holy Office declared *ipso iure* condemned and inserted in the Index of Prohibited Books the work entitled:

Klösterleben. Enthüllungen über die Sittenverderbnis in den Klöstern, by Burghard Assmus. A. Bock. Verlag. Berlin-Schöneberg, 1937.

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APOSTOLIC LETTER TO CARDINAL PIETRO FUMASONI-BIONDI, PREFECT OF THE SACRED CONGREGATION OF PROPAGANDA REGARDING AN EXHIBITION OF CHRISTIAN ART AS CULTIVATED IN MISSIONARY LANDS AND COUNTRIES OF EASTERN RITE TO BE HELD IN THE VATICAN DURING 1940.

Dear Son, health and Apostolic Benediction :

The success which marked the Missionary Exhibition held in the Vatican during the Jubilee Year 1925 is remembered by everybody. That Exhibition not only set forth the wonderful work accomplished by the sowers of the divine word but it also added new vigour to missionary endeavour and gave rise to the Ethnological Museum housed in the Lateran Palace. In view of this fact and in accordance with Our great desire to further the work of Missionaries and promote the branch of study known as Missionology, We have decided to hold another Exposition of Missionary things. It is to find a suitable place in the pavilions which served for the Catholic Press Exhibition and is to include whatever belongs to such Christian Art as is fostered in Missionary lands or in the countries of Oriental rite. Indeed, those liberal arts, which express the genius of nations and represent their culture, are of no mean assistance to the Church in carrying out the external worship of God and illustrating its meaning. Hence an Exhibition of this sort of Christian Art shall be, as it were, a mirror in which the characteristics of various peoples will be reflected, and therefrom it will be possible to discern by what road the adaptation of native art to missionary needs ought to go forward. Besides, it will be evident from the variety of the exhibits that the true Church of Jesus Christ in this, as in other things, is actuated by truly Catholic spirit and aims, because she ever tries to keep safe and sound the arts, sciences, laws and manners of all nations, provided that they are not repugnant to the holy laws of God. From the remotest ages her spirit has been that of St. Paul, for she seeks nothing else but souls and "has become all things to all men." At the same time visitors to the Exhibition shall see with their eyes what inexhaustible fruits are produced even in this field by Christian teaching and shall also be spectators in the house of the Universal Father of the unison with which the artistic



productions of many nations, meeting in peace and friendly concourse, sing their song of beauty to the Eternal God. If, moreover, the Exhibition be the occasion of congresses and meetings for the study of Missionological questions—such as We mentioned at the close of the Exhibition of 1925—the utility of our project will be still further enhanced.

It is to your alacrity and prudence, beloved Son, that We entrust the task of organizing and preparing this Exhibition. Communicate with the Apostolic Delegates and Vicars and study the means of bringing the matter to a safe and happy issue. Regarding the art of the Oriental Church it will be your care to unite your counsels with those of Our beloved Son Cardinal Eugene Tisserant, Secretary of the Congregation for the Oriental Church. It will likewise be your concern to institute in good time Committees of experts to accept and arrange incoming exhibits. We desire the economic administration of the enterprise to be entrusted to the same Committee whose praiseworthy efforts were devoted to the Catholic Press Exhibition. It will be advisable, of course, to make such changes as necessity and circumstances seem to require.

Meanwhile, as a pledge of divine favours and testimony of Our benevolence We must lovingly impart to you, beloved Son, and to all who shall be your helpers, the Apostolic Benediction.

Given at Castelgandolfo near Rome, on the 14th day of September, Feast of the Exaltation of the Holy Cross of our Lord Jesus Christ, in the year 1937, the sixteenth of Our Pontificate.

PIUS XI Pope.

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SACRED CONGREGATION FOR THE ORIENTAL CHURCH.  
ADMONITION

*on the rules to be observed with regard to clerics of Oriental rite  
sojourning outside of their own Patriarchate.*

Many reports have recently reached the Sacred Congregation for the Oriental Church concerning certain persons who are fraudulently exhibiting false documents, and under the name and garb of Oriental priests are travelling through various places to quest for alms and collect Mass stipends. They are known even to ask permission to celebrate Mass.

Lest such serious and sacrilegious frauds lead to deplorable consequences, the Sacred Congregation earnestly asks the local Ordinaries to be mindful of the rules which the Apostolic See has more than

once laid down in order to prevent such frauds and their harmful consequences.

The Decrees which are especially to be recalled to mind and observed are: that beginning with the words *Quo sollerti* and issued on December 23, 1929 (*A.S.S.*, XXII, 1930, p. 99) regarding Oriental clerics who immigrate to America or Australia in order to take care of the spiritual interests of faithful of their own rite; that of January 2, 1930, beginning with the words *Non raro accidit* (*A.S.S.*, XXII, 1930, p. 106) and concerned with Oriental clerics who go to the same countries for a short time on account of some other economic or moral reason; the Decree *Saepenumero* of January 7, 1930 (*A.S.S.*, XXII, 1930, p. 108) on Oriental clerics who collect alms, money, or Mass stipends outside of Oriental dioceses; the Decree *Quo facilius* of September 26, 1932 (*A.S.S.*, XXIV, 1932, p. 344) on Oriental clerics who are sojourning outside their own dioceses. Amongst other things these Decrees firstly prescribe that no Oriental priest may be admitted to the celebration of Mass outside his own Patriarchate, unless he show authentic commendatory letters, which are still valid, from the Sacred Congregation for the Oriental Church (compare also Can. 804, par. 1 of C.I.C.), and secondly that no Latin Ordinary may permit an Oriental cleric of any order or dignity whatever to collect money or Mass stipends without an authentic rescript of recent date from the same Sacred Oriental Congregation (compare also Can. 622, par. 4 of C.I.C.).

If sometimes, on account of altogether peculiar circumstances the Sacred Congregation judges well to permit the collection of money or Mass stipends, the Sacred Congregation itself will notify each local Bishop of the permission and the reason underlying it. But no Ordinary, outside of the case that he is forewarned by the Holy See directly or through a Legate of the Roman Pontiff, may grant or permit the taking of a collection of any sort within his jurisdiction by Oriental clerics.

Should they do so, they are bound to answer for the celebration of the Masses and the measure of their fault after the help given as regards money and Mass stipends or intentions (compare Decree *Saepenumero* of January 7, 1930, *A.S.S.*, XXII, 1930, p. 109).

In order to secure more efficaciously the avoidance of any abuse their Excellencies, the Ordinaries are asked to inform their priests of these regulations, especially the Rectors of Churches and also religious houses, and, as far as is necessary, even the faithful.

Given at Rome from the Palace of the Sacred Congregation for the Oriental Church, July 20, 1937.

# John Bede Polding

## XV.

### Summary:

The colony in 1839. Quotations for Dr. Ullathorne, Bishop Polding and Henry Parkes. Assignment of convicts abolished. Abuses of assignment system. Transportation to end. Early measures of representative government. Gipps' Minute on Education. The ascendancy group. The Chronicle attacks existing system of government. Miss Byrne and bigotry. Council refuse help to St. Mary's. Progress in the country. Foundation at Kurrajong. A convert's impressions.

Though the Catholic position had much improved, the Colony itself was in no such happy state. The boom of the previous years was about to burst; and Dr. Ullathorne's summing up is worth reading.

"A great deal of speculation was going on, and the price of land in Sydney and other townships rose enormously. It was said that land had been sold in one principal street at a higher price per foot than it had ever been sold at that time, in Cheap-side, London. Many millions of paper money had floated from the banks : but at that time the *Government Gazette* published the amount of specie in the Colony, which did not amount to more than £600,000. Anyone with a little knowledge of finance ought to have seen the consequence : but no notice was taken of it. I then wrote three letters to the *Australasian Chronicle*. . . in which I predicted that great troubles were in the wind, and that a great deal of property must soon change hands. . . They were received with incredulity; but after a time came the crash, and many failures. Land ran down rapidly in price, and sheep, the staple of the Colony, came from twenty-five to five shillings a head, and even half-a-crown. Nor did the Colony fully recover itself until the discovery of gold. Meeting my old friend, Sir Roger Therry, long years after, on his return to England, he said: 'We did not believe your letters, we were rather amused at them : but we were awfully punished'."<sup>1</sup>

The population had increased by more than a third since 1836. Then there were 77,096; by the end of the year 1838, 11,057 free immigrants and 6,498 convicts had come, while in the year 1839 from January till July another increase of 7,000 had been made and during the months of August and September 2,799 more had been added.

A letter earlier in the year gives Dr. Polding's view of the situation which was then beginning to cause concern :

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<sup>1</sup>Ullathorne: *Autobiography*, p. 175.

"... This will be indeed a hard year for me. I do not wish to touch the Capital you sent out. Hay is selling at £21 per ton, and horse corn at 10/- per bushel. Potatoes 16/- per cwt., and other things in proportion.

The country is in a dreadful state in the want of rain. A sufficient quantity has not fallen for three years... Very providentially, by digging, we have come to a fine spring only five feet from the surface. This is a great blessing. Water is selling in Sydney at 4d per bucket, and if this weather continues it will become still dearer. In the meantime each week brings us loads of Emigrants. Many of them go up the country; but numbers, and amongst them are the helpless and infirm, remain in Sydney, and our streets are beginning to fill with paupers. Many unfortunate women with little children are left by their selfish husbands, who go elsewhere, rid of the encumbrance of supporting them. When I first came, a poor person was not seen begging in the streets: now it is very different. It has been a great oversight in the Emigration concern that whilst this was promoted by devoting to it the sale of the lands in the Colony, a reserve was not made to meet this exigency. As it is, the rich landholder has all the advantage of the scheme. He takes to his farms the healthy, young, unencumbered man; whilst the helpless—and in such numbers there must of course be many helpless—are left to the mercy of private charity in Sydney; and a grievous burden in addition to our calls they become. They find their way to me in the first instance; and were my means tenfold greater, they would not suffice to give each one a little..."<sup>2</sup>

An interesting confirmation of Dr. Polding's words comes from the letter of a newly arrived settler who was later to carve for himself a niche in the nation's history—Henry Parkes.

"This is a duty I ought to have performed months ago, and you will think harshly of me for this neglect. I have no excuse to plead, save that I was unwilling to sadden your hearts with a tale of misery. I waited from day to day, and from month to month, hoping to be able to give a cheering account of this country, but it is a sad one I write at last. I have been disappointed in all my expectations of Australia, except as to its wickedness; for it is far more wicked than I had conceived it possible for any place to be, or than it is possible for me to describe to you in England. We came to anchor in Sydney harbour on the morning of the 25th July, 1839... I had but two or three shillings when we got to Sydney, and the first news that came on board was that the 4lb. loaf was selling at half-a-crown! and everything proportionately dear. There was no place for the

<sup>2</sup>Birt: *Benedictine Pioneers*. i. 405.

Emigrants to go till such time as they could engage with masters, or otherwise provide for themselves. When they left the ship they had to do as best they could. Poor Clarinda, in her weak state, had no one to do the least thing for her, not even dress her baby,<sup>3</sup> or make her bed, and in a few days she was obliged to go on shore, with her new-born infant in her arms, and to walk a mile across the town of Sydney to the miserable place I had been able to provide for her as a home, which was a little low, dirty, unfurnished room, without a fire place, at five shillings per week rent. When she sat down within these wretched walls, overwhelmed with fatigue, on a box which I had brought with us from the ship I had but threepence in the world, and no employment. For more than two weeks I kept beating about Sydney for work, during which time I sold one thing and another from our little stock for our support. At length, being completely starved out, I engaged as a common labourer with Sir John Jamieson, Kt., M.C., to go about thirty-six miles up the country. Sir John agreed to give me £25 for the year, with a ration and half of food. This amounted to weekly:—

- 10½ lbs. beef—sometimes unfit to eat.
- 10½ lbs. rice—of the worst imaginable quality.
- 6¾ lbs. flour—half made up of ground rice.
- 2 lbs. sugar—good-tasted brown.
- ¼ lb. tea—inferior.
- ¼ lb. soap—not enough to wash our hands.
- 2 figs of tobacco—useless to me.

This was what we had to live upon, and not a leaf of vegetable or a drop of milk beyond this. For the first four months we had no other bed than a sheet of bark off a box tree, and an old door, laid on two cross pieces of wood, covered over with a few articles of clothing. The hut appointed for us to live in was a very poor one. The morning sunshine, the moontide shower, and the white moonlight of midnight, gushed in upon us alike. You will, perhaps, think had you been with us, you would have had a few vegetables at any rate, for you would have made a bit of garden, and cultivated them for yourselves; but you would have done no such thing! The slave-masters of New South Wales require their servants to work for them from sunrise till sunset, and will not allow them to have gardens, lest they should steal a half-hour's time to work in them. I should mention that our boxes, coming up from Sydney in Sir John's dray, were broken open, and almost everything worth carrying away was stolen. I made

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<sup>3</sup>The baby was only two days old, when they anchored.

this at first a very grave complaint, but only got laughed at for my pains, and told that was nothing. During the time I was at Sir John's, I was employed mostly in a vineyard. . . . and left just as we had done wine-making in the middle of last February, having been in his service six months. . . . For the encouragement of any at home who think of emigrating, I ought to add that I have not seen one single individual who came out with me in the Strathfieldsaye but most heartily wishes himself back at home . . . . ."<sup>4</sup>

Though Parkes was more concerned with the personal aspect of the depression, and when times brightened for him was to reverse his verdict the state of things he depicts was dreadfully true for large numbers, and the Bishop raised his voice in their behalf. The *Australasian Chronicle* reports:

"On Sunday last, the Right Reverend the Catholic Bishop delivered in the Cathedral a most eloquent and impressive Sermon, on the duty of contributing to the relief of the poor, in the present season of scarcity. His Lordship painted in the deepest colours the crime of those avaricious persons, who have, by their sordid and criminal speculations, deprived the poor of the means of existence. He then drew a frightful picture of the present state of sufferings occasioned by the dearth of provisions—dwelt in the most feeling manner upon the wretched state of many emigrant families, who, having left their country in the hope of ameliorating their condition, find their prospects completely blasted, and are destitute of the means of returning to their native home : and concluded by a most stirring appeal to the feelings of his audience in behalf of these sufferers. We have seldom heard a more heart-moving discourse, and we are happy to learn that it has been the means of relieving several families from great distress."<sup>5</sup>

Those quotations from men on the spot are so valuable that it is very useful to be able to follow them with the confirmatory words of a modern student of Governor Gipps' regime:

"The taunt levelled at Gipps by one of his critics that he had found the treasury full and left it empty is very easily proved from the documents at our disposal to have been a mischievous lie. In one of his latest despatches, Sir Richard Bourke drew the attention of the Colonial Secretary to the fact that, while, on paper, the finances of New South Wales appeared to be flourishing, the prosperity was more apparent than real.

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<sup>4</sup>Parkes: *An Emigrant's Home Letters*. May 1st, 1840.

<sup>5</sup>The *Australasian Chronicle*. Aug. 6, 1839.

In the early years of the colony land was easily acquired. . . . Cheap labour was supplied by the system of assignment of convicts, and crops were saleable to the Government. . . . Even when free grants ceased, prospects were excellent and attracted English capital to the land which offered such good investment. Banks were opened and money was freely offering at rates which pleased the capitalists, and still did not deter the borrowers, who could show a profit in its employment. With the opening up of the hinterland, abundant excellent pasturage was available, and, with wool at three shillings per pound, the prospects of the colony seemed rosy indeed.

The Government, in 1834, passed the Act 5, William IV., Clause 10, which made any rate of interest legal in New South Wales, so long as it was agreed to in the first instance by the borrower, and provided that the English law of usury did not apply in the colony. Such conditions attracted an abundance of capital to New South Wales. Money was plentiful, prices rose, extravagance marked the spending of all, and speculation was rife.”<sup>6</sup>

So much for the plight of the free newcomers; but another class in the community was about to obtain tardy justice. The system of assigning convicts to private persons had been in existence since the beginning of the colony, and it was an important factor in the successful establishment of New South Wales. Unfortunately, from the very start, there had been abuses; and these had not lessened as time went on. Sir Richard Bourke had voluntarily surrendered the right that an Act of Parliament had bestowed on the Governor which made him the sole controller and disposer of all convict labour.

Some of Mr. Justice Therry's words are very enlightening on abuses that had crept in:

“To those conversant with the system of assignment as it had previously existed, it must be known that the assignment of convicts was a source of considerable patronage. Residents in towns, and settlers in the country, were mainly dependent for the supply of servants on the convict depot; a good carpenter, a gardener, a shoemaker, an expert mason, a blacksmith, or mechanic of any class, were invaluable adjuncts to a country establishment, where a hut had to be built, or orchards and gardens planted; whilst an accomplished butler or a good cook was, of course, highly prized in either a town or a country residence. . . . Up to the period of Sir R. Bourke's administration, a sort

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<sup>6</sup>Journal and Proceedings. Vol. XVI. Part IV. P. 242-4.

of preferent claim was put in and allowed by those who, in the language of the day were regarded as well-affected towards the Government—Sir R. Bourke reduced assignment to a simple and just system. Under his administration, convict labour was distributed by a board of commissioners, agreeably to established regulations, according to priority of application, and the ascertained requirements of the applicants....A convict under sentence of seven years was entitled, if he conducted himself well, to the indulgence of a ticket of leave at the end of four years; if under sentence for fourteen, a longer period of probation was required. An unjust master had thus easy means of defrauding the convict assigned to him of this privilege. He was the sole arbiter to determine what was good conduct or otherwise. With a view to retaining the services of a man to whom he paid no wages, especially if he were a mechanic, or otherwise a useful servant, an unjust master could, by magnifying some trivial fault into a serious ground of complaint, prolong the servitude of the convict, under the pretence that by good conduct he had not merited the indulgence. Sir R. Bourke investigated cases of this nature; and the knowledge that he did so was a great protection to the convict, and an incentive to subordinates of his Government to do their duty....”<sup>7</sup>

What Governor Bourke had begun reached a happy finality in 1839, when on July 30th Sir George Gipps laid before the Executive Council a despatch from England which abolished the assignment system for all time.

Then, as a result of the Select Committee on Transportation at which Dr. Ullathorne had given evidence, transportation was soon to be abolished. The movement towards this objective had begun seriously in 1835; and, although a public meeting in favour of transportation met in Sydney in February, 1839, the Governor was able to report to the Council that transportation ceased on August 1st, 1840.

“As I have had my small share in bringing about this state of things,” writes Dr. Ullathorne, “you may be certain I am not popular with the money-making leeches of the Colony.”<sup>8</sup>

And, besides these reductions of the prison-status of the colony, the free and the native-born had succeeded in winning some of their claims to a voice in government. William Charles Wentworth and his “Liberal” following had been for some time fostering a vigorous move-

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<sup>7</sup>Therry: *Reminiscences*, pp. 133-4.

<sup>8</sup>Birt: *Benedictine Pioneers*. i. 437.



ment which demanded for British subjects in Australia the same democratic treatment as flourished in the British Isles. And while the Home Government foresaw too many difficulties in the way of complete autonomy, they realised that some measure of consideration was due. The length to which they might accede with safety was the question they were anxious about. On this Sir George Gipps had some very practical ideas which were, with important differences in detail, embodied in the Act, 5 and 6 Victoria, and gave the colony its first taste of representative government.

So, providentially, just as the Church reached a stage when she could cope with conditions, there were fundamental changes going on within the general population which placed her advantageously. The continuance in office of Messrs. Therry and Plunkett was a grand help to the Catholic cause. They guided the fair-minded Gipps as they had influenced Bourke. Their assistance of the separate scheme of education on which the Church had embarked was especially valuable, and we can trace their influence on the mind of the Governor in the minute which he submitted to the Council deciding to accept the British and Foreign system.

“With respect to Schools for the Education of Children of the Roman Catholic persuasion, a particular provision seems necessary. The Catholic Community may be said, without offence, to stand more in need of assistance of Government than the members of any other persuasion : for though producers of wealth in an equal degree, they are not in an equal degree consumers of it ; and if it be the duty of the State to provide for the education of youth, that duty becomes stronger, instead of weaker, in proportion as any class or division of the People is unable to provide it for themselves.

“The Roman Catholics will moreover by the substitution in the Government Schools of the British and Foreign, for the Irish system of Education, be placed in a less advantageous position, than that which was intended for them by Sir Richard Bourke, and sanctioned by Her Majesty’s Government in 1836.

“Roman Catholics in consequence of the well-known tenets of their faith, cannot be expected to resort very generally to Schools established on the principles of the British and Foreign Society. In fact, that Society, though it throws its doors open to them, has never sought to gain the attendance of Catholics, by yielding up any portion of the Protestant principles on which their School are established ; whilst, on the contrary, there is no

sect or denomination of Protestants which may not send their Children to the Schools of that Society, without the smallest sacrifice whatever, of any essential principle of their faith. To give to the schools of Catholics no more assistance than to the separate schools of any other denomination, would be to violate the principle of equality which since the passing of the Church Act, has been so happily established in this land. Without, therefore, expressly saying to what extent, in future years, this further support ought to be carried, I am anxious to record, subject to the approval of Her Majesty's Government, my public recognition of their claim to it; and for the ensuing year, I have caused to be inserted £1000 for the purpose."<sup>9</sup>

The Chronicle comments on the minute rebuking the ascendancy party and uttering a pious hope that the well-intentioned plan should receive the Council's approval:

"It conveys to us the assurance that the Governor is desirous of preserving the spirit of the Church Act in his intended measure; and if the intolerance of a party has, as it were, compelled His Excellency to adopt a system of Education, which, being essentially Protestant, will exclude the children of Catholics from its benefits, we have the promise, and we receive it gratefully, that our just claims will not be overlooked. . . .

"We trust that the Council will enable His Excellency to carry his equitable intentions into effect; so that if the various denominations of Protestants have a powerfully working system of education, of which we Catholics cannot avail ourselves, we may at the least obtain that support for our schools to which we are entitled equally with others."<sup>10</sup>

Already we have seen some of the schemes by which the anglican church strove to become an *establishment* within the colony—Dr. Broughton, Judge Burton, and Mr. Willis leading the van; but the full extent of their machinations will never be known. Enough leaked out at the time to draw the wrath of Chronicle's Editor, and he used the weapon at his hand lustily to deal with them.

Hardly a page of the early issues of the paper went to press without some attack on the system of Government and on individual members of the Council. The *Chronicle* was wholly in sympathy with the movement for representative government, and Duncan's ardent Catholicism made him keenly alive to the fact that there was only one Catholic representative in the Council (Attorney General Plunkett). The

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<sup>9</sup>*Australasian Chronicle*. August 8, 1839.

<sup>10</sup>*Australasian Chronicle*. Aug. 8, 1839.

Council itself was a clique, and most of its members were survivals from the days before Catholic Emancipation and nearly all were bigotedly anti-Catholic. They had a big advantage, too, in the fact that the leader of their opinions sat at the Council table with them—and Dr. Broughton used this advantage without any hesitancy. Besides, until June 6th, 1838, they had sat behind closed doors, and the reporters from the Press as well as the public at large had been rigorously excluded from the deliberations. It was well that the Governors Bourke and Gipps were able to rise above party influence in most matters, especially when the Catholic cause had to rely on the occasional favour of the *Australian* to present its views.

Little more than a year had passed since the Press and public had been admitted to the Council's meetings when the *Chronicle* first appeared; and Duncan attended the sessions and presented the public with sane criticism of the matters discussed. A good many of the articles that then appeared are well worth reprinting in these days for they give a valuable commentary on the history, both ecclesiastical and civil of a century ago. They lie forgotten in the old newspaper files, and this is the place to bring them to light once more to show the part the Catholic Church took in obtaining the charter of liberty for the Australian people despite the fact that it was the Church of the minority, that its members were the poorest in the community, that its status was of less than twelve years' standing.

The social and political state of the Colony of New South Wales presents, at this moment, an aspect (in spite of our commercial prosperity) discreditable, alike to the government and to the people. We have, on the one hand (daily accounts of robberies, by organized gangs of bushrangers; we hear of gaol breaking, of cattle spearing, horse-stealing, stopping the mail, and a thousand other acts, which prove the existence of a state of social disorganization to a very considerable extent; and the existing government, though as irresponsible to the people as that of the Russian autocrat, has not even the usual merit of despotic governments, that of promptitude and decision in its movements.

Would it be believed in any other part of the world, that at this moment, and under the eye of a British Governor, of whose justice and humanity no one has ever doubted,—would it be credited that a wholesale system of murder is continually going on unchecked and unpunished? Yes, at this moment, and in this British Colony, the life of a human being is valued no more than the life of a kangaroo, and far less, if we may believe the ex-

pressed opinion, than that of a bullock or a dozen sheep. Would it be believed, that there are now sojourning in Sydney, young gentlemen from settlements in the interior, who boast in company that they have placed cakes baked with a mixture of arsenic in a situation to meet the eyes of the famishing blacks for the purpose of destroying them; and that these murderers, for such they are, hesitate not to declare that they are disposed to improve every opportunity they may have of exterminating these human beings? This, however incredible it may appear, is a fact, and may serve as a key to much of the correspondence which appears in one of the Sydney papers under the head of "the poor blacks." There is no doubt that the blacks may be driven by hunger, without any other provocation, to the perpetration of offences against the settlers;—there is no doubt but they may commit depredations wantonly and unprovoked; but when the above fact is taken into account, in connection with the well known insulting tone in which the lower class of whites address the blacks, and the other injustices not fit to be named, which are every day perpetrated against these children of nature, we may easily trace the source of most of those complaints against the blacks. Indeed, the ambiguous terms in which these letters are couched, show clearly the source from which they emanate.

Ought such a state of things to continue? Assuredly not. But where is the remedy? Every person seems to have one object in view here,—the acquisition of wealth. The efforts of all, or rather of *everyone*, are directed to this end. When anything occurs to disturb the projects of any individual; he then cries out: "What is the government doing?—where are the police?—the protectors?" and instantly he proceeds to increase his store, nor thinks more of the matter, until he hears of a new accident.

As to the government, it has, as we have said, all the evils both of a despotic and a free government, without the advantages of either. It is an unwieldy, incoherent machine, which is fit for no good purpose. No matter how enlightened the individual may be who is at its head,—no matter how well each of his officers may do his respective duties, the system itself is radically bad, and totally unfit to regulate the affairs of this colony, or to raise society to a state in which it can be contemplated with any satisfaction by the philanthropist or the Christian. Those governments only which are either *popular or despotic* can effect any general amelioration of the social state. Others, whatever may be their good intentions, have not the power; in a despotic government a *talented and good prince* may make his people happy almost without their knowledge, and then his subjects may, as the

Australians unhappily do, content themselves with following after their ordinary avocations, trusting the affairs to him who "saith to this one come, and he cometh, and to the other go, and he goeth." In this case affairs are conducted with energy, and an unity of design which no other system can lay claim to. The only objection to this system, but it is an objection which destroys all its beauty, is, that princes are not generally talented and good, and the same power which is prompt to effect good in the hands of a good ruler, is also ready to effect evil in the hands of a tyrant.

Under the present system in this country, the people interest themselves as little concerning the public affairs as if they lived under the most despotic rule; while the government, on the other hand, from its very construction, acts with the greatest pusillanimity and indecision. Hence, while the government is as far as the public are concerned despotic, we are surrounded by most of the evils incident to a state of anarchy: property and life are insecure, and the worst of crimes are perpetrated in the face of the sun with impunity. Who then are to blame—the officers of the crown? Far from it. The evil lies in the system;—a system which combines the evils of the two extremes of civil government, but possesses none of their advantages. The people of these colonies have nothing to do with the government. They have not a single representative in the legislature. They may indeed petition—but whom? A body of men over whom they have not the least control—legislators who sit from day to day, enacting laws which are said to bind the people, laws concocted and passed by men who thus legislate for a people independently of the suffrages of that people; men over whom the nation has no control—who cannot even be impeached for their conduct, how detrimental soever it may be to the public interests. The Councils of this Colony, as at present constituted, serve rather as trammels to embarrass the Governor in his good intentions, than as the representatives of the people, to demand and obtain enactments for the public good. Few even of the individual members seem to have any popular sympathy. One seems to have no object in view but the preservation of his titles and dignities, and his yearly thousands. Another looks to his vineyard—another to his flocks and herds; and even those who make some pretension to watch over the public interests confine all their patriotism to the protection of our national funds; into the minds of such men, an enlarged or philanthropic idea seldom finds admission.

Thus the people never petition this Legislative Assembly; they never meet to discuss their grievances, as in all free states; they content themselves with making the most they can of their

anomalous position, and they only think of the government, when some misfortune tempts them to curse its inefficiency, in affording them protection for their persons and property.

The cause of all these evils is in our want of a representative system. Let the people of Australia have only what they demand as a natural and indefeasible right; let them be allowed that voice in the making of their laws which they demand as a free people, and then they will be seen to shake off that apathy and indifference which at present prevails throughout the Colony. By what right is it that we, the free subjects of Great Britain, are withheld from the enjoyment of the privileges which we inherited from our ancestors, and which are guaranteed to us by the constitution under which we are said to live? An answer to this might have been given, while this land was a mere penal settlement; but, now that transportation has ceased, there cannot be the slightest semblance of a reason for withholding from us a representative legislature, by which alone our people will feel that they have a political existence; by which alone they will be awakened to their national interests; by which alone remedies can be applied to the many evils, social and political, that surround us: evils which, however we may hide them amid exultations of commercial prosperity, force themselves upon our notice at every step. What progress our rulers may have made in modelling a representative system adapted to our wants, we know not; but we fear that nothing sufficiently enlarged and liberal to meet the wants of the colony will be conceded till a proper demonstration of public feeling shall have been made on the subject. Have we no men of sufficient standing and ability to become our leaders in this great national enterprise?<sup>11</sup>

Meantime, the other organs were not idle in sponsoring bigotry. They had received a rude shock over the Father Brady incident—some had been smashed—but the survivors seemed to grow more furious and cast about for new subjects of attack. They found a likely one in a Miss Byrne, who came from Ireland, and retailed a lot of fictitious scandal for the benefit of the anti-Catholic party. Dr. Ullathorne took up the case against her and became the scapegoat for all that followed. While she was in Parramatta, two men attacked her. They were named Trougher and Kelly. There seems to be no agreement on the reason for the attack. Dr. Ullathorne says they were two ruffians out for plunder, the *Chronicle* seems to think they were Catholics whose feelings were outraged. A screaming headline in one of the news-

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<sup>11</sup>*Australasian Chronicle*. November 5, 1839.

papers read: "Dr. Ullathorne and Blood." But the *Chronicle* casts the blame back on the sponsors of Miss Byrne's mission:

"The *Monitor* of yesterday, copying all the ideas of the *Gazette* upon Miss Byrne's affair, in the most *original* manner possible, asserts that there are many Irish Catholics in this Colony who 'think that to kill heretics denounced by their clergy is pleasing to Almighty God.' Now we shall not stop in the meantime to controvert this proposition. Let us suppose it to be true. Let us suppose also that Trougher and Kelly intended to kill Miss Byrne, believing her to be so denounced. What follows but that the *Gazette* and the *Colonist* and the *Monitor* himself are the authors of the assault. The first forged a 'denunciation' of Miss Byrne, and published it to the world. The others copied and proclaimed the forgery. It was maintained throughout the colony, on these false grounds, that Miss Byrne had been excommunicated. True, she was not, but no matter, it was asserted she was. The report may have reached Trougher and Kelly,—they may have been those ignorant persons alluded to by the *Monitor*. Behold the result. But who in this case—who, on the showing of these writers, are the real authors of the outrage? Truly none other than Messrs. of the *Gazette*, *Colonist*, and *Monitor*, who pointed out Agnes Catherine Byrne as a denounced victim, knowing, as they say they did, the consequence! How true it is, *Mentita est iniquitas sibi!*<sup>12</sup>

The next opportunity for an attack by the *Chronicle* upon the Council came when they refused an application for a subsidy to the Cathedral building fund. It reveals a glaring partizanship and does not spare the feelings of the partizans.

"...In the course of the present session a petition was presented, not by the Catholic Bishop, as was erroneously stated by the reporters, but by the Trustees and Committee of Saint Mary's Church, for a sum of £500 towards the completion of that edifice. The petition was agreed to at a general meeting of the Catholic congregation of Sydney, numbering many thousands, and in their name it was presented to the Honourable the Legislative Council. It set forth the grounds of petition. It stated, that in order to accommodate the military and the prisoners of the crown, it had been requisite to erect galleries, and to incur very considerable expense. The usual demand of a contribution equal to the contributions of the people was not made. The amount of that sum would have been of much greater magnitude. No—simply a donation, which might in some sort assist the Committee

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<sup>12</sup>*Australasian Chronicle*. Nov. 12th, 1839.

acting in the name of the people, in paying the Bills, which in literal correctness might be said to have been contracted to provide accommodation for individuals under government control. In language of a more deferential cast than we think ought to have been used, reference was made to the grant of last year to the Church and parsonage erected in the Mulgoa Forest. It was miserably concluded, that a hint that this transaction was well known to the petitioners would suffice to obtain a pass for their petition. Vain hope! The Auditor-general was prepared with an account to the last farthing of the sums that had been already granted to St. Mary's. It was found that St. Mary's had received more than the £1000 allowed by the Church Act, and to prevent the disgrace of its being kicked out, His Excellency condescended to withdraw the petition; it having been stoutly asserted, and as stoutly re-echoed, that to grant it—

“\_\_\_\_\_ must not be,  
T'will be recorded as a precedent;  
And many an error, by the same example,  
Will rush into the state—it must not be.”

The church of Mulgoa was forgotten. Its boarding-house parsonage built at the public expense, under the Church Act, was forgotten. Oh! no; this forsooth was no precedent, only a continuation of the former mode of managing things in the Colony—a mode which we fondly imagined had yielded to the equitable arrangement of the Church Act.

Perhaps our honorable Legislators will inform use why the Mulgoa petition was assented to—that of St. Mary's refused? How a church and building connected therewith in a retired and unpopulous vale a large proportion of the inhabitants of which belong not to it, should require a contribution from the Colony of £500 extra, we know not. The mystery is explained so soon as the local circumstances are understood, and the use to which the parsonage-house is appropriated is made manifest:—

\_\_\_\_\_ *Qualis ab incepto*  
*Ab ovo — usque ad mala.*

The first generation profited largely by the appropriation of the public funds,—why not the second? That a Church, situated as St. Mary's, might require an additional sum beyond that specified by the Church Act, any one who reflects a moment must be prepared to admit. It receives all the military, all the prisoners, whilst the free population frequenting it amounts to many thousands. It is the only Church existing for the spiritual service of these.

We think we could observe in the remarks of some honorable members, on the subject, a stress laid on the amount of the sum



which government had advanced towards the completion of the building. We are willing to display that sum before our readers in all its extent.—£2000. Yes, gentle reader, two thousand pounds!

But at the same time, be it remembered, that the zealous founder of that edifice, the numerous subscribers—Catholic and Protestant, had reason to believe that one-half of the expense incurred in its erection would be paid by government. They had reason to believe it, for a Governor's word was pledged to the expected aid; and expenses were incurred more freely, for it was naturally presumed that this pledged word was to be duly redeemed. Were we to assert that St. Mary's Church has not been raised and brought into its present beautiful state at a less expense than £18,000, we are confident we should not be beyond the mark. Of that sum, government has contributed something more than £2000. Is this a large sum? It is, but be it remembered that it covers a space of nearly forty years. Still, it is a large sum. But what amount then have the Churches of St. James and S. Philip?—the Churches of Windsor and Liverpool?—the Churches of Kissing Point and Parramatta?—in a word, all the Anglican Churches throughout the territory, with their respective parsonages (the best built houses in the colony)—at what amount, we ask, have these been raised? Two thousand pounds? Fifty times the sum, we are confident, would not cover the amount. But, whatever this amount may be, the whole to the minutest fraction has been drawn from the public funds. Why, a large sum than this lies buried in the first foundation of St. Andrew's Church. Yet, this notwithstanding, the amount of £1000 was readily granted, under the Church Act, to the erection of that edifice; and, if we mistake not,—we are open to correction—an equal sum to the first grant has been since added. The Committee of St. Mary's make their first application for £500, and it is refused, because forsooth it would form a precedent! Yet, this refusal notwithstanding, a petition is presented in favour of St. Peter's Church, New Town, for £350, in addition, mark to the £1000 already received, and the petition is granted with hardly a remark, during the very same session in which a similar petition on the part of the Catholic body is presented, to be rejected, because the granting of it would form a precedent!

We feel we need not add a word. Respecting as we do His Excellency, we deplore exceedingly that a man of his upright mind should be thus dragged through the mire of inconsistency by a party who have obtained the ascendancy in the Councils of the Colony. With us, he will deplore his misfortune in having added to the numerical strength of that ascendancy, when he had the opportunity of placing a liberal mind, a Wentworth for in-

stance, amid that mass of dull obstructiveness. Oh! what a misappropriation of patronage. Whom did His Excellency depute to the Council? One who has carried the gallantry of the camp or the gun-room into a court of justice; who is one day observed to whisper soft somethings under the bonnet of a witness,<sup>13</sup> whom bigotry, prejudice, and intolerance have impelled into an outward, visible, personification of themselves; then, in his legislative capacity, to reprehend a Judge who has too much respect for himself and his Court to prostitute his office to the service of a party. Such, Sir George, is the choice which you have made. Such the legislator you have selected to represent the silent acquiescent people you are deputed to govern!

But perhaps we are too severe on one individual junior member. We should have been most happy to see him engaged in endeavouring to infuse into the Council, something of the liberal tone—the age and times require. We need not add we have been disappointed. We have selected this gentleman for animadversion because with that inexperience, which usually accompanies a junior, he has permitted to escape to the surface, those various propensities which doubtless lurk in the breasts of many of his brother legislators. Alas! how many among them—

“Give to a party what was meant for the whole?”

And see the consequence. In a colony the wants of which are multifarious, the exigencies of which are daily on the increase, in which education under the lethargic control of a dominant church, has been compressed into the least quantum of knowledge, to human ken perceptible—where are the petitions? Few in number and far between. If one tending to the good of the greater number be presented, it is withdrawn to prevent a greater disgrace. If the objects of a party are to be advanced, with talismanic speed petition passes into law. Let the Government at home weigh well our anomalies; let it know that a legislator dares presume to appear in a witness-box a coadjutor in testimony in matters which ought to concern him not. Let it be known that after having thus apparently attempted to interfere with the course of public justice, he had the audacity, in his place in the Council, to take to task the Judge, who so nobly discharged his duty. Let it be known that this gentleman still sits in our Councils, and we will venture to say, that the knowledge of these facts will expedite the establishment of that representative system to which we are certain England in a few years will owe its authority over us. In the meanwhile, if the boon is to be deferred,

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<sup>13</sup>Captain King is a noted whisperer. We remember it was a whisper of his in the ear of Sir J. Jamieson, that induced the latter to desist from pressing his motion to divide upon the Governor's educational measure, by which that boon was lost to Australia!

we implore a deliverance from these Councils, Legislative and Executive. Let us have the emanations and responsibilities of one upright and unbiassed mind—one who has no party to support, save that which supports the interests of the colony at large. If harm be done, it may be traced to its proper source; if good, we know to whom to be grateful. As we have observed in a former article, responsibility is so spread out that the power of public opinion falls harmlessly. For to be effectual, it must concentrate in the individual,—to be adequate to its purpose, it must have that capability of reaction, which is to be found in the representative system alone.

If the public voice had been heard by its representatives in council, would the petition of Saint Mary's have been rejected, while those of Mulgoa and New Town were granted? No. If the representative system were established, would the honourable members of the Legislative Council—the judges of the judge—be returned? No.

Another spicy piece from the same edition :

The following is an extract from a very severe letter to Dr. Broughton, which appeared in the "*Colonist*" on Saturday :—

"Of the sixteen unhappy men sentenced to die at the present sittings of the Supreme Court, eight are Roman Catholics. The latter have been regularly and diligently attended in their cells by the Right Rev. Dr. Polding and the Government Chaplain of the religion to which they belong; while as far as I can learn from enquiry, the Protestants have received no other instruction than that afforded them by the Rev. Mr. Cowper, whose numerous and very responsible duties elsewhere cannot leave him as much time to devote to these unhappy men as their truly melancholy circumstances seem to call for."

Surely the writer in the "*Colonist*" ought to have reflected that His Lordship has "the burden of the 'State,' as well as of the 'churches,' upon his back, and that he has also recorded (in his petition to the Queen for one-seventh of the Colony), that entering the habitations of the poor, is contrary 'to those feelings of respect for themselves,' which he and his "clergy will never cease to maintain." And the writer cites him "before the Great Judge" too. For shame! a Protestant to talk thus to his Bishop!"<sup>15</sup>

The matters just dealt with do not deserve to be dismissed as mere side issues. They were, every one of them, part of a huge fabric in process of growing to greatness. And they were, moreover, part of

<sup>14</sup>*Australasian Chronicle*, Nov. 22nd, 1839.

<sup>15</sup>*Australasian Chronicle*. Nov. 22nd, 1839.

the great cross under which the Catholics a century ago laboured; many fell under it—some to rise no more—but the majority bore its weight and we of to-day reap the reward of their sufferings.

While the recorded events were happening in the city the newly-arrived priests in their various country centres were working a remarkable change in the Catholic position without any blare of trumpets and thus we have the following cutting from the *Chronicle*:

“On Saturday last the Bishop left for Penrith, for the purpose of laying the foundation for a new Catholic Church there. We understand that his Lordship intends to lay foundations of a considerable number of new churches in various parts of the Colony before he returns. We have seen plans of some of these buildings, which, if well executed, will really be great ornaments to the Colony. That intended for West Maitland is particularly tasteful, and will eclipse every thing on the Hunter. We were also much struck with the beauty of another in the old English style, intended, if we recollect rightly, for Wollongong. It is most gratifying to hear of these erections, and of the praiseworthy competition of our country friends, in trying to outbid each other in contributing to so noble a work.”<sup>16</sup>

The strong missionary instinct of the Bishop showed in its best light when he went amongst the people of the country who were for the first time enjoying adequate spiritual care. His homilies deserve to be collected. Their direct simplicity has a constant appeal. The *Chronicle* has preserved many of them, but the one delivered at Kurrajong will serve as a type:

“The ceremonies with which the service of Almighty God is accompanied, our Holy Mother intends, as the great St. Gregory remarks, to be understood in a spiritual sense, that by means of things visible we may comprehend in some sort the nature of things invisible. In the spirit of this remark we ought not to proceed to the interesting ceremony which has assembled us this day, until we have considered what spiritual advantage we may derive from performing it with a right understanding of its bearing and import. St. John the Baptist, as you have heard in the Gospel of to-day, was asked by the messengers of the Pharisees, Who art thou? Permit me to address the same question to each of you, Who are thou? If you are not prepared to answer me I will supply you with the words of St. Paul, which most accurately describes you—“*Ye are the building up of God—individually and collectively, ye are the building up of God.*” Yes, dear brethren,

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<sup>16</sup>*Australasian Chronicle*. Dec. 10, 1839.

and from the external material temple, about to be erected of wood, that once grew, or is now growing in the noble forest around us, learn how you are the building up of God; like these trees, by nature aspiring towards that heaven for which ye were created.—You still, as they, adhered to the earth; your affections, the roots of the soul, shot far and wide therein, and your very life was drawn from it. You desired to rise from the dust but you could not. Without any merit on your part, it pleased Almighty God to select you to become the manifestation of his mercy, to become his temple—even as the skilful artificer has selected these trees about to be used, because best suited for his purpose. The tree is cut down, it loves its natural life; it is made to assume other forms before it can be used in the building of this church. No, dearly beloved, before you can be the spiritual temple of God—built up by himself for the indwelling of his Holy Spirit, the natural life must be destroyed, for it draws its vitality from the earth, and is prone to decay—it is of earth, earthly. “Think of yourselves,” says the apostle, “as being dead to sin—living unto God”—your affection dissevered or torn up from the earth, and even as the wood prepared for the material temple is disposed, according to the will of the constructor, in every respect different from its primitive disposition, are ye dead unto sin, and remodled to the will of God, or as it were, *created again in justice, holiness, and truth*—by the application of the merits of Jesus Christ to your souls, and thus are ye built up unto God, after the form which was in Christ, in whom the fullness of the God-head dwelt bodily, after the form which was in Christ—crucified—when the will of his Father was perfectly accomplished, to the manifestation of his glory, and to man’s salvation—having the same feeling that was in Christ Jesus—so that ye may say with him, I am nailed to the Cross. And when each individual is thus made the building up of God—then arises another building, spiritual and most godly—lovely to be contemplated; when the Christian people are one, in a holy blessed union,—all its parts being fastened together by the nails which rivetted the hands and feet of the Redeemer to the Cross, namely, the love of God and the love of man. Such is the temple we behold now rising amongst you, and which will be shortly enshrined in this material temple, the which, rising by your united exertions, may be deemed no unapt illustration of the charity towards God and man which should dwell amongst you. Thus dear Christians, individually, and collectively, are ye the building up of God—his holy temple—and, *know ye not, that whosoever defiles the temple of God, him will God destroy?* This you have considered; and you have hastened to flee from destruction, by casting out from amongst you those sins which, in an especial manner, defile the

soul, and unfit it to be the temple of the all-pure God. There was a time when this district was in some sense the opprobrium of the Colony—no honest man wished to be known to live in it. Its vices were of the blackest kind. Drunkenness, and every form of that sin which is so abhorrent to Christian holiness that St. Paul would not have it named; robbery and rapine; perjury, distinct and visible,—these were only some of the crimes of almost daily occurrence. Now the face of things is altered, blessed be God! You were once as sheep going astray, without a shepherd; but now ye have returned to the Bishop and Pastor of your souls, and with joy he carries you back to the place of the Lord's pasturage, and acknowledges you. You are the privileged children, more dear because well nigh lost. We have this testimony in your favor, not from your pious and indefatigable pastor only, whose affection for you and zeal might possibly be deceived, but from others. We may mention that the highly respectable Commissioner of the Court of Requests has heretofore often lamented to us the scenes to which he was compelled to be a witness in the Court over which he so ably presides,—when parties streamed down your mountains to appear against each other, when over the most paltry sum unchristian altercations exhibited a state of feeling altogether demonical and perjury gross and black perjury; was necessarily on one side or the other, perhaps on both. No longer are you thus disgraced—the cases brought are comparatively few, and in a great measure, disappeared. Oh, how my heart rejoices in this your amelioration! May the Almighty God perfect the good work commenced amongst you, so that ye may be a building up, a Holy Church without spot or blemish in his sight.

That this may be accomplished, we have to entreat you, as dearly beloved children in Jesus Christ, to remove from amongst you the dissensions and animosities, the bickerings and backbitings, which, with extreme pain, we hear still to be prevalent. How unseemly these amongst a Christian people! You are the children of one family, and your Father is your God. You are brothers and sisters of Jesus Christ, being made one, every distinction being lost in his all-redeeming blood. Do you not believe these to be your privileges? Yes, you do believe. Forget then and forgive, even as ye hope yourselves to obtain forgiveness for the many and grievous offences recorded against you in the books of life. Ye elders of the people, whose duty it is to set good example to these around you, and thus to merit the respect which your grey hairs entitle you, now join your hands, in testimony of mutual forgiveness and of established peace; and in proof of regret for the past, all kneel down, and ask pardon from your God.\* (NOTE at end of quotation.)

And now we proceed to build up the material temple. When the spiritual temple is built up in holiness and peace and love, the nails of Calvary have fastened you inseparably to each other and to God! Henceforward will ye be a happy contented people, removed from the sinfulness that variegates the face of congregated humanity, in your simple agricultural pursuits or domestic employments, you will spend your days usefully, virtuously. Oh, how every object around you exhorts you to love and serve your God! To elevate to him your thoughts and desires! See with what a bountiful hand his goodness has scattered blessings over that immense country, which spreads out beneath us as far as the eye can reach, wherever man has desired it should appear. How fertile your own hills; whilst dells and vales scooped out so curiously from amongst them, seem depositaries of hidden treasures, inviting your industry to bring them to the surface, and make them your own. Doubtless there is something in such scenes which inspires holy thoughts, and brings to God. It was in such a country that the holy precursor of our Lord, John the Baptist, was nurtured; thither the Blessed Virgin retired, for three months before the birth of her divine son. It was from a mountain's top that the Lord gave his law to the chosen people; it was on Mount Calvary that the great sacrifice of the new law was consummated,—thence flowed the streams of salvation, which have purified and redeemed the world. The temple we this day commence shall be the place of the Lord's testimony to his people, as heretofore the Mount of Sinai. Then, in the holy sacrifice, will again flow mysteriously the all-redeeming blood of the immaculate Lamb, to the purification, consolation, and sanctification of your souls."

\*NOTE: In answer to this appeal, a venerable man came forward, and declared his readiness to forget and forgive. It may show the state of feeling to mention, that another openly declared he could not forgive; and would not touch the hand of the man, who, he said, had injured him. So soon, however, as the moment of irritation passed, he came of his own accord, and asked pardon of God and the people—took cordially the hand he said he would not touch, and then, with their hands united, amid all assembled, knelt down, and received the Bishop's blessing. The scene was most affecting, and will never be forgotten by those who witnessed it.<sup>17</sup>



<sup>17</sup>*Australasian Chronicle*. Dec. 20, 1839.

A recent convert wrote down his impressions of the occasion:

TO THE EDITOR OF THE AUSTRALASIAN  
CHRONICLE.

Sir,—Having been in the neighbourhood of Kurrajong on last Sunday, I went to see the interesting ceremony of laying the first stone of a new Church there, by the Right Rev. Bishop . . . .

He then proceeded in the ancient formula of the Church, to invoke the Divine blessing and protection upon the temple about to be erected to the glory of the Lord God of Hosts, and upon all those who should offer up their prayers and thanksgivings to his adorable name, in, through, and with the Lamb who was slain, but lives for ever.

I confess that, having never witnessed such a ceremony before, I felt excited, raised, dignified, in the consciousness that I belong to that glorious Church, which (like the sun in noon day splendor) sheds the rays of truth on every side, on men of every nation, of every tongue, and of every time, though separated from each other by mountains, rivers, and oceans—that Church which I see, after surviving all the storms of nineteen centuries, in all her venerable majesty, unchanged and unchangeable, yet growing, as it were, in all the vernal freshness and vigour of youth, and sending her ministers and apostles “to attend the neglected, to visit the forcasten, to remember the forgotten,” to travel to the ends of the earth—to the antipodes—even to the wilds of Australia, to pour the balm of heavenly consolation into the wounded hearts of these children of sorrow, who have long wept unheeded, who have drank of the cup of bitterness even to the very dregs; who, dragged from the homes of their youth, their parents, their children, have toiled in hopeless misery, without consolation, or advice, or altar, or sacrifice, or sacrament! Who, that has a heart, must not feel an honest pride to belong to such a Church, and love that merciful God who called him to it?

Other associations arose in my mind: seeing our venerable and venerated Bishop in the ancient episcopal costume—seeing in his hand the crosier (the emblem of his pastoral authority)—seeing the cross (the ensign of salvation) borne before him, exactly as I had read of St. Augustine nearly thirteen hundred years ago, when he undertook to convert our Saxon ancestors from their idols to Christ—seeing, I say, our good Bishop founding that Church, amid the romantic wilds of Kurrajong, I could fancy I saw the illustrious Apostle of the English laying the foundation of a little wooden Church on that spot where now



may stand the majestic cathedral of Lincoln, of Salisbury, or of York: and may a similar glory await Australia! May the holy seed now sown be watered by the same dew of heaven as was that of an Augustine! May it bring forth a still more abundant increase, 'till it fill the length and breadth of this mighty continent! May future eyes behold its glories! And may countless millions unborn believers in this new-found world, sound forth the praises of their Redeemer, and rejoice in the abundance of peace!

ADVENA.

J. J. McGOVERN.



# Moscow and World Revolution

Before dealing with the subject proper I would like to stress the way in which this paper has been prepared. It is based on original sources, British and foreign, and where the sources are foreign it is the documents in their original language that I have consulted.\* Further I have tried to determine the relative value of documents. An article in the pink press, say the News Chronicle, on the Zinovief Letter or Ramsay MacDonald's disavowal of its genuineness is, as I shall show, absolutely worthless. The official papers compiled by the permanent officials and published by command by H.M. Stationery Office, the reports of H.M. Consular Service, the despatches of H.M. Ambassadors and of the Diplomatic Service generally are the most precious documents we possess, and in all cases they will be quoted by their official numbers.

\*No better illustration of the need for reading a document in the original could be found than the so-called translation of Hitler's "Mein Kampf." It is either a piece of skilful propaganda or gross ignorance. At any rate, it throws no light on Hitler.

It will be found they give a very different picture to that painted by the vote-seeking politician.

The command papers are accessible to all and to almost all they are a sealed book. For our knowledge of Foreign Affairs we rely in the main on cables giving us excerpts from the most partisan section of the home press and on the most partisan articles—the work of men who know no language but their own and that badly.

It cannot be too strongly stressed that it is the ignorant biased way in which "information" is served up that has given Communism such a start. One may instance the confusion of thought that identifies National Socialism with Fascism, the silence about the happenings in Greece, where it was only the courage and insight of the King of the Hellènes in giving General Metaxas full power that saved the country from sharing the fate of Spain. One may instance again the atrocious anthropological error, also perpetrated by a Sydney professor, that dubs the Moors black troops or the failure to realize how far the age long hatred of the Catalans for Aragon and Castile has effected the Spanish situation or how the little island of Pantellaria has chang-

ed the strategic situation in the world. Finally one would instance the partisan propaganda whereby one side in Spain is termed "loyalists" and the other "rebels."

In contrast we have in the Command Papers a source of information that is indispensable for those resolved "not only to live but know," and is a monument to the integrity, the keenness of perception, the efficiency and patriotism of the permanent officials.

That Communism is morally and ethically unsound follows from a belief in our European Christian civilization which is the fusion of the Classical Tradition and the Christian Church and I shall not dwell on this point further. The point is that Communism is a very definite philosophy and has very clear and very definite aims. Under the heading "World Revolution" it aims at the destruction of our civilization—our Faith, our family life, our moral and political ideals. Further, it takes a long ahead view and will work hand in glove with any party that, directly or indirectly, will further its aims as, e.g., the League of Nations, Health Movements, the International Peace Campaign.

The purpose then of this article is to discuss and reveal some of the methods by which Russia is striving to destroy Europe.\* I say *some* for space would not permit a full discussion, and, further, many of her methods such, e.g., as the abominations in Spain have been well treated elsewhere.

\*The distinction between Russia and Europe is drawn deliberately. In his last book, "The Hour of Decision," the late Oswald Spengler proves conclusively "that Russia has again gone East." See also his "Politische Schriften."

Russia's methods are various, but they are all variation and combinations of three main types—direct action, indirect action and propaganda. The immediate objective is the destruction of Great Britain, after which it is expected World Revolution will follow as a matter of course. Let there be no mistake. The Soviet presses this plan unceasingly, and in so doing is but following the teaching of Marx, who lays down in his "Das Kapital," "Revolution without England is a storm in a teacup." The objective of direct and indirect action is just to cripple and then destroy Great Britain, (a) by ruining her trade, (b) by destroying her overseas possessions, (c) by creating a ring of hostile, i.e., Soviet states against her. The objective of propaganda is

to destroy the morale on the "home front" in Great Britain and the Dominions and so facilitate both direct and indirect action.

The attack on Great Britain from without has taken many forms. Most important has been the attempt on India. And rightly so, for, as that great American,<sup>x</sup> soldier, scholar, historian, has so ably proved, the loss of India would be even more fatal than the capture of London.

<sup>x</sup>General Homer Lea, in his "Valor of Ignorance" and "The Day of the Saxon." The third book of the trilogy was never completed, for he died at the age of thirty-five. A great light extinguished.

In February, 1919, Habibullah, Ameer of Afghanistan, was murdered. He was succeeded by his third son, Amanullah. Amanullah proved an easy tool of Russia, who proclaimed herself "Afghanistan's best friend." Subsidised by Russia, he proclaimed the independence of Afghanistan and invaded India. Thanks to our press we hear very little of the Third Afghan War when 400,000 men crossed the Indus for the defence of India and nothing of General Dyer's campaign—one of the most brilliant in our military history—which resulted in the absolute defeat of the enemy. Nothing also about the sinister political interference that held up the victorious army. Fortunately, however, the facts are available. They are fully given in the despatches<sup>x</sup> of the Commander-in-Chief, Sir George McMunn (published by H. M. Stationery Office).

<sup>x</sup>Also in Ian Colvin's "Life of General Dyer." It is fully documented.

Now this war was directed and engineered from the Soviet Communist College at Tashkent and it was this same college that directed the anti-British propaganda in Persia, Turkestan and India<sup>x</sup> and trained Communist agitators.\* Thanks to this propaganda risings broke out in Northern India. Never since the Mutiny has the country been in such a state of ferment. That no Mutiny did take place was due to the prompt action of General Dyer. His dispersal of the mob was denounced as the "Amritsar massacre," and there is no better example of infamous propaganda. It had its result. General Dyer was censured and removed from the active list. But in 1924 the true

<sup>x</sup>See White Paper, Russia, No. 2, 1923, and Command papers, 1869, 1874, 1890.

\*Seven, e.g., were arrested on their arrival in India from Moscow, whither they had gone for final instructions. See White Paper No. 2.

facts were brought to light in a British High Court of Justice. The

main issue in the libel suit brought by Sir Michael O'Dwyer<sup>x</sup> against Sir Sankaran Nair was whether General Dyer's action at Amritsar, of which Sir Michael approved was an atrocity. After a hearing of five weeks, in which over 100 witnesses were examined, the judge, Sir A. McCardie, gave his considered opinion, which the jury accepted, "that General Dyer had in the exceptional circumstances acted rightly and had been wrongly condemned by the Secretary of State (Mr. Montagu)." Space is lacking for further quotation. Sufficient to add the judgment is a document of superlative importance and indispensable for one who wishes to realize the extent and intensity of Russian propaganda in India.

<sup>x</sup>Late Governor of the Panjab.

As in India and Egypt, so in China the Bolsheviks sought to exploit nationalism to destroy Great Britain. The Kuomintang\* or National-

\*See "China," by Sing Sen Fu (published by the Communist Party of Great Britain).

ist Party was originally only democratic and republican, and it was early captured by the Soviets. In fact, as early as 1920 Lenin had stated that "in China Great Britain can be overthrown." Agitators (mostly trained at Tashkent) were sent to China and in 1921 the Chinese Communist Party was founded at Shanghai. Chief among Russian agents was the infamous "Borodin," alias Michael Grusen-berg, of whose colourful career we give an epitome. We first hear of him in Spain, where he had been sent by the Third International to carry on propaganda. Next year he turned up in the United States and Mexico, and became known as a leading agitator. In 1922 he was smuggled into England as an underground agitator for the Communist Party, was arrested in Glasgow under the name of George Brown, sentenced to six months' imprisonment and subsequently deported. Returning to Russia, he was sent to Canton as Chief Adviser and received his salary from the Soviet Embassy. The attempt met with much success at first, and the Hankow settlement was given up. That it did not succeed altogether was merely due to the timely dispatch of the Shanghai Expeditionary Force. How far the present clash between China and Japan is due to Soviet influence in the former is another matter.\*

\*For a full discussion of Chinese affairs see the writings of J. O. P. Bland, particularly in the *English Review* of June 1927, March 1929, April 1930. There is probably no greater living authority.

Another line of attack is to create other Soviet states and eventually ring Great Britain in. This might be done by direct invasion or by propaganda leading to civil war and the destruction of the existing government. The first direct attempt when the Soviet Army invaded Poland was a failure, but only just. It is typical of our press that we heard little or nothing of the Battle of Warsaw, though it is hailed by Belloc as one of the decisive battles of the world. Helped by propaganda the Bolsheviks reached the suburbs of Warsaw. But the Blum Government was not in power then. On Foch's advice France sent not only munitions but a man, Weygand, Foch's own Chief of Staff, and under the very walls of the capital he annihilated the Russian Army. It was a lesson to the Soviets. Their next attempts were to stir up revolution. The first three—in Germany, Italy, and Hungary—failed; though Hungary, while Bela Kun was in power, was the scene of abominations surpassed only by those in Spain. The result in Germany and Italy has been a resurgence of the national spirit which has taken the form of Fascism in Italy and National Socialism in Germany—movements it cannot be too strongly stressed that have nothing in common save a hatred of Communism. Recent Soviet attempts have also been three in number—in Mexico, in Spain, and in Greece. With regard to the latter, it is again typical of our press that events passed unnoticed. Yet the evidence is overwhelming that the courage and promptitude of the King of the Hellenes in giving General Mataxas full powers saved his country from the fate of Spain.\* Mexico and Spain, thanks to the Soviets, have been plunged into the most terrible civil wars of history. I have treated the subject at length elsewhere\* and there is not space here to recapitulate. Sufficient to stress that as one who has studied history all his life I say deliberately that to find anything like a parallel to the cruelty and bestiality that has occurred in Spain one must go back to Assyria and further. I know of no event that has been so wantonly misrepresented.

\*See, e.g., the series of articles on foreign affairs (from Nov. on), by Sir Charles Petrie in the *English Review*.

\*In the *Australian Quarterly* of December, 1936.

Soviet propaganda in Great Britain has for its object (*a*) the destruction of her commerce and of her world power, (*b*) the destruction of religion and of social and political morality. It is always going on and instances could be multiplied ad infinitum, but we shall take some of the most typical.

The surest way to destroy a country is to spread disaffection and sedition in the army, navy, and air force.

The most typical is the famous, or rather infamous, Zinovief Letter, and it is proposed to discuss it in detail as a parrot like propaganda has raised the suspicion that it was a forgery.

On Oct. 8, 1924, the MacDonald Government resigned following an adverse Liberal-Conservative vote on the failure of the Government to proceed with the prosecution of Campbell of the "Workers' Weekly" for inciting (25/7/24) H.M. Forces to rebellion. The election was announced for October 29th. Two main questions were before the electors—the Campbell case and the proposed Anglo-Russian Treaty, *including the loan to Soviet Russia*.

A third was quickly added. On October 25 and 26 (a Sunday) the whole press published the Zinovief Letter. The headlines in the "Daily Mail" were:—

MOSCOW ORDERS TO OUR REDS.

GREAT PLOT DISCLOSED YESTERDAY.

PARALYSE THE ARMY AND NAVY.

The text of the letter (marked *very confidential*) followed. It was addressed by the "Executive Committee Third International Presidium" (15-9-24) to the "Central Committee British Communist Party," and was signed by Zinovief, President of the Executive Committee of the Communist International, and by Kunsinen, Secretary. The letter was a call to armed insurrection and criticised the British Communist Party for insufficient propaganda in the Army and Navy. The most pertinent passage runs:—"The Military Section of the British Communist Party, so far as we are aware, further suffers from a lack of specialists, the future directors of the British Red Army. It is time you thought of forming such a group, which, together with the leaders, might be, in the event of an outbreak of active strife, the brain of the military organization of the party. Go attentively through the lists of the military 'cells,' detaching from them the more energetic and capable men, turn attention to the more talented military specialists who for one reason or another left the service and hold Socialist views. Attract them into the ranks of the Communist party. . . . Form a directing operative head of the Military Section."

ST. PATRICK'S COLLEGE, MANLY

There was, of course, an immediate Communist cry of forgery and the cry has continued. Now at the time the newly elected Conservative Government could not immediately disclose the sources of its information—in certain State matters, treason, e.g., or espionage, that is not possible. But it could have, and should have stated that the Foreign Office were convinced of all four copies they had received (the autograph, of course, could never have been available). But the full facts came to light four years later in the famous "Francs Case," in which Mr. J. D. Gregory, of the Foreign Office, became involved. They are in brief as follows<sup>x</sup>:—On October 8th, 1924, Mr. Conrad im Thurn, a City-man with interests in Russia, received information about the Zinovief Letter. Next day he managed to secure a copy and sent it to the Foreign Office. The Foreign Office considered it for four days, decided on its authenticity, sent it to Mr. MacDonald at Manchester, who returned it to the Foreign Office with instructions to ascertain its authenticity and, if satisfied, to draw up a letter of protest to the Russian Government and send it to him for signature. The Foreign Office were already satisfied as to authenticity, but pursued their investigations, and secured *three more copies* from sources known as reliable (Debate in House of Commons, 26-3-28), and, entirely satisfied, drew up a draft letter of protest. This was despatched to Mr. MacDonald by Sir Eyre Crowe to Averavon (October 21). Mr. MacDonald made some alterations, strengthening the terms of the protest, and returned it, *but uninitialled*, to Sir Eyre Crowe on October 24th.

<sup>x</sup>For full details see the reports of the "Francs Case" ("Times," February and March, 1928), articles in the "Times," "Daily Mail," and "Observer" for those months, the speeches in Hansard, the minutes of Sir Eyre Crowe and "On the Edge of Diplomacy," by J. D. Gregory.

Meanwhile Mr. im Thurn, seeing that no publicity would be given to the document *until after the Election* decided to communicate it to the Press so as "*to place the electorate in possession of the whole of the facts before they supported the policy of lending many millions of the taxpayers' money to a country which was at that very moment engaged in fostering sedition in this country.*"

Accordingly he informed Mr. Thomas Marlowe, editor "Daily Mail," that the letter was in the hands of the Foreign Office, and that the Prime Minister was obviously trying to avoid publication. Mr. Marlowe set to work, obtained two copies of the Letter from different



sources. He regarded it as a national matter, and as such should not be made a newspaper "scoop," so he set the letter up in type (October 24) and sent copies to all other newspapers. News of this reached the Foreign Office and Sir Eyre Crowe, who had all along urged publication, sent it himself to the Press, and it appeared in every paper as an official Foreign Office communication.

It is not an edifying piece of history, but it is to be noted that Earl (then Mr.) Baldwin characterised the action of the "Daily Mail" as "the action of a patriotic newspaper"<sup>x</sup> and that Mr. MacDonald, though he hedged most shamelessly, never attempted to vilify Sir Eyre Crowe, whom he described as "the soul of personal honour and official rectitude." And rightly, for than the late "Permanent Under Secretary for Foreign Affairs" Britain has had no more loyal or efficient servant.

<sup>x</sup>It is to be noted that the "Daily Mail," along with the "Observer," and to a lesser extent the "Morning Post," alone among British newspapers, give a clear, unbiassed account of the Spanish war (and speak of the combatants as "Nationalists" and "Reds").

The story of the General strike, of the visit of A. J. Cook to Moscow, of the Soviet subsidy to the T.U.C. in aid of the General strike is fairly well known and need not be retold. More important is the history of the "Arcos" raid on many grounds, but above all as proving definitely the identity of the Soviet Government with the Third International. This dual-personality excuse has always been the trump card of the Bolsheviks. In answer to protests about anti-British activities propaganda and the like the reply has ever been that this was the work of the Third International, not of the Government, which could not hold itself responsible. Such in particular was the reply to Sir Austen Chamberlain's sixth, and final, note to the Soviet Government" (February, 1927). Following the theft of a confidential document from the War Office it was decided to raid "Arcos" or Soviet House (49 Moorgate Street), which had become a veritable octopus of Bolshevik activity. The missing document was not found (it had been burnt) but much else was, and the White Paper (Cmd. 2874), "Documents illustrating the Hostile Activities of the Soviet Government and Third International against Great Britain," is one of the most important pieces of evidence. Roshengoltz, the Soviet Charge d' Affaires, had declared that Borodin (see above) was "a private individual who is not and never has been in the service of the

Soviet Government," and Litvinov\* had maintained that "the Soviet Government had no kind of connection with him or responsibility for him," but a telegram was found from the Soviet Commissar for Foreign Affairs (12/11/26) to the Soviet representative at Peking stating that "Comrade Borodin is to take his orders direct from Moscow!"

\*The career of this worthy is of interest. Meyer Genoch Moisevitch Wal-lach, alias Maximovitch, alias Gustave Graf, alias Finkelstein, alias Buchmann, alias Harrison, alias Litvinov, was a Jew of the artisan class, born in 1876. His revolutionary career began in 1901. In 1906 he was smuggling arms into Russia. In 1908 he was arrested in Paris in connection with a robbery of 250,000 roubles at Tiflis, and was deported. During the war he managed to get to England and, with a certain Fineberg, engaged in seditious propaganda. He was sent back to Russia, returned as "Bolshevist Ambassador," but his intrigues were so desperate he was arrested and again deported. He was present at the Peace Congress and was particularly gracious to Australian delegates!

So much for what may be called the official Bolshevist propaganda—that conducted by paid agitators and agents. It is by no means the worst side of the picture. The Communists, as we have said, will use any means whatsoever and in propaganda, i.e., organised lying, they are experts. And the best propaganda is that of the native born who from hatred of religion or morality or through egoism (for otherwise he will be a nonentity) will support Communism. There are examples enough among us here.\*

\*Reading the reports of two Friends of the Soviet Union meetings one is irresistibly reminded of that delightful farrago of humour and scholarship, "Saintsbury's Scrap Book." "There were probably never prettier girls or kittens or roses than there are at present; I do not believe there were ever braver men than those who fought at Ypres and Zeebrugge; and (rash as this may seem) I doubt whether there were ever greater fools than those we have with us."

By one of the most extraordinary phenomena of history a large section of the Anglican and Evangelical Churches has declared itself in sympathy with Communism—that is with a section of humanity whose blasphemy and obscenity is matched by its avowed determination to destroy the Christian faith. Our "Friends of the Soviet Union" is truly a marvellous thing.

But in the fact that all have not so apostatised lies much of hope and in proof I shall presently give some extracts from a noble leader of the "Morning Post" (April 20th), on the occasion of a sermon preached by the Dean of Canterbury, Dr. Hewlett Johnson, on his return from one of his Spanish trips.

The Dean stated that "the Government in the early days had done

its best to protect the Churches and the persons in them." That is not true. On the contrary, the Spanish "Government" took no effective measures to protect either the priests or the sacred buildings, and in some known cases even prevented the police and magistrates from intervening to protect them. The Dean states the Churches were destroyed because the "rebellion" came on the Government all of a sudden, the Army left them, and they had but a skeleton force of militia to help them. That is a lie. Between February 16th and June 16th of last year, i.e., while Army and Police were at the disposal of the Government, 160 churches were totally and 251 churches were partially destroyed. The Dean states "the heads of the Government do not want to forbid worship." On the contrary they do not allow it, and have proscribed the priesthood. Certainly the Dean is right in saying "the priests were poor"; he is mendacious or ignorant in saying that the "ecclesiastics were very rich and that the people were kept in intolerable poverty and ignorance." Quite the reverse, straining all its resources, the Church had schools and colleges all over Spain, all cheap and many excellent. It is a lie to say "the Republic had opened 10,000 new elementary schools and provided educational facilities open to all and not the prerogative of privileged classes." Certainly there was a grandiose scheme of secular education—on paper. But there were no teachers, and the whole thing, like the Dean's sermon, had no foundation in fact.

It is in propaganda of this kind, using such as the Dean as tools, that Communist strength lies.

Is it any wonder then that, recognising this, the "Morning Post" thus concludes:—"Our chief objection, however, to Dr. Hewlett Johnson's sermon is not that it is ill-informed, but that it is ill-natured. Here is a sister-church, a great Catholic community, which is going through the valley of the shadow of death. Thousands of its priests have been massacred, often burnt alive, sometimes crucified, its shrines not only destroyed but polluted, in such a terrible orgy of sacrilege and martyrdom as Europe has not witnessed since the destruction of another Church in Russia. Is it Christian or even human charity to ascribe these dreadful sufferings to the errors or shortcomings of the sufferers. Did the good Samaritan behave thus? And has this very Reverend critic no reason to fear that the same unholy forces which are ravaging the Church in Spain to-day may not assail the Church in

England to-morrow? . . . we cannot but deplore this unworthy use of the sacred fane of Canterbury.”

To read the above is to realise Communism has not yet triumphed in England, but it is also to realise the danger and something much more. It is this. Communism cannot be conquered by the intellect alone. It is easy to see through it, to expose it; but that is not enough. It can be met only by opposing to it a high and noble view of life which is to it as light to darkness. Then the issue will not be in doubt, for on the one side we have Christian Europe, on the other what in theory is a sty of evenly fed swine, in practice a den of fratricidal and cannibalistic monsters.

C. KAEPPEL.

# The Mass Stipend

## Some Recent Studies (2)

### Summary:

Fr. De la Taille cites historical sources to confirm his solution of the juridical problem involved—S. Iranaeus' theology of sacrifice—S. Paul proclaims right of clerics to receive means of support—S. John Chrysostom and S. Jerome quote the Pauline text—Julianus Pomerus applies words of Osee to clerics of New Law—S. Augustine's doctrine of sacrifice—Walafrid Strabo condemns the practice of stipends—S. Martin of Leon discourses on stipends—Theological terminology in early ecclesiastical writings—S. Thomas discusses "oblationes."

It is the contention of Fr. De la Taille that in explaining the mass stipend as a contract of mandate joined with deposit, he is offering not a new solution but one as old as the church.<sup>1</sup> "This view is as old as the Church; it is unique throughout the whole of the early Middle Ages; it is incorporated in the liturgy; it has been taught, even during the last centuries by most prominent masters, although, to tell the truth, it remained unknown to the greater number of their contemporaries, who were, perhaps, less historians than men skilled in the subtleties of abstract disputation."<sup>2</sup>

Accordingly he cites many passages from the works of the Fathers and early ecclesiastical writers, from the liturgies and from theologians in order to demonstrate that his interpretation of the mass stipend is contained, already, in these documents. It will be the scope of the present article to examine the most representative of these citations. The general conclusion of this survey will be that he has exaggerated the value of these sources as authorities for his opinion; so that, of itself, the historical argument is not sufficient to warrant an unqualified acceptance of his theory.

### S. IRANAEUS' THEOLOGY OF SACRIFICE.<sup>3</sup>

The great bishop of Lyons is said to have proclaimed complete parity between the Hebrew and Christian priesthood on the lines laid

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<sup>1</sup>Fr. De la Taille's theory is reviewed in the *A.C.R.*, Oct., 1937.

<sup>2</sup>Nouvelle Revue Théologique, April, 1927. This article, along with two others published in the *Gregorianum*, Sept. and Dec., 1923, are reproduced in the volume, "Esquisse sur la Mystère de la Foi," also in the English collection of articles and papers entitled "The Mystery of Faith and Human Opinion Contrasted and Defined" (Sheed and Ward, 1934). The citations from the Fathers will, for the sake of uniformity, be reproduced in the English versions given in this volume; any direct citations from the commentary of Fr. De la Taille are also given in the words of this English translation.

<sup>3</sup>Contra Haereses, Lib. IV., Migne, P.L. 7, 1024-1029.

down in Fr. De la Taille's thesis. "It is not the generic character of the oblation which has been reprobated. There were oblations then, there are oblations now. The people (of God) had their sacrifices, the Church has hers. The specific character has been changed, for the reason that the sacrifices are no longer offered by slaves but by free men."<sup>4</sup> "Apart from this difference," writes Fr. De la Taille, "which results from a difference of conditions, we may therefore look for parity between the sacrifices of Israel and the sacrifices of the Church."

Without questioning at this point the author's explanation of the relative parts played by the priest and the donor of a victim in Jewish sacrifice, one might query his claim that S. Iranaeus establishes complete parity between Old Law and New as regards the essentials of sacrifice, or that the patristic statement contains his own explanation of the Eucharistic sacrifice. Viewed in relation to their context, proximate and remote, the several citations from the work, "*Contra Haereses*," do not seem to justify that claim.

Thus it might be urged that the statement of S. Iranaeus cited above establishes a parity between the Old and New Laws insofar as sacrifice exists in both, but that "*vi verborum*" it does not extend the parity to comprehend the essential character of those sacrifices. Rather it would seem that the scope of S. Iranaeus was to contrast the condition of those who offered sacrifice, in the one case servile, in the other free, ignoring other aspects of the comparison. For the passage in question continues in this strain: "*Unus enim et idem Dominus; proprium autem character servilis oblationis et proprium liberorum, uti et per oblationes ostendatur indicium libertatis.*" Further confirmation of this conclusion is found on examining the scope which S. Iranaeus had set himself in this book. This argument is more conveniently evolved in reference to the following citation from the same work.

Fr. De la Taille proceeds. The parity between Jewish and Christian sacrifice is yet more explicit; for a direct comparison is made in regard to the material offering of the Jewish and Christian layman. To the Christian layman, therefore, by analogy with the Jew, is vindicated an exclusive right to the fruits of the sacrifice in consideration of the gifts which he presents to be offered by the priest. "These gifts which we offer to God, S. Iranaeus considers not only as to the celestial

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<sup>4</sup>o.c., Chap. 18, n. 2.

and hidden reality which they contain, the Body and Blood of Christ, but, before all else, as to the terrestrial and symbolical elements involved in the Eucharistic rite, the bread and wine. In fact, it is these latter which he compares directly with the oblations of the Old Testament (Chap. 18, n. 3-6; Chap. 17, n. 5). They are offerings of the earth which we direct to the altar (Chap. 18, n. 6); the gifts which we have received from God who dispenses to us our food; 'the bread which comes to us from creation,' and which Jesus Christ held in his hands, saying that it is His Body; 'the chalice also which comes from the creation to which we belong' and of which Jesus Christ said that it is His Blood (Chap. 17, n. 5). These are our offerings and they are very terrestrial as to the visible covering of the celestial reality. The oblations of the Jews were borrowed from creation; and so are the oblations of the New Covenant, by that feature of them which is accessible to our senses, by that aspect which symbolises to the eye the eucharistic intention of the sacrifice. (Chap. 17, n. 5; Chap. 18, n. 6)."

An examination of the scope of S. Iranaeus in his work "Contra haereses," in particular in the fourth book, suggests an entirely different interpretation of this emphasis which he lays on the terrestrial or material element of the Eucharistic sacrifice. His purpose was to oppose the erroneous doctrines proposed by the Gnostics, particularly by Valentinian. These heretics taught that God, the Father of the Verbum, the God of the New Testament, is not to be identified with the God of the Old Testament, the creator of the material world, which, in fact, is essentially evil. From this false principle erroneous conclusions were formulated in the fields of Christology and Eschatology.<sup>5</sup> Throughout the work, S. Iranaeus' objective is to demonstrate that God of the Old Testament, the Creator of the material world, which, therefore, is not essentially evil; that both Testaments, Old and New, have as their author the one, true God, though they differ in degree of perfection. Thus it is that he points out there is sacrifice in the Christian religion just as there was amongst the Jews, though the juridical condition of those who offer sacrifice has undergone a change. It is in accord with the same line of argument that he compares the Mass with Jewish sacrifice under the aspect of earthly, material goods presented with a view to providing the victim of sacrifice. That Christ

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<sup>5</sup>Vide *Contra Haereses*, Lib. I. Cf. *Dictionnaire de Théologie Catholique*, Vol. 12; also, *Catholic Encyclopedia*.

should have made use of the products of the material creation, namely, bread and wine, to offer the Eucharist, shows the manifest absurdity of the Gnostic postulate that matter is essentially evil. The meaning which Fr. De la Taille extracts from this passage of S. Iranaeus would seem to have been outside the scope of the patristic writer.<sup>6</sup>

#### PATRISTIC COMMENTATORS ON I COR.

Satisfied that the authority of S. Iranaeus confirms his theory in which the donor of a stipend really offers sacrifice through a mandatory, the priest, Fr. De la Taille turns his attention to the other aspect of his doctrine, namely, the material recompense which devolves to the priest. He cites S. Paul's Epistle to the Corinthians and some early references to S. Paul's words to show that the alleged parity of Old and New Laws extends itself to this phase of sacrifice. The priest is not recompensed by the faithful, but is remunerated directly from on high.

S. Paul, in the oft-quoted text<sup>7</sup> vindicates his right as an apostle and preacher of the Gospel of Christ to receive the material means of sustenance from those to whom he has ministered. This right he demonstrates by several arguments. The two latter arguments are thus stated:—

“Know you not that those who work in the holy place, eat the things that are of the holy place; and they that serve the altar partake with the altar.

“So also the Lord ordained that they who preach the gospel should live by the gospel.”

Fr. De la Taille notes the contrast between these arguments. The *priests* of the Old Law and those who assisted in the service of the altar received their sustenance from the altar. The implication, by analogy, is that the Christian *preacher* likewise is to receive his material support merely in consideration of his spiritual ministry. Then in the last argument is promulgated a positive ordinance of the Lord which proclaims the preacher's right to be supported by those to whom he preaches. Whereas therefore a positive law was required to establish

<sup>6</sup>Other citations of S. Iranaeus, said to provide confirmation of Fr. De la Taille's theory, when viewed in relation to their contexts, proximate and remote, would seem to have been given a meaning outside the mind of the patristic writer. Cf. o.c., Chap. 18, n. 6.

<sup>7</sup>1 Cor., 9, 1-14; Cf. Cornely, Comm. in 1 Cor., p. 2375; also A. Lapede, Comm. in S. Scrip., Tom. 18, p. 331.



the right of the Christian *preacher*, as such, the right of the Jewish *priest* was unquestionable from the very nature of things. This difference of juridical title is illustrated by the different ways in which the obligation is fulfilled; the preacher might receive an offering directly from the faithful, given, of course, in view of his spiritual office; the priest, on the other hand, receives his remuneration directly from God, to Whom the offering was first made by the faithful who wished to sacrifice.

Reviewing the first of these two arguments, Fr. De la Taille asks might not a transition be made from Jewish to Christian priesthood, so that, apart from the argument based on analogy, it might be concluded directly, from the nature of the Eucharistic sacrifice, that the Christian *priest* partakes with the altar. He concludes in the affirmative, firstly on a priori grounds; for S. Paul loudly proclaims the superior dignity of the Christian priest, which in the negative hypothesis would be rendered inferior.<sup>8</sup> He forms the same opinion after weighing citations from certain patristic works in which the text of S. Paul is quoted.

Fr. De la Taille assumes that the words of S. Paul are an apostolic statement of his own conception of the Jewish priest's title to material support. In view of the apostle's scope, this assumption might well be questioned. His immediate objective is to vindicate in general the right of the Christian preacher, enumerating various arguments. The argument from analogy with the Jewish priests might well be understood to make reference to their right to support in general terms, without specifying any title arising exclusively from their actual service at the altar. As to the form of expression, which does seem to accentuate the idea of participation in sacrificial offerings, it might well be understood as an instance of metonymy.<sup>9</sup>

Whatever be the mind of S. Paul, the citation of this text by some patristic writers in their references to the Christian cleric's right to support does not seem to bring their authority to support Fr. De la Taille's opinion as to the priestly title to means of sustentation. They cite S. Paul when claiming for the Christian cleric a right to support in general terms, comparing his ministration in spirituals with that of the Jewish priesthood. There is no specific reference to his sacerdotal activity in offering the mass.

<sup>8</sup>Cf. Heb., 5.

<sup>9</sup>Cf. A. Lapide, l.c., p. 331, "hostias, vel templi proventus puta decimas et primitias.

## S. JOHN CHRYSOSTOM.

“Take note of the wisdom of S. Paul and with what fitness he expresses himself in this matter. He does not say: those who attend to the sacrifices receive from those who offer. No. But what does he say? They live on the things of the sanctuary; and there is neither humiliation for those who receive nor swelling of pride from those who give. For the same reason, what follows is expressed in like manner. For here again he does not say: those who serve the altar receive from those who bring the sacrifice, but: they partake with the altar.”<sup>10</sup>

The mind of S. Chrysostom in this statement, concludes Fr. De la Taille, is that the priest is not remunerated by the people but directly by God, to Whom the people’s offerings are first consecrated by sacrifice. The statement is restricted, it is true, to the Jewish priesthood. But it is fair to conclude that the Saint would be equally ready to spare the Christian priest the humiliation involved in the contrary notion.

Allowing that the conclusion would not be unwarranted, were it really the mind of S. John Chrysostom to emphasise a distinctly sacerdotal title to support, it might be asked has Fr. De la Taille correctly interpreted S. John’s discourse. It would seem rather that his objective was to stress the real motive for any offerings made to a priest; they are made, not as personal gifts but in honour of God, whose ministry the priest exercises. That explains how the priest is spared humiliation. This interpretation is suggested by the subject of the homily, which treats in general terms of the clergy’s right to support without specifying the sacerdotal action of offering sacrifice as a distinct title to that right. Moreover, S. John passes on to note a similar suitability of expression in St. Paul’s statement of the Gospel preacher’s right: “And neither does he say here (the preacher) is nourished by man, but as in the case of priests (he said), *ex sacro* and *ex altari*, here he says *ex evangelio*.” St. John is referring, therefore, to some aspect of clerical support which is equally emphasised in either verse of S. Paul’s statement, not to some exclusive characteristic of the priestly title. Thus it is, too, in emphasising that the clerical right is to be supported, not to amass wealth, he refers to the fitting language used by S. Paul in both instances. “*Nec dixit, sacra accipiunt, sed ex sacrario vivunt; rursus ostendens moderationem eo quod non oportet pecunias colligere et ditari.*” Then, in reference to the

<sup>10</sup>Hom. 21, 1 Cor., P.G. 61, 181.

Gospel preacher: "Et sicut illic *edere*, it et hic *vivere*, non mercaturam facere nec thesaurizare." It is a legitimate conclusion that S. John's purpose is to clarify the motive for offerings of any kind made in support of the clergy; they are made in consideration of the clerical office and so, in a certain sense, to God.

### S. JEROME ON CLERICAL SUPPORT.

S. Jerome applies the Pauline text to himself as a priest of the New Law. "Altari Serviens, altaris oblatione sustentor."<sup>11</sup>

Again the context indicates that he is illustrating his own general right to means of support, as a cleric deputed to divine service. The extract is from his "Epistola ad Nepotum" in which he is explaining to the young cleric the meaning of the word "clerus." A true cleric, he says, has nothing apart from God, and so, has not riches. He continues: "Si autem ego pars Domini sum... nec accipio partem inter ceteros tribus, sed quasi Levita et sacerdos vivo de decimis, et altari deserviens altaris oblatione Sustentor, habens victum et vestitum his contentus ero." Plainly, his scope is to speak in general terms of his right to be supported, as a complementary statement to his repudiation of riches for a cleric. His reference to the Pauline expression is in illustration of this general right; it is outside his scope to stress any particular title arising from sacrifice. Thus it is that he couples in a general statement the terms, "decimae" and "altaris oblatio."<sup>12</sup>

### JULIANUS POMERUS QUOTES OSEE, IV, 8.

Certain words spoken by Osee, the Prophet, in reference to the Jewish priesthood are applied by Julianus Pomerus to the priest of the New Law. From this a similar argument is deduced by Fr. De la Taille.

The prophet, in the name of the Almighty, deploras the iniquity of the Jewish people, especially that of the priests. "Thy shall eat the sins of My people," he exclaims, "and shall lift up their souls to their iniquities."<sup>13</sup> The reference, says Fr. De la Taille, is to the Jewish practice whereby sin offerings returned entirely to the priest after they had been immolated by him.

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<sup>11</sup>Ep. ad Nepot. (42), P.L. 22, 531.

<sup>12</sup>Further applications of the Pauline dictum in the *Canones Apostolorum* or the *Decretals* are readily interpreted in a similar manner.

<sup>13</sup>Osee, Chap. 4, v. 8.

<sup>14</sup>De Vita Contemplativa, P.L., 59, 454.

<sup>15</sup>o.c., Chap. 10, 1.

Leaving unchallenged this interpretation of the prophet's words, the argument based on their application to Christian priests does not seem justified in view of the context in which the application is made.<sup>14</sup>

"Of clerics the following is said by the Holy Ghost: they eat the sins of My people.<sup>15</sup> Such is the plain statement of Julianus. The context indicates, however, that the writer is considering ecclesiastical revenues in general, not only those acquired through participation in sacrifice. Throughout this chapter, Julianus is treating of the distribution of ecclesiastical goods to the poor; such distribution, however, would not be restricted to revenues received through sacrificial offerings. Those who fraudulently benefit by these distributions, the ancient writer admonishes, are gravely culpable; for clerics in accepting offerings from the faithful, "eat" their sins, so that others who fraudulently obtain possession of those goods become burdened with the responsibility of the donors' sins.

Julianus again writes: "The revenues of the Church are nothing else than the vows (*vota*) of the people, ransom (*pretia*) of sins and the patrimony of the poor."<sup>16</sup> Again Fr. De la Taille concludes that Julianus classifies sacrificial offerings as coming to the priest precisely through their consecration to God in the sacrificial rite. But again it might be urged that the context requires these expressions to be understood of ecclesiastical revenues in general. The bishop, reasons Julianus, should condemn his own personal possessions, but administer the goods of the Church with great fidelity; the reason for this faithful administration he explains in the words alluded to by Fr. De la Taille. These words, therefore, are to be referred to church revenues from any source whatsoever. In fact, the inference is that all revenues other than the personal goods of the bishop be included; but mass offerings surely would be reckoned as personal property.

Julianus admonishes clerics, too, that they must seek heavenly rather than earthly rewards; from which Fr. De la Taille concludes that Julianus is referring to mass offerings, which, being gifts directly from God, are aptly described as "celestial." "Those who, being in the service of the Church, readily accept or (even) exact fees of which they are not in need, under the idea that there is a debt due to them in return for their labour, are men of too carnal a disposition, since they imagine that those who serve the Church well are entitled to an earthly salary and not to an eternal reward.... The secular "militia" which

<sup>16</sup>o.c., Chap. 9, 2.

has not heavenly rewards gives earthly rewards to those who labour in its service. And so it is somewhat unworthy if faithful and laborious devotion of clerics contemns eternal rewards on account of a temporal recompense. Should it happen that any minister whatsoever of the Church has not means to live, let not the Church give him here below a salary, but supply him what is necessary."<sup>17</sup>

In this chapter Julianus condemns those who receive assistance from church revenues without necessity. Amongst these he numbers clerics who exact for their service a stipend over and above their necessities. It would be better for such, writes Julianus, if they were to be content with just what they require, turning their thoughts rather to the "praemia aeterna." These rewards, in the mind of Julianus, are undoubtedly the rewards of eternal life, by contrast with the material goods of this life. To understand these "heavenly rewards" as an expression of the theological significance of sacrificial offerings would seem to be altogether unjustified by their context.<sup>18</sup>

<sup>18</sup>A similar argument is based upon an application of the term "panes propositionis" to clerical revenues, made in a Pseudo-Hieronymic letter to Pope Damasus, P.L. 13, 1215.

#### S. AUGUSTINE ON SACRIFICE.

The authority of S. Augustine is invoked, not merely in confirmation of Fr. De la Taille's explanation of the Mass, but because, it is said, he formulated this same doctrine as part of a general theory of sacrifice, based not on revelation alone, but on the law of nature. Fr. De la Taille writes:

"Those who offer their sacrifices to false divinities are not aware that not only is sacrifice due to the true God alone...but that as a matter of principle 'it cannot be offered in the manner required except by a priest holy and just, and then only on condition that he *has received what he offers from those on behalf of whom he offers*; and also that it be something free from every flaw. At least, *he concludes*, such is the ambition of all those who desire that sacrifice be offered to God for them.' Here you have a general theory of sacrifices...Now what among other things do we find in this theory? This; that the priest must receive the matter of the sacrifice from the one who has recourse to his ministry."<sup>19</sup>

The context suggests an entirely different meaning for S. Augustine's postulate, "*ab eis accipiatur, quod offertur, pro quibus offertur,*"

<sup>17</sup>o.c., Chap. 10, 2.

<sup>19</sup>De Trinitate, 42, 4. P.L. 42, 901.

namely, that there should be a certain correlation or proportion between the nature of the victim and the nature of those on whose behalf it is immolated. Thus it is that the victim of sacrifice offered on behalf of human beings should be a "res sensibilis." It is in this sense, surely, that S. Augustine makes an immediate application of the general principle to the Sacrifice of the Cross. "Quid tam congruenter ab hominibus sumeretur quod pro eis offertur quam caro humana?" Christ, offering sacrifice on behalf of the human race, offered Himself, Who had real human flesh. Interpreting the principle as does Fr. De la Taille, we should be led to suppose that Christ offered the Sacrifice of the Cross in the name of the human race, as its mandatory, having received from the same human race that human flesh which made Him an apt victim.

#### WALAFRID STRABO.<sup>20</sup>

Examining a passage from the writings of this ancient authority, Fr. De la Taille would perceive not only a statement of his own theory, but an explanation of the reason for that exclusive title by which the Eucharist is said to belong to those whose offerings it represents. Walafrid Strabo in the relevant passage deplores the custom of offering separately for separate intentions and at masses at which the donor would not be present. In introducing his complaint, he indicates a twofold objection.

"It must be known that some offer incorrectly (inordinate); for attending rather to the number of oblations than to the power of the Sacraments they offer often 'transeunter,' at those masses at which they do not intend to remain."

He indicates the first reason: "It is more reasonable to offer where you wish to remain throughout, in order that after having offered your gift to the Lord, you may also offer him a devout prayer that the gift may be accepted. Not without good reason do we say in the Canon: Qui tibi offerimus, not qui tibi obtulerunt; it is to give us to understand that we must persist in offering until the oblations have attained the end for which they were offered."

In explaining the second reason he says that an error is involved: "There seems to be no small error in this that they consider that they cannot otherwise make adequate mention of those for whom they offer, or that they cannot offer at once for both living and dead; whereas we know that one died for all and that one is the Body and Blood, which the universal Church offers."

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<sup>20</sup>A German theologian of the 9th century.

He concludes: "If therefore anyone wishes to offer individually for individual intentions let him do it merely from the fullness of his devotion and his wish to increase his prayers, not however from the foolish opinion by which he might think that the one Sacrament of God is not a universal remedy."<sup>21</sup>

Fr. De la Taille discerns in this passage a clear statement of his own exposition of the respective titles by which the Eucharistic Sacrifice belongs, both to the individual donor and the Universal Church. "On the part of the Universal Church the offering is unique as to its truth or reality, which is that of the redeeming Hostia. And yet it is none the less, from another angle the particular offering of the faithful who have their offerings consecrated in order that at the end there may be the divine Hostia offered in their name and accepted on their behalf. You have offered your gift to God, the Lord; try to have it accepted. This will not be done until the gift of the private individual has become by the consecration the gift of the whole Church."

Walafrid Strabo it seems, raises a dissentient voice against the introduction of the stipend or "*oblatio specialis*" and the abandonment of the older practice.<sup>22</sup> The new custom is considered worthy of censure under two aspects; firstly, it has coincided with a growing tendency of not assisting at the Mass for which the offering is made; secondly, it involves a theological error. It is in the writer's formulating these two objections that Fr. De la Taille would understand a statement of the respective parts exercised in the offering of the Mass by the individual donor of a stipend and the Universal Church; "we must persist in offering until the oblations have reached the end for which they were offered," "we know that One died for all, and that One is the Body and Blood, which the universal Church offers."

In regard to the first objection recorded, it must be admitted that the form of expression provides a specious argument for Fr. De la Taille's theory regarding the donor. However, it is necessary to recall the historical development of "*oblaciones*," the transition from "*oblaciones communes*" to "*oblaciones speciales*." In the former practice the public character of divine cult was emphasised. All offered their gift, all were more actively united with the priest, all, at least originally, received Holy Communion. W. Strabo's plea is for the revival of this older practice and naturally enough his plea makes reference to one of the most noteworthy features of the older practice, and one dis-

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<sup>21</sup>*De Rebus Ecclesiasticis*, Chap. 22. P.L. 114, 948.

<sup>22</sup>The transition from the older practice to that of the stipend was condemned by isolated writers and legislators, intent upon eradicating simony.

tinctly relevant in view of the growing practice of offering an "oblatio" without attending at Mass. Moreover, apart from any particular juridical explanation of the stipend, it is, as W. Strabo states, "more reasonable" that a person should, after making an offering for the celebration of Mass, assist in person at the Mass; the desire of the faithful to do this is a matter of everyday experience. Furthermore, in the Canon of the Roman Missal we pray that God would accept our sacrifice, even after the consecration has taken place.<sup>23</sup> The import of the prayer is not to acknowledge some exclusive right of the donor of a stipend; in the hypothesis of Fr. De la Taille his offering has been accepted through the very fact of consecration. The prayer then is simply a request that our sacrifice would be acceptable to the Almighty. Finally, as to the words to which Fr. De la Taille attaches most importance, the "end" for which the sacrifice is offered might well designate simply the intention for which all sacrifice is offered or for which, in particular, the donor of the stipend procured the celebration of Mass.

The second objection of W. Strabo is that the stipend involves an error. The mass is infinite in value; it is absurd then to think that one cannot "make adequate mention" of all their intentions by making one offering with a view to one Mass. The objection contains a reference, too, to the part which the universal Church has in offering Mass. Far from confirming Fr. De la Taille's theory, however, it would seem in view of the context to exclude all notion of an exclusive right for an individual donor. For in view of the subject under discussion it must be understood as an amplification of the reason for his rejecting altogether the practice of the individual donor's stipend.

#### S. MARTIN OF LEON.<sup>24</sup>

S. Martin of Leon, Fr. De la Taille claims, has given us a complete theory, not expounded in legal terminology, it is true. but readily intelligible in all its elements.

"For the celebration of masses," admonishes S. Martin, "do not accept a salary (*praemium*) for fear of incurring the condemnation of Judas. Seek not to sell (*vendere*) for a corruptible metal, gold or silver, the Body of the Lord. . . .that you may not have to undergo in hell the just punishment for so great a crime. To sell again for money the Body of the Lamb is not a profitable but a damnable thing . . . .If you have received the gifts of the Holy Ghost gratuitously

<sup>23</sup>*e.g.*, the prayer: *Supra quae propitio et sereno vultu respicere digneris, et accepta habere, etc.*

<sup>24</sup>An Augustinian priest of Leon; died 1203.



(gratis), do not sell them for money. Therefore, most beloved, be sure to celebrate mass for the honour of God alone, for your salvation, and for that of the whole Church.”

He does not, however, interdict all material recompense to the priest: “If someone, through some necessity, requests of you to offer sacrifice in the presence of the Almighty...do not exact anything from him (*nihil ab eo eximentes*), but perform gratuitously (*charitative*) what he asks of you. What he offers of his own accord (*quae sponte obtulit*), accept it, not as a payment (*pretium*), but as a gift of God (*donum Dei*).”

He explains the reason for this right to accept a gift: “Churchmen are allowed to receive what the faithful offer spontaneously to God, and offer without intermission prayers for all the faithful, both living and dead. Whence this axiom: Those who serve the altar, partake with the altar.”

He concludes: “Therefore, for the faithful both living and dead, offer to God the Father the sacrifice of the Body and Blood of Our Lord Jesus Christ and without leaving recourse to exaction (*nulla exactione facta*) or to a pact (*nullo pacto interveniente*), receive what the children of the Church shall have piously offered to God...The whole thing is not to seek in return for the ministry of sacrifice any salary (*pretium*) but to accept what has been offered freely to God. For the oblations are not offered to the priest only, but to the Supreme Pontiff, Jesus Christ.”<sup>25</sup>

Analysing this discourse, Fr. De la Taille concludes that S. Martin “excludes every pact superadded to the one which is implied in the fact of accepting gifts for transmission to God, to Whom they are destined in the minds of the faithful.” All onerous contracts are excluded; “everything will have taken place gratuitously.” At the same time the priest is made a partaker with the altar in the sense expounded by Fr. De la Taille; “there will be no repayment (*praemium, pretium*) from the faithful, but there will be a *gift from God*.” He admits that one might desire a clearer statement of the obligation of justice incumbent on the priest by reason of the offerings which he holds in trust as a transmission agent.

Now, that S. Martin, in his anxiety to guard against simony, would exclude every kind of pact in reference to the celebration and application of Mass, seems undoubted. But that he would exclude “every pact superadded to the one which is implied in the fact of

<sup>25</sup>Sermo 23, in Coena Domini. P.L. 108, 920.

accepting gifts for transmission to God," so that his discourse would become a plain statement of Fr. De la Taille's theory, seems an unwarranted conclusion.

The mind of S. Martin would seem to be that the transaction involved in a priest's accepting an offering made with a view to sacrifice should be a reciprocal donation, not a mandate joined with deposit. This seems a much more obvious interpretation of the contrast which S. Martin makes between the priest who "sells for money the Body of the Lamb" and the one who performs his office "gratuitously." Moreover, it accounts satisfactorily for those expressions of S. Martin which provide the foundation for Fr. De la Taille's interpretation. Thus it is that he excludes, on the one hand, all idea of the priest's contracting for a definite recompense (*pretium*), "*nihil ab eo exigentes*," "*nulla exactione facta*"; rather must he exercise his ministry gratuitously (*charitative*). On the other hand he may accept without scruple what is offered freely (*sponte*), not as a "*pretium*" but as a "*donum Dei*." It is this latter expression, in particular, which is emphasised in Fr. De la Taille's interpretation of S. Martin. In view, though, of the contrast between recompense due on account of a pact and recompense spontaneously offered by the faithful, the former being proscribed as simoniacal, the latter permitted because clerics have a right to material support, the expressions are easily recognised as euphemistic descriptions of an offering made to the priest out of regard for his priestly office, "*intuitu religionis*."

Fr. De la Taille admits that one might desire a clearer statement of the celebrant's obligation of justice. It seems a fair conclusion that he positively excludes such an obligation in excluding pacts and exactions. The notion of deposit as a source of the obligation seems quite extraneous to his trend of thought. He demands that the priest exercise his ministry "*charitative*," that he accept what is offered "*sponte*"; the obvious import of these expressions is to postulate reciprocal donation.

Furthermore, the discourse does not suggest that S. Martin contemplates the priest as mandatary of the donor. "If someone, through some necessity, requests of you to offer sacrifice in the presence of God Almighty, either for his own salvation, or the release of his departed relatives. . . . ." The priest is the only real minister of sacrifice, not merely carrying out a mandate for the donor but exercising his sacerdotal power at the donor's request."<sup>26</sup>

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<sup>26</sup>S. Martin subsequently considers a cleric's objection: *Nolo illorum oblationes suscipere nec pro eis preces fundere*. His reply seems to envisage the offering as being made to the priest, though "*intuitu muneris clericalis*": *Tu, qui ista dicis. . . delinquis; Deum pro Deo tibi sponte oblata suscipere contemnis, elatum te constituas*.

THEOLOGICAL TERMINOLOGY IN EARLY  
ECCLESIASTICAL WRITINGS.

In the works of the Fathers and early theologians, we find references to sacrificial offerings couched in terms which do suggest that the writers concede an exclusive right over the fruits of sacrifice to the donors of the gifts.

Tertullian, condemns the husband who had contracted a second marriage in these terms: You will dare to bring before God the memory of two wives? And you will offer (*offeres*) for the two of them? And you will recommend (*commendare*) them both by a priest ordained as monogamous, nay, consecrated in his virginity...and your sacrifice (*Sacrificium tuum*) will have the impudence to mount up to God?"<sup>27</sup> S. Gregory, likewise, writes of a woman whose husband, a captive amongst barbarians, was presumed to be dead: "On set days she was in the habit of offering for him the sacrifice."<sup>28</sup> These are but typical of many patristic writings, cited by Fr. De la Taille in support of his theory.<sup>29</sup> The language of the liturgies, too, is often framed in similar terms.<sup>30</sup>

It would seem that Fr. De la Taille has exaggerated the value of these passages. Undoubtedly, were his theory definitely established from other sources we might recognise such expressions as a passing but accurate statement of the theology of sacrifice. Viewed isolatedly, however, they are capable of another interpretation and in some instances demand it.

Thus it is that in some cases the context would easily allow the terms "offerre," "sacrificare," etc., to be understood as predicated of the whole body of the faithful or of those assisting at mass rather than of individual donors. In the liturgy for the dedication of a church, the sacrifice which will be offered upon the altar now being consecrated is called "*vota populi*"; the divine blessing is invoked upon the offerings which will be laid upon the altar, "*oblaciones famulorum suorum studio sanctae devotionis impositas.*" Considering the general tenor of the ceremony which marks the dedication of a place of worship and altar of sacrifice in the name of the Christian people, those expressions are easily understood as expressive of the part which all

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<sup>27</sup>De Exhortatione Castitatis, Cap II, P.L. 2, 926-7. Tertullian forbade second marriages.

<sup>28</sup>Dial. 4, 57. P.L. 77, 224.

<sup>29</sup>Cf. e.g. S. Cyprian, De Opere et Eleemosyna, Cap 15. P.L. 4, 612.

<sup>30</sup>The oratio from several votive masses is cited by Fr. De la Taille.

Christians have in sacrifice as members of the Church.

In other instances it is the individual donor to whom the writer refers. It does not follow, though, that they are thereby assigned the exclusive right in question. In the writings of the earlier centuries strict theological terminology is not to be sought after. Such expressions as "sacrificium offerre" might well mean simply the act of presenting a gift in order to have part in the liturgical action, or even the moral offering made by one in moral union with the celebrant.<sup>31</sup> S. Cyprian reproves a matron who came to Mass without an offering: "You are rich and affluent and you imagine that you are celebrating the mystery of the Lord. . . . when you come to it without (bringing) a sacrifice (sine sacrificio), when you take your share of the sacrifice which the poor person has offered," i.e., in receiving communion.<sup>32</sup> The word "Sacrificium" plainly denotes the matter, bread and wine, to be consecrated; it is an example of this looseness in terminology.

Furthermore, such expressions as "sacrificium tuum," implying a certain personal interest in the sacrificial rite, but not the exclusive right demanded by Fr. De la Taille, are congruously applied. For, when the ancient practice of "oblationes communes" prevailed, the donor of a gift was understood to have some part in a public act of worship and to receive Communion by reason of his offering; in the later practice of "oblationes speciales" or stipends, the donor gives occasion to the priest to offer Mass and, indeed, for the donor's intention. In either case, the mass is in a certain sense, the donor's.

### THE TEACHING OF S. THOMAS.

Amongst the theologians who, it is claimed, explained the mass offering as does Fr. De la Taille is numbered the Angelic Doctor.<sup>33</sup>

Replying affirmatively to the question, "Utrum solum sacerdotibus debeantur oblationes,"<sup>34</sup> S. Thomas explains the priestly office. "The priest is in a certain manner mediator and interpreter (mediator et Sequester) between the people and God. For this reason it belongs to him to minister dogmas and sacraments to the people; and, similarly, the things which are the people's, namely, prayers, sacrifices, oblations, must be presented to God by their intermediary. . . . Consequently, the oblations which the people present to God (oblationes quae a populo

<sup>31</sup>It is a common expression amongst the faithful to-day, "I will offer mass for you"; it might be, "I will offer a rosary, etc."

<sup>32</sup>l.c. De Opere et Eleemosyna.

<sup>33</sup>Fr. De la Taille also cites Thomassin, Berlendi and S. Robert Bellarmine.

<sup>34</sup>2a 2ae, Q. 86, A. 2.

Deo exhibentur) belong to the priests, not only that the priests may turn them to their own use, but also that they may dispense them with fidelity, spending them partly in what relates to divine worship, partly in what concerns their own sustenance, because they who serve the altar partake with the altar (I Cor.), partly for the benefit of the poor, who, as much as can be done, must be supported from the goods of the Church.”

From this exposition, Fr. De la Taille draws two conclusions. Firstly, oblations are made not to the priest, but to God by the hands of the priest. Secondly, this does not prevent their reverting to the priests, because God has made them partakers with his altar, sharers in his gifts.

To demonstrate that S. Thomas was not speaking merely in metaphor, Fr. De la Taille refers us to the treatment of the first difficulty of this article. “Among oblations the first place is held by the hosts of sacrifice. But in Scripture, alms given to the poor are called hosts. Therefore, oblations should with much more reason be given to the poor.” S. Thomas replies, specifying further the nature of oblations: Offerings made to the poor, just as they are not sacrifices strictly so-called, but are called sacrifices because they are made for God’s sake; so in the same way are they called “oblationes,” not in the strict sense, because they are not offered immediately to God. ‘Oblationes’ strictly so called come into the use of the poor, not as dispensed by the donors but through the intervention (dispensationem) of priests.

“Thus for S. Thomas the point is settled,” writes Fr. De la Taille, “that the oblations, the true ones, although addressed to God and coming back to the poor, must nevertheless in the interval come into the possession of the priests.” They are received by the priest into his possession not as a salary, but “as an oblation made to God, as a gift which the official minister, the consecrated mediator, is charged with rendering acceptable. . . ., as the intended sacrifice which by the sacramental operation of the priest will be transformed into the effective, true and perfect sacrifice, which is the Body and Blood of Christ.” Thus does Fr. De la Taille interpret the quoted passages from the Summa.

It is essential, at the outset, to determine the meaning of “oblationes” in the mind of S. Thomas. Does it signify only offerings made in relation to sacrifice, or has it a wider application? In the preceding question S. Thomas defines the terms “oblatio” and “sacrificium.”<sup>35</sup>

<sup>35</sup>Q. 85, A. 3, ad 3<sup>um</sup>.

"Sacrificia proprie dicuntur quando circa res Deo oblatas aliquid fit... sicut quod panis frangitur et comeditur et bendicitur... Oblatio autem directe dicitur cum Deo aliquid offertur, etiamsi nihil circa ipsum fiat; sicut dicuntur offerri denarii et panes in altari circa quos nihil fit. Unde omne sacrificium est oblatio, sed non convertitur." "Oblatio," therefore, in S. Thomas' own definition is a more comprehensive term, including not only gifts presented with a view to sacrifice, but others, too, "circa quae nihil fit." This is indicated again in the Doctor's exposition of the office of mediator, for he clearly distinguishes "oblaciones" and "sacrificia." But the conclusions formulated by Fr. De la Taille plainly require that "oblatio" in the context be meant to signify precisely those offerings made with a view to providing the victim of sacrifice.

What then is the mind of S. Thomas? In the body of the article he is describing in general terms the office of the mediator, through whom are offered to God prayers and sacrifice and also material offerings, which are intended for the minister of God as such, "intuitu muneris clericalis." The priest should with these offerings provide for the necessities of divine cult and his own support, distributing the surplus to the poor. The words of S. Paul are quoted then as demonstrative in general terms of the priest's right to means of support. In the distinction made subsequently between "oblaciones" in a broad sense and "oblaciones" strictly so called, the contrast is between an alms given to the poor out of the virtue of charity and an offering, made to God's minister, in consideration of his office. The latter type of offering is in that sense made "immediately" to God and comes into the use of the poor only insofar as the priest disburses his surplus revenues.

#### CONCLUSION.

Fr. De la Taille has called his explanation of the juridical question involved in the stipend the historical solution. Certainly, to be convincing, it requires to be supported by historical sources which demonstrate that it was the original conception of Christian scholars, repeated in successive periods, though obscured in more recent centuries. The sources cited do not seem sufficient to provide this support. Moreover, the solution has been seen to raise certain juridical difficulties. Perhaps much remains to be said in favour of Fr. De la Taille's attractive theory. Meanwhile, though, the conclusion is that one might not accept it without considerable reserve. It remains to examine the theory of mandate as propounded by Professor Del Giudice, before turning to the solutions which embody the notion of onerous contract in some form.

JAMES CARROLL.

# Moral Theology and Canon Law

## QUERIES.

NOVICE WHO TAKES TEMPORARY VOWS INTENDING TO LEAVE INSTITUTE ON THEIR EXPIRY; RELIGIOUS WHO MAKES FINAL PROFESSION BUT EXCLUDES THE IDEA OF TAKING VOWS.

Dear Rev. Sir,

I shall be grateful if you will discuss the following points in an early issue of the *Record*:—

I. A novice, when taking temporary vows, secretly and definitely decided not to remain in Religion any longer than for the duration of these temporary vows. Did he do something which was very wrong? Did he become a real religious on taking vows with such a mentality? Was his temporary profession valid?

II. Were he to change his mind after a year, and decide to take perpetual vows, would his profession be revalidated *ipso facto*?

III. When could such a one make his final profession—three years after the date of his temporary profession or three years after his change of mind?

IV. If he were not sincere about his final profession, *e.g.*, if he did not intend to take vows at all, but deceitfully went through the ceremony so that he would be promoted to Orders and then join the secular clergy, would his final profession be valid?

RELIGIOSUS.

## REPLY.

I. That the taking of temporary vows with the positive intention of abandoning religious life on the expiry of such vows is quite irregular and contrary to the canonical idea of religious profession, there can be no doubt. The religious state is a state of permanency. This state of permanency, before the Code, was regarded as connected with permanent vows alone, but the Code, as is evident from Can. 488, is satisfied even with temporary vows provided there be the indefinite intention of renewing the vows in due time. This canon defines a religious institute as "a society approved by lawful ecclesiastical authority, the members of which take public vows, either perpetual or temporary, provided, if temporary, they be renewed after the lapse of a definite period of time." Those, therefore, who enter the religious

life, must have the intention of remaining there or, at least, of giving the life a serious trial on which they will make their perseverance dependant. Consequently, a novice who, like the subject of the present query, enters religion with the definite determination of abandoning this life on the expiry of the temporary vows, does not become a real religious *coram Deo*. As to whether he commits sin or not, it will all depend on the motives that actuate him. If he positively deceives the institute, of course he commits sin. Likewise he will sin if his intention be to acquire a secondary education which he could not obtain otherwise, and this all the more if he has no intention or prospect of being able to recoup the institute for what it expends on him. But if his purpose be to spend a period of time under obedience and in the practice of piety and virtue, and provided always that there be no deception of the institute, one could not condemn him as guilty of sin.

Is the temporary profession of one who definitely decides eventually to quit the religious life invalid? If he deceived the institute or if the constitutions declare, as some constitutions do, that it is the intention of the institute to accept those, and those only, who intend eventually to take final vows, then his profession is invalid. But if neither of these be verified, one must stand for its validity. Nowhere in the law is it stated that the intention of taking final vows in due time is a necessary requisite for the validity of the temporary profession. In the present case, therefore, since we are not told that the constitutions have any such clause as that mentioned above, and since we are told that the novice's intention was quite a secret matter, it is our opinion that his temporary profession was valid. The institute, were it aware of his intentions, would, doubtless, not have admitted him to profession but this interpretative intention could not invalidate his act.

II. The reply to the second query is contained implicitly in the foregoing. The querist implies that the profession was invalid, but we have shown, we think, that it was valid *ab initio*, and there can be no question of revalidating what is already valid.

III. The answer to the third question is also evident from what we said under I. Since the temporary profession was valid from the beginning, it follows that final vows can be taken as soon as three years have elapsed from the date of the temporary vows.

But in this connection, there could arise an interesting point. Let us suppose that the first profession were invalid because the candidate



positively decided not to take vows but went through the ceremony as a matter of form. Let us further suppose that in the course of the three years he repented of what he had done, and supplied the consent that was wanting. He might reveal all this to his confessor who would have to decide for him when final vows can be taken—three years from the date of the ceremony or three years from the time he really gave his consent? At first sight, it would look as if the three years are to be reckoned from the date when the consent was supplied, since, as a matter of fact, it was only during this three year period that he was bound by valid vows, and three years' valid vows must, by law, precede final profession (Can. 574). Nevertheless, it is safe to hold that the three years can be reckoned from the date when he went through the ceremony of religious profession. This results from a study of the laws that outline the various ways of revalidating invalid professions. A profession can be invalid either because of some external impediment or because of lack of internal consent. Cases of the first type would be verified if, for instance, the profession was not preceded by a valid novitiate or if a candidate had not yet attained the legal age. The other could happen in circumstances such as those we have at present under consideration, namely, where exteriorly the law is observed in every detail but the candidate withholds internal consent. In either case the position can be rectified, but differently according as the invalidity was the result of the one cause or the other. Canon 586 deals with this subject, and it says that, when profession is invalid because of some external impediment, it can be rectified in two ways. One is by positive intervention of the Holy See which gives a *sanatio* and makes the profession valid without renewal of consent by the religious. The other, and only alternative, is the repeating of the profession in the prescribed form. In this case it will be necessary that the impediment cease either of itself, *e.g.*, defect of age, or by dispensation, and then that the candidate, conscious of the fact that his previous profession was invalid, renew his consent. It will be evident that such a religious cannot take his final vows till three years have elapsed from the date of this renewal of consent. But if the profession were invalid because of the lack of consent alone at the time of the ceremony, all that the law requires is that he supply the consent, provided the institute has not withdrawn its consent in the meantime. A study of the contrast between these two different methods of rectifying the irregular position reveals, we think, that when a profession is invalid only because of lack of consent, the supply of this consent rectifies

the profession absolutely and *ab initio*. When the law deals with a profession that is invalid because of some external impediment, it clearly indicates that the position is not rectified when the impediment is taken away. There is required in addition either a *sanatio* or a new profession over again as if for the first time. But when the invalidity results from the lack of consent alone, all that the law requires is that the candidate give his consent before the institute revokes its consent, from which it would seem that the supplied consent is retrospective to the first moment when it should have existed. From this we conclude that, in the case we are considering, the three years temporary profession can be reckoned from the date of the religious ceremony and not from the date when the candidate gave his consent. The same conclusion results from the universal teaching that, once religious profession is an established fact, it must be regarded in the external forum as valid for all canonical effects until the contrary is proved. The three years temporary profession before final vows is a matter that concerns the external forum, and, therefore, given the fact of profession, one must hold that final profession can be made as soon as three years from first profession have elapsed.

IV. With regard to the final deceitful profession, it is evident there was no valid profession *coram Deo* since there was an intention positively excluding vows, which are of the essence of religious profession. But here again what we said above concerning the external forum applies. In this forum the man must be regarded as a validly professed religious, and the institute can force him to observe the vows till he proves legally that, because of defect of consent, his profession was invalid. This is the general teaching of canonists.<sup>1</sup> Moreover, it is the doctrine of the Council of Trent. In *Sess. XXV de regularibus*, c. 16, we read: *Quicumque regularis praetendat, se per vim vel metum ingressum esse Religionem, aut etiam dicat, ante aetatem debitam professum fuisse, aut quid simile, velitque habitum dimittere quacumque de causa . . . non audiat nisi intra quinquennium a die professionis rem deduxerit coram Superiore suo et Ordinario. Quod si antea habitum sponte dimiserit, nullatenus ad allegandam quamcunque causam admittatur, sed ad monasterium redire cogatur et tamquam apostata puniatur.* From which we can safely conclude that when a person externally makes his profession according to the requirements

<sup>1</sup>Vide e.g. Fanfani, *De Jure Religiosorum*, n. 242; Schafer, *De Religiosis*, n. 266.

of the law, but internally withholds consent, he must be regarded as a true religious in the external forum of the Church.

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POSITION OF BARRISTER IN CRIMINAL AND CIVIL  
CASES.

Dear Rev. Sir,

To what extent is a barrister justified in defending a criminal whom he knows to be guilty? I understand of course that he can plead extenuating circumstances in order to avoid excessive severity, but I cannot see how he can stand for the acquittal pure and simple of a guilty man. And what about civil cases? Would a lawyer be justified in defending a civil action which he knows is unjust?

LEGALIST.

REPLY.

In criminal cases, a barrister undoubtedly can defend a man whom he knows to be guilty. It is a principle of the natural law that no man is to be condemned till he is proved guilty. It is not enough that a man be accused, and the history of well nigh all races has branded as criminal those very judges who, in time of political strife or other revolution, pronounced sentence of death on no other proof than that of accusation. Convincing proof of guilt is absolutely necessary, and no arguments can be regarded as convincing proof till they are passed through the sieve and weighed in the balance against the arguments for the defence. Objectively, a man may appear guilty, but subjectively, till he reveals willynilly the reasons that motived his act, his guilt is a mystery.

Self defence then, even of a person who appears guilty, is a right of the natural law. But this right would be illusory if an accused man could not prosecute it. Now it happens not infrequently that an accused man, is a simple person, ignorant of his own legal rights, ignorant of legal procedure, ignorant of the language of the bar, and ignorant of all these things, he might, even though innocent, easily succumb before the dexterity of an able lawyer. The only remedy such a man has is to employ an expert to defend him, and the lawyer who accepts the brief, even of a client whom he knows to be guilty, does nothing that is either unjust or indecent. He merely sees to it that the rights which the law acknowledges in his client prevail, and especially that right of the natural law that there be no conviction without full proof of guilt. In the defence of those rights, he cannot, as is evident,

make use of unlawful means such as falsehood or perjury. On the other hand, evidently he can plead such extenuating circumstances as call for a mitigation of the penalty. In doing so he is only appealing to the generosity of the jury and the mercy of the judge. But he can go further than this and plead for the acquittal of his client even though he knows him to be guilty. At first sight this may seem strange. To justify it, some would make a distinction between the professional man and the private individual, as if the professional conscience and the moral conscience were two different consciences in one and the same man. This cannot be admitted. There is only one conscience—the moral conscience; and no professional man can, without remorse, do things which his one moral conscience condemns. Hence we cannot fall back on this groundless distinction to justify the barrister who pleads for the acquittal of his guilty client. Neither is it necessary to have recourse to this expedient, as the barrister is justified on much more solid grounds, when the meaning of his pleading for an acquittal is properly understood. The expression, plead for an acquittal, is equivocal and lends itself to confusion. If a barrister were to plead that a guilty man, *qua* guilty, be acquitted, or, in other words, were he to try and impede conviction against the established order of justice, he would evidently be doing something immoral. But if he were to plead that an accused man, even though guilty, be not convicted until his guilt is proved beyond all reasonable doubt, not only would he not be doing anything immoral, but rather he would be proving himself the best servant of justice. The order of justice requires that, before conviction, guilt be established. And it is a much lesser evil that a guilty man, nay even several guilty men, escape punishment than that one innocent man be convicted. Now guilt is established not by arbitrary or probable arguments but by judicial proof, that is to say, by evidence which justice will accept as full proof in accordance with the laws that regulate procedure. If then the examination of the accused and witnesses does not establish this proof, or if the procedure followed be illegal, the judge has no right to pronounce a verdict of guilty. Therefore, in insisting on full proof obtained in the legal method, and, in the absence of this, in demanding an acquittal, the barrister shows himself, as we have said, the best servant of justice. He is the agent of his client. He has the right—the right of his client—to insist that there be no conviction before there is full proof of guilt. In pursuance of this right, he can avail himself of all the

licence which the law allows his client. The latter can always plead "not guilty," which in the circumstances is not a lie but, as everyone knows, a conventional expression meaning "I do not admit my guilt" or "you have not proved me guilty." In the same way the barrister can use similar expressions and refer to his (guilty) client as "the innocent man in the dock." His role naturally requires that he must attack the accusation, and he can avail himself of all the stratagems allowed an accused man to show up the weaknesses of the evidence on which the accusation rests. Consequently he can challenge the credence of witnesses; cross-examine witnesses; contrast the evidence of one with that of another and bring out their flaws and contradictions. In all this, his purpose is to show, as far as truth will permit, that full judicial proof of guilt has not been established, and his conclusion—"My client has not been proved guilty, and Your Honour has no option but to acquit him"—is entirely in keeping with the order of justice. If acquittal of a guilty man results, the fault must be attributed to the weakness of the accusation and the evidence therefor and not to anything immoral in the defence.

But when we turn to the sphere of civil actions, the position of a solicitor or barrister is quite different. Here his conduct must be regulated by another moral principle, namely, that it is never lawful to co-operate formally in the sin of another, nor is it lawful to do so materially without a proportionately grave cause. Now a lawyer who accepts a brief in an unjust claim or defence in a civil action, co-operates in the sin of his client, whether this client be the plaintiff who seeks something to which he has no right or the defendant who seeks release from an obligation which is due from him. His co-operation therefore is concerned with a matter which is very different from that involved in a criminal action. In the latter he is concerned only with penal justice which is a phase of legal justice. In defending a guilty man, he does not participate in anything that is unjust but merely enforces the defence to which his client has a legal right. Then there is no third party injured unless one were to say that justice has been impeded from punishing the guilt. But even this is not accurate, as in enforcing the legal defence of his client, he has done nothing more than insist that Justice be what it ought to be—circumspect and prudent. But in participating in a civil action, the lawyer enters the sphere of commutative justice. A win for his client means a loss for the opponent. And if the claim he defends be manifestly unjust, he becomes a

partner to a sinful act of injustice which will involve the subsequent obligation of restitution. Of course, if the claim of his client is doubtful, the lawyer will be perfectly justified in defending it to the best of his ability, as this is precisely the purpose of law suits—the settling of doubts concerning the rights of citizens.

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### CONVERT JUSTIFIED IN ATTENDING FUNERAL OF NON-CATHOLIC FATHER IN PROTESTANT CHURCH.

Dear Rev. Sir,

A non-Catholic comes to a priest for instruction with a view to conversion. The first question he asks is this—"If I become a Catholic, and my father were to die, would I be allowed to attend his funeral in a Protestant church?" The priest assures him that "the parish priest will give him permission." Kindly state if a parish priest has this power. I think he has. The man will have a good reason to be present. Therefore he will not be guilty of grave sin, and consequently there can be no question of reservation of the sin here in Victoria where absolution from the sin committed by mere material presence at Protestant services is reserved to the Bishop. Is it not a fact that this Victorian law strikes those only who are present at such functions without sufficient cause? If this be so, I see no reason why a parish priest, in cases like the present one, could not declare a cause sufficient, and allow attendance. It is often impossible to communicate with the Bishop within the time available. In the present case, it is taken for granted there will be no scandal as all the local people will understand the circumstances.

PATRITIUS.

### REPLY.

The convert may undoubtedly attend his father's funeral in the Protestant church. But the line of argument by which our correspondent tries to prove this is not, we think, the best. It is not the parish priest that gives permission in the case. The law he refers to is a law of a Provincial Council from which a mere parish priest cannot dispense. But very likely our correspondent is speaking loosely and really means to say that the parish priest can authoritatively reassure his parishioner that he is not bound by the law. Why is he not bound by the law? Here again the reasons given are not direct and relevant enough. The Victorian law which forbids mere material presence at Protestant services, and reserves to the Bishop the absolu-

tion of the sin committed by violation of the law, must be read in the light of the general laws of the Church on this subject. Now, Can. 1258 pronounces it unlawful for the faithful to have any active part whatever in the religious functions of non-Catholics. But it tolerates a mere material or passive presence, in the discharge of one's duty or as a mark of respect or friendship, at the funerals or marriages of non-Catholics or similar functions, provided there be a grave cause and no danger of scandal or perversion. It is only in cases of doubt as to the sufficiency of the cause that the Ordinary has to be consulted. In view of this, our correspondent will admit, we think, that, even in Victoria, Catholic members of the Police and Military forces can be present at funerals or other religious functions in Protestant churches when good order or the carrying out of their instructions requires their presence. In the same way members of the family of a deceased non-Catholic can be present as a mark of the natural affection and respect which united them. So, too, those other persons so peculiarly connected with the deceased that their presence could not but be regarded by everyone as a mark of that respect which comity and good fellowship requires in the circumstances. In such cases as these, especially when there is question of members of the family, it is absence from the function which would cause surprise and even hatred of the Church. Reading the Victorian law, then, in the light of this general law, there can be no doubt that the convert under discussion in the present query may in due time be present at his father's funeral in a Protestant church, and the priest did perfectly right in reassuring him on the point. We are told there will be no scandal; there will hardly be any danger of perversion; and there will be a sufficiently grave cause, namely, the duty of paying this mark of respect to his deceased father.

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#### ATTENDANCE AT ANGLICAN AND MASONIC BALLS.

Dear Rev. Sir,

Is attendance at an Anglican Ball sinful or scandalous? What about Masonic Balls?

THE HEMIT.

#### REPLY.

It is impossible to answer these two short questions with a simple *Yea* or *Nay*. A Ball is in itself a morally indifferent social function. Therefore, before we could pass judgment on a particular Ball we would need to be informed of its purpose and of the circumstances

connected with it. If in the town where THE HEMIT resides the Anglican Ball is a purely social function, devoid of all sectarian purpose or propaganda and called Anglican because organized by certain members of the Anglican community, we think that Catholics would not need a very serious cause to justify their participation. The very risk of being regarded as unfriendly or bigoted would probably be a sufficient reason. Of course, there is always connected with these functions the danger of fostering friendships that may result in mixed marriages, but we expect that our correspondent is not asking our opinion on the matter from this point of view. But if the Ball is professedly a function of the Anglican denomination as such, and in that way a sort of advertisement of the social standing this sect occupies in the community, and particularly if the proceeds are destined for what are called "church purposes," Catholics ought not to patronise such a function. It is difficult to assess in the abstract the amount of sin or scandal which their presence would involve, as this will depend to a great extent on the circumstances of each concrete case.

As to Masonic Balls, it will be more difficult to justify the presence of Catholics at these. Everybody knows that Masonry is a condemned secret society, severely prohibited to Catholics. Masons themselves are quite well aware of this. Consequently it is very hard to see how a Catholic can attend a Ball organized as a Masonic function without doing violence to his conscience and giving scandal. This view was expressed in a decision given by the Holy See in 1876 to the Bishop of Seattle. "In the first place," it was said, "there can be no doubt that Catholics who are present at dances and other entertainments organised by members of the Masonic sect, and as Masonic functions, are guilty of grave sin. . . . Moreover, it is to be held that Catholics incur the penalty (of excommunication) in those cases when their presence and participation at such functions procure any advantage for the same sect or its associates." The excommunication of which there is question here was that inflicted by the *Apostolicae Sedis* on those who *praestent favorem qualemcumque sectae Masonicae*. Though the penalty is now restricted to those who join the sect, yet the above decision is sufficient indication of the serious view the Church takes of attendance at such dances.

JOHN J. NEVIN.



# Liturgy

## I. THE FANFARE OF SILVER TRUMPETS.

Dear Rev. Sir,

In January, 1937, we note that you stated the rules for singing at low Mass. As a general rule at the Consecration singing is to cease but the organ may be played in sweet and reverent tone. Presuming that these rules hold for high Mass also, do they preclude the fanfare of silver trumpets to which the congregation is treated on marked occasions?

MINUS SAPIENS.

### REPLY.

We are not aware of the existence of any indult for the use of the said trumpets. We must reply then with a decided *Non licet*. If it is objected that it is done in St. Peter's we rejoin that this is one of the things that are severely copyrighted, *admiranda sed nullimode imitanda*, to be left where they are found, in St. Peter's with the flabella and the sedis gestatoria and other survivals, some of them from days that are not the best in the history of the Holy See. This may be taken as an example of how abuses grow apace. Originating oftentimes from the laity, completely ignorant of the Church's legislation, proposals are admitted by the Clergy with more affability than discretion and put into execution, after which they are found to be illicit and not so easy to mend or end as to start. So in a few years' time the protagonists of the bugle stunt will be introducing their remarks on the subject with words of portentous gravity such as: "It has been customary now for many years in the most important churches of the country." But the *Caeremoniale* though composed practically in the papal chapel was careful to omit the various customs peculiar to the papal court when legislating for other bishops of the Catholic world. And sure what answer can be made the boy who when corrected for pronouncing "knowledge" with a long o retorts that Mr. Gladstone said it that way? Human nature is lamentably inclined to imitate the bad points rather than the good ones.

Let us, as loving, dutiful children, do as Rome tells us to do and shut our eyes to what Rome does when there is disobedience in the doing. *Tunc silet chorus et cum aliis adorat. Organum vero, si habetur, cum omni tunc melodia et gravitate pulsandum est.* (Caer. Epp. Lib. II, c. 8, n. 70).

## II. VOTIVE MASS PRO SPONSIS ON SEPT. 11th, 1937.

Dear Rev. Sir,

In your answer to the query on the above, you say that the priest should have said the Last Gospel of the Nativity of our Lady. This seems to me to be incorrect. When a feast having a proper gospel (this includes all feasts of our Lady, except the Assumption) is only commemorated on account of the occurrence of a more noble feast, then the last gospel is said as part of the commemoration. This, however, does not apply to days within the octave, when the proper gospel has already been said on the feast day. Thus when a day within the octave of the Immaculate Conception is commemorated the last gospel is not of the Immaculate Conception. It seems to me that in the Votive Mass referred to the last gospel should have been the gospel of St. John.

If I am wrong I should be glad to hear further explanation.

SACERDOS.

## REPLY.

When one is scrupulous with regard to the propagation of error in matters liturgical, it is comforting to feel that there are among one's readers those who discriminate and are ready to co-operate in the attainment of perfection by calling attention to any error that through ignorance or oversight might have crept into our pages. We sincerely thank SACERDOS.

The point raised is not arguable. The regulation is unmistakably with SACERDOS and all we have to say is that our Rubricist was nodding. The relevant rubric is: *Denique, si nullum Dominicæ, Feriæ, Vigiliæ, aut alicujus ex Octavis supra num. 1 recensitis, Evangelium in fine Missæ fuerit legendum, dicitur ultimum pariter Evangelium Missæ sive Officii primo loco inter caetera, quæ Evangelium stricte proprium (et non appropriatum, vel per Octavam e Festo repetitum) habeant, commemorati.* (Add. et Varr. T. IX. 3.)

We would deem it a favour if SACERDOS would continue his beneficent watchfulness.

The answer given to BEATUS on p. 362 of the 1937 *A.C.R.* must be modified in the sense of the above and BEATUS must be advised that he should have said the *In principio* in the votive Mass pro Sponsis on the occasion.

### III. MEMENTO FOR THE DEAD WHEN MASS IS SAID "PRO UNO DEFUNCTO."

Dear Rev. Sir,

In saying Mass *pro uno defuncto*, how does one get over the difficulty of the plural form of prayer at the *Commemoratio pro defunctis*—*Memento etiam, Domine, famulorum famularumque tuarum N et N.*?

PATRITIUS.

#### REPLY.

Both Mementos belong to the general formula of the Mass and have connection with the *general fruit* thereof, which requires no application on the part of the priest other than celebrating according to the mind of the Church and this is always implied. But that the *special fruit* of the Mass may benefit individuals the application of the priest is necessary. This application need have no effect on the general formula of the Mass though we think it congruous that if the Mass is being offered for a living person the name of that person should have a place in the Memento for the living and if the Mass intention is for a deceased person it is most fitting that the name should be mentioned in the Memento for the dead. The application of the Mass is made before or at the beginning of Mass independently of the Mementos and the validity of the application is unaffected even if no further notice is taken of the application in the course of the Mementos.

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### IV. EPISCOPAL FUNCTIONS.

Dear Rev. Sir,

The coming Congress at Newcastle will mean the gathering together of many Bishops and Archbishops. Are there any decrees affecting the Ceremonial to be observed on such occasions? I find it is very difficult to get any guidance on the point in ordinary books that treat of ceremonial.

NEGOTIOSUS.

#### REPLY.

A very important Decree of the S.C.R. was issued on the 26th November, 1919, and we think that just at this juncture it may be useful to reproduce its rulings.

1. May a Bishop's biretta have a red tassel? No.
2. May any Bishop have his Cappa and other garments made of wavy silk or at least of silk? No; Bishops must use woollen,

light or heavy, as required, for silk (not wavy) is used only in the Pope's chapel, house or establishment.

3. May the soutane, mantelletta, mozzetta and biretta of a Bishop be violet or must they rather be black in functions during penitential seasons or in functions for the dead? At Rome they must be always violet except while the Holy See is vacant; outside the City it is laudable to use black but the biretta and skull-cap must be always violet.
4. May a Bishop ever use over the prelatial dress mentioned above stole, mitre and pastoral staff, for instance, at a public or private Confirmation or in Processions? No; the Pontificale, the Caeremoniale and the Decrees must be observed.
5. Can the use of a cloth of silver mitre with silver fringe instead of the simple damask or linen mitre with red fringes be tolerated where it has been introduced? No, because the cloth of silver mitre is reserved to the Pope in functions of mourning. The damask mitre is reserved to Cardinals and Protonotaries Apostolic *ad instar*.
6. In the presence of a Cardinal not a Legate which should the Bishop in Ordinary wear, the mozzetta or the mantelletta? Follow the Caeremoniale (L.I, c. 4, n. 7) . N.B. This passage of the Caeremoniale says that in the circumstances the Bishop should wear the mozzetta over the mantelletta.
7. In the presence of a Cardinal or of the Metropolitan must the Bishop in Ordinary hold the train of his Cappa himself? Yes, unless he is going to pontificate. Must he on such occasion abstain from private blessings? Yes, according to the Caeremoniale. (Lib. I, c. 4.).
8. May the Bishop in Ordinary when he has assisted at a Requiem only in mozetta and in the choir, take, over the amice, the stole and cope and give the absolutions at the departure of the Celebrant? Yes.
9. When the Bishop celebrates a low Mass or a Mass of Ordination may two Canons, at least where it is the custom, assist him dressed in their canonical robes? No, they must wear a surplice over their rochet if they have the privilege of the rochet.
10. Considering custom, can it be tolerated that an extern Bishop, either in the presence or in the absence of the Ordinary should wear the mozzetta instead of the mantelletta over the rochet? Yes,

it is quite the proper thing *in the house*, at the invitation of the Ordinary or presuming his good pleasure; *outside the house*, no, except in accordance with the *Caeremoniale* (Lib. I, c. 4, nn. 4, et 7), and the Decrees, especially n. 388, when the *mozzeta* and *mantelleta* are used together. The custom referred to must be prudently and gradually removed by the Ordinary.

11. Is it and when is it lawful for an extern Bishop to use the Cappa even in the absence of the Ordinary? It is in order to wear the Cappa when he pontificates at the throne legitimately. But the throne may not be given to the Ordinary's Coadjutor, Auxiliary, Vicar-General, Dignitary or Canon of his Chapter, nor should a Cardinal yield his throne to one who is not a Cardinal.
12. When the function requires the crosier or the Ordinary permits it, how should an extern Bishop turn the crook—towards himself or towards the people? He always turns the crook outwards towards the people.
13. When the Ordinary yields the throne to an extern Bishop is this the Bishop's own throne on the Gospel side or rather should a special throne be erected on the Epistle side for the extern Bishop, the Ordinary retaining his own on the Gospel side? No, the throne that the Ordinary yields to an extern Bishop is his own throne which is on the Gospel side. The throne on the Epistle side is the privilege of the Metropolitan in his province or of a Legate Apostolic who is a Bishop. The right of assisting on the throne does not belong to any Bishop in Ordinary except in accordance with the *Caeremonials*, that is, on his own throne while another Bishop celebrates at the faldstool.

N.B. The *Caeremoniale* directs: That the Bishop should assist in Cope on the solemn feasts; in cappa on lesser solemnities. But if a Bishop is the Celebrant the Bishop in Ordinary should preside in Cappa and commit all blessings, etc., to the Bishop Celebrant except the blessing and indulgence after the sermon which the Ordinary cannot commit to another. If, however, the Bishop Celebrant is a subject of the Bishop in Ordinary, e.g., his Coadjutor, Auxiliary, Vicar-General or Dignitary of his chapter, the Bishop in Ordinary may preside in Cope and perform all the usual blessings.

14. May a Bishop in Ordinary assist on his own throne while his Metropolitan solemnly celebrate at a throne erected on the Epistle side? No.
15. If the Metropolitan or an extern Bishop using the Ordinary's throne pontificates :
  - (a) Is the seventh candle to be used? No.
  - (b) May he have two vested assistant Deacons at the throne, besides the Assistant Priest, Deacon and Sub-deacon of the Mass? Yes.
16. When the Ordinary assists on his own throne while another Bishop celebrates solemnly at the faldstool and if, after the singing of the Gospel, there is a sermon :
  - (a) Which of the Bishops blesses the preacher before the sermon? The Ordinary.
  - (b) Before which of them does the Deacon sing the *Confiteor* after the sermon? Before the Ordinary.
  - (c) Which of them gives the solemn blessing after this *Confiteor*? The Ordinary.
17. If it happen that such sermon is preached by another Bishop in the presence of the Ordinary or during the Pontifical Mass of the Ordinary, who must announce the indulgence after the *Confiteor*? The preacher.
18. When the Ordinary assists only in choir or is absent altogether, and an extern Bishop solemnly celebrates at the throne, if there is a sermon after the Gospel, must or may the Celebrant give the solemn blessing after the sermon? No, since the blessing, as is plain from the *Caeremoniale* and the *Pontificale*, carries with it the grant of indulgences which it would be irregular to omit. Besides the Bishop Celebrant cannot grant the indulgence even by the delegation of the Ordinary; neither can the Ordinary (when only in choir) give the blessing inasmuch as it cannot be separated from the function.
19. When a number of Bishops assist at a solemn pontifical Mass, are the Bishops to be incensed before the Assistant Priest and the Assistant Deacons of the Celebrant Bishop? Follow the *Caeremoniale*. N.B. The *Caeremoniale* gives this order: 1. The Celebrant. 2. A Cardinal Legate. 3. A Cardinal not a Legate.

4. The Metropolitan. 5. Bishops. 6. Assistant Priest, Assistant Deacons, etc.
20. Is the custom to be approved, of holding, on the occasion of certain celebrations, processions, in which all the Bishops present are vested in stole, cope and mitre and carry the crosier? There is nothing against it but the Bishops must not wear the stole nor carry the crosier.
21. In the processions mentioned above:
- (a) In what order should the Bishops walk, that is, the presiding Bishop and the other Bishops? The usual order is observed. If not vested *seniores priores* with the President heading; when vested President in rear with the vested Bishops in front of him in their proper order, and the unvested Bishops walking behind the President likewise in the proper order. In Processions of the Blessed Sacrament the vested Bishops walk two and two, each with a single attendant in surplice bearing the Bishop's candle. Both mitre and skull-cap are taken off. The unvested Bishops walk behind the Celebrant in twos wearing the mantelletta, but a Cardinal walks alone immediately behind the Celebrant, in Cappa, with hands joined and bared head.
- (b) Should there be, or at least may there be, two canons with each Bishop? Not in the circumstances.
22. Can the custom be approved that when the people are gathered together on the occasion of some pious pilgrimage or festivity, all the Bishops present should solemnly impart the usual blessing, chanting the words simultaneously? No; and wherever such custom has grown up, it must be prudently suppressed.
23. May the Ordinary permit his Vicar General, who is also a Titular Bishop and his Auxiliary, to wear the mozzeta instead of the mantelletta? No.
24. Can the said Bishop Auxiliary-Vicar General bless the people inside and outside the church? A Bishop Auxiliary, who is at the same time Vicar General, may bless the people everywhere in the diocese, both in the church and outside the church and by right, without getting the Ordinary's leave according to Can. 370,<sup>2</sup> 349,<sup>1</sup> and 239,<sup>1</sup> n. 12.

25. Considering Can. 337<sup>3</sup> does the decree n. 4023 *S.R.C.* about the right of diocesan Bishops to yield their thrones to another Bishop, still hold good? Yes. N.B. The Can. referred to is *Episcopus, licentiam concedens pontificalia exercendi in suo territorio, potest quoque permittere usum throni cum baldachino*. The decree 4023 has already been referred to and lays down some exceptions to the Bishop's power of yielding his throne to another Bishop. The Decree says he may not yield the throne to his Coadjutor, Auxiliary, his Vicar-General who may happen to be a Bishop, or to a Dignitary of his chapter who may likewise be in Bishop's Orders. Can. 337<sup>3</sup> is therefore taken as modified by this decree.

W. O'FLYNN.



# Notes

We are living in an age of change. Since the beginning of the present century, and especially since the War, there has been growing discontent with the established ways of doing things. The reaction against present evils has too often been extreme and unbalanced: reaction for reaction's sake. That there will be radical changes in the near future we cannot doubt. We must be ready to accept change in so far as our principles allow us; that is, to accept legitimate change. But we must oppose any change which would weaken or sacrifice our principles as Catholic Educators.

More: it seems to me that, in these days of superficial thinking and baseless assumptions, we Catholics, who have the true outlook on all the problems that are perplexing our Godless world, ought to spare no pains to make known to those who are seeking "as sheep without a shepherd" our solution of these problems. This applies to education as much as to any other department of social life: in fact it is especially important in the educational sphere because to-day there is a general effort on the part of other bodies, State and Political, to capture the youth of the world and train it according to their false ideologies. Therefore must we assert our ideals. If we do so, others will follow. We Catholics have the advantage of right theology and right philosophy, and of a tradition that embraces many of the finest minds and noblest educators of the last two thousand years.

We may not be able to realize our ideals; but unless we hold them fast without compromise, we shall do nothing. Education with us will become a mere trade; it will be degraded by just those whose responsibility it is to hand on the best legacies of the past for the preservation of the present and the assurance of the future.

## HIS IDEALS.

We must have ideals; but those ideals must be based on a right account of man. Here I shall touch on a few aspects of the Educational Problem as it concerns teacher and pupil. All the time I want you to ask yourself whether I am justified in my conclusions. I do not wish to preach. I am only trying to throw light on what to me is a vital problem: one whose principles we must discover and enthusiastically assert, whose ideal solution we must try to achieve. That is our duty as Catholic Educators.

What ideal do we put before ourselves? What are we constantly striving (however unsuccessfully) to become? What is our vocation? As Catholic Educators we must before all be Saints. But we must also be Gentlemen and Scholars. That we may lead our pupils with us even to heaven, we must have a true appreciation of the spiritual life; we must be gentlemen, always respecting others as they deserve, fellow labourers in God's harvest field, whose servants we are—*Servi Servorum Dei*; we must be scholars, with a fine appreciation of culture and the intellectual life, no mere Bunthornes, but men and women for whom every accession of knowledge is one more step towards the knowledge of God. That must be our ideal as Catholic Educators. Keeping that ideal before us we may yet do something, to restore learning to Christ; forgetting it we become just so many more to join the too full ranks of those who have allowed to be stifled within them that devotion to an ideal—an exalted ideal—which alone can give life and effect to our aspirations, which we must found on Christ.

#### HIS ENTHUSIASM.

I hope that does not sound like a sermon; but I do want to make clear the nobility of our vocation. It is often said that idealism is unpractical, that the "practical man" is not an idealist. This is not true. The practical man is not wildly enthusiastic:

"A first-class mind has a sense of responsibility in handling new theories; it puts them through all sorts of tests to prove both their logical soundness and their practical utility."<sup>1</sup>

<sup>1</sup>Glen Frank, President of the University of Wisconsin.

But every man who is convinced of the soundness of his ideal is enthusiastic about it. He tries to achieve it in his own life, and to lead others by example and instruction to accept it and to fight for it. History provides countless instances of the lasting work done by idealists, some of them enthusiastic about false and ignoble ideals. But we hold noble ideals founded on Christ Himself: we have dedicated our lives to the achievement (as far as we may) of those ideals: we must be enthusiastic about them; they will enable us to restore learning to Christ, Who is the Way, the Truth, and the Life.

#### OPTIMIST OR PESSIMIST?

It has been objected to my last essay<sup>2</sup> that I "assume optimistic-ally" that I shall always have "interested and enthusiastic pupils." Optimistically? Yes; because the Catholic is an optimist. He does

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<sup>2</sup>"*The Teaching of Languages*," *A.C.R.*, July, 1937.

not forget Original Sin; but he remembers the Redemption. He knows that human nature is weak; but he knows that the very heart of man sighs after high ideals, that it can find no rest until it rests in God; and that God will be the Strength of the weak. Outside the Church many are to-day pessimists; they seem able to see only the bad in themselves and their fellows. Everywhere is an atmosphere of self-defence, of distrust and hatred.

#### AUTHORITY.

Educators with such an outlook go into their classrooms with a firm resolution to "put down" such and such conduct, to wage war on some (often imagined) failing in their class. Now, children are quick to realize that they are not being trusted, and they justly resent this attitude: there is war between teacher and class. "L'élève sent qu'on n'a assez *confiance* en lui. On le surveille, on le domine. Blessé par cette méfiance et par cette organisation qui le conduit sans chercher à le connaître, il se ferme, il se défie lui aussi, il regimbe opiniâtrément et apprend à refuser. C'est le premier aspect de la crise de l'autorité."<sup>3</sup>

Willing to follow a lead that comes up to their ideals, children resent and react against "a driver." They feel that no one has any confidence in them; and they come to lose confidence in themselves, to give up their ideals, to give themselves up to what is easy—not because they are enamoured of it, but because they are afraid that they would fail if they aimed higher. To this discouragement is due, I think, much of the weakness that characterizes the present generation; though in the light of present-day Catholic activity we must at once qualify any charge of weakness.

Because of such an attitude as I have described on the part of the teacher is usually accompanied by an "I-have-spoken" manner, it leads naturally to a revolt against discipline. The pupils are willing to follow ideals; but they want to know the *why* of what they do. They will obey unquestioningly only when they have perfect confidence in the leader asking their obedience or when the command is backed by force. If we go to the trouble of pointing out the reasons why they should do this or that, after a while they will realize that we are acting for their good, and will need to be given fewer explanations. More, their natural curiosity will not be quenched, but used to good effect: they will see that we want to tell them the *why* of things, to explain to them "the mystery of the universe," and instead of asking one another

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<sup>3</sup>Victor Dillard, "*La Jeunesse d'aujourd'hui*," *Etudes*, 5/1/1927.

or going to poisoned wells to drink their knowledge, they will come to ask us about their difficulties. Confidence wins confidence. The confidence we place in them will be amply repaid: they will try to deserve it because (may I repeat?) they realize that we are able and eager to help them. On the other hand, if we adopt the "I-have-spoken" manner, either or both of two things will result: a limp acceptance of whatever is stated with a certain air of authority, and a revolt against discipline. Both results we see around us to-day: and also their natural outcome, syndicalism; for youth wants leaders—but it wants to choose its own leaders to replace those whom it has found wanting.

### REQUEST OR COMMAND

I have raised the question of authority. If you wish to test my statements, recall your own experience. Examine your own attitude to authority. How do you respond to a request, especially if you are asked to do something hard? Or do you prefer to be ordered to do a thing? Or take another example: Which has the greater effect on a congregation, to command them to be good and to avoid evil—or to put before them the motives and examples (especially your own) that will inspire them to such right conduct?

Do you see my point? All our educational work must be interior and individual: we must inspire our pupils to act, not drive them to act. And the inspiration must come from our own sincere enthusiasm.

I do not for a moment pretend that punishment can have no place in our system; but I do say that its place must be very secondary. We should ordinarily appeal to the noble in our charges, and try to make it effective, to develop it by exercising it. If we are always binding down our children by "Thou shalt not," we shall only produce discontent and friction. No, the New Law is grander and broader and truly human—because it is truly divine. "Thou shalt ——," says Our Lord; and adds: "If thou wilt, thou canst be perfect." He appeals to the best in us and encourages us to fight and suffer for our ideals. Often we fall: seldom indeed do we live up to those ideals; but He always encourages us: "Arise"; "Be of good heart"; "Go, and sin no more."

We are trying to restore the ideals which Christ laid down. We are trying to live up to them and to inspire others to follow us—or better, to follow our ideals. Is it unreasonable to ask that in our fight we should fight as He fought, Who "knew what was in man"?

## THE PUPILS' INTEREST.

But what of the pupils? I have said that the confidence we put in them will be amply repaid. It is true that they will confide in us, and that is a lot; but will not our ordinary teaching suffer, our class work—History, for example, or Latin? Can we really interest children in their subjects? To answer that question, ask yourself how long was it before you pulled your first toy train to pieces “to see how it goes.” Did you ever excuse yourself for breaking anything by saying: “I was just — to see what would happen?” When did you give up asking questions? And why? Was it not when you were told that your questions were a nuisance; when you were always met with an “I don’t know,” or “It does, doesn’t it? What more do you want?” or “I say so: isn’t that enough?” And when you went to school did not *things* cease to interest you *because the word was sufficient*? I think it is true to say that children are naturally interested in the world as it gradually unfolds before them. But that interest is easily killed: it will not long survive without our fostering care. We must make good use of it and direct it. That means hard work for us; but that is our vocation.

## THE CONSERVATIVE REFORMER.

Such is the account of man that we must bring to bear on any suggested change. Human nature being what it is, that is the only account of man that can restore true education. The difficulty is not that human nature has been tried and found wanting; but that it has not been tried. Change there must be; but always for the better. We must not sacrifice our principles.

The vocation of a Catholic Educator is an exalted one. We have the charge of souls and minds and bodies. Much is asked of us. We are the real class leaders; we must set the good example; we must inspire our pupils to be Saints, Gentlemen, and (as far as need be) Scholars. And we shall not do that unless we are ourselves Saints, Gentlemen, and Scholars.

JOHN W. DOYLE, S.J.

## Book Reviews

THE RELIGIONS OF MANKIND. By Otto Karrer. Translated by E. I. Watkin. London: Sheed and Ward. Pp. ix, 288. Price (in London) 10s. 6d. net.

In this scholarly work Dr. Karrer studies from the Catholic standpoint "the problem of human religion in general, and the relationship of Christianity to the other religions." His purpose in taking up this subject is neither merely speculative nor polemical; it is above all apostolic, being directed to an actual, pressing need felt by many souls. Like other sciences the "Comparative Study of Religions," once the monopoly of the learned, has in recent times become considerably popularised, at least among the educated; and the problem referred to by Dr. Karrer has begun to attract the attention of a wide public. Unfortunately, serious dangers confront the enquirer. Most of the non-Catholic work he is likely to encounter is vitiated by prejudice and false philosophy; besides, the problem involves some of the gravest and most difficult questions that arise in Catholic Theology. Hence it is imperative that the teaching of the Church herself, as well as the theological opinions she allows, should be made known as widely as possible. To this end Dr. Karrer lectured at various centres in Switzerland to "audiences of mixed denominations," and then resolved upon the publication of the present work, which has grown out of the lectures.

In the opening chapters the author undertakes a survey of the historical religions of mankind, among both civilized and primitive peoples, in order to ascertain the common, fundamental elements of religion which exist beneath all its various forms. He examines in particular the notion of God, the connection between religion and morality, and the prayer of mankind. With an abundance of quotation from original sources and from competent investigators, he not only demonstrates the temporal and geographical universality of the fact of religion, but also shows that man, despite superficial appearances to the contrary, is normally monotheist, is aware of his responsibility to a transcendental Power, and believes that he can communicate with that Power by means of prayer and sacrifice. This *consensus hominum* is not of itself sufficient to prove the validity of these essential religious beliefs; as Dr. Karrer rightly observes, the fundamental truth of the existence of God, from which the others derive, "must be

established at the bar of the intellect by epistemological criticism and rational proofs." Nevertheless, the findings of Comparative Religion strongly confirm the traditional teaching of the Church that man is religious by his very nature, that the human reason can, as the Vatican Council declared, know God as the Beginning and End of all things, and that "in the actual condition of humanity the aid of revelation is a moral necessity if a sufficient knowledge of God 'is to be accessible to all, easily and with certainty, and without admixture of error.'" Thus the shallow rationalist theories, which were supposed to have explained away the fact of religion, are once more effectively refuted, and "the science of comparative religion has been compelled to reconsider its earlier, purely evolutionary verdicts."

Part II. discusses the principal theories put forward to explain the origin of religion in the minds of primitives. R. Otto and J. W. Hauer think that primitive religion takes its rise from a vague feeling of awe and dependence. Dacqué traces its origin to the universal animism which mythology shows to be characteristic of the primitives. Father Schmidt maintains that it comes from a process of reasoning, since "the need to assign causes, the search for the causes of the effects produced, is among the primary activities of the human mind." J. Winthuis admits the speculative process, but holds it to be chiefly concerned with explaining and interpreting sex experience. Newman teaches that the human mind first comes to know God with certainty in the compelling dictate of the moral conscience. Dr. Karer himself is of opinion that no one of these theories fully solves the problem; he points out the truth contributed by each, and in some excellent pages shows that the final synthesis and explanation of the scientific theories is to be found in the Biblical account of man's religious origins.

Part III describes the development of religion first in the primitive stage and then in the later history of mankind. Except where the Divine Revelation has been received and preserved, there appears on a first view to be nothing but chaos; yet in the confusion two main currents can be discerned. One, flowing from the moral perversity of fallen man, has made for corruption; the other, manifested in the clearer thought of the philosophers and of the spiritually gifted, has opposed the forces of degradation, so that "amid the chaotic fluctuations of religious history, we witness *upward movements of amazing sublimity.*" Neither tendency can be said to have prevailed; but

though history does not enable us to forecast the outcome, our belief in the Divine Providence at least bids us not despair:—

For the Christian it is an obvious truth that the evolution of human religions, far from excluding a Divine Providence over the entire process, on the contrary implies it. . . . The movement of the human race towards Christianity is slow, enormously slow. And nobody can say whether or when an external unity will be achieved. But the important point is that the movement *is* in process—a movement, despite all retardations at particular points, to Christ. Viewed from this standpoint by the believer in God's providential guidance, the religious life of humanity, however chaotic and saddening its aspects must often appear, assumes a new and a brighter significance. (P. 177).

In Part IV ("A Comparison of Religions") occur two of the best chapters in the book—those on the uniqueness and supremacy of Christianity. Christianity is not to be regarded as a stage, merely the highest yet reached, in man's religious progress, nor as a combination of the values present more or less in the heathen religions. Its very essence is belief in Jesus Christ, God Incarnate, in Whom men have received at once the highest and the final revelation. Hence Christianity is altogether distinct from "the prophecies, incarnations, theophanies, mystical experiences and revelations of other religions, and in particular of Hinduism." Nor can the acceptance of Christianity be the work of reason alone; it must be an act of faith transcending reason, though the exercise of reason is presupposed. The external and internal criteria of revelation are here well explained and their relative value accurately determined. The supremacy which belongs to Christianity by its very nature is also effectively shown by comparison with other religions: it surpasses all in the fullness, purity and assurance of its teaching, in its consecration of all forms of human activity, in its ennobling of the entire personality, in its Catholicity and Holiness. The impressive demonstration of this thesis is followed by a brilliant scholion on the policy of "sympathetic and benevolent understanding" to be adopted, after the example of St. Paul, by those who preach the Gospel to the heathen.

The last part of the book deals with the problem of salvation outside the boundaries of the visible Church. The first matter to be explained is how men, to whom the divine Truth cannot be conveyed through the ordinary channels, may yet rise to the supernatural faith, or acceptance of revelation, without which none can be saved. Billot



thought that many such, though highly cultivated in other respects, remain in a state of "intellectual childhood" as regards religion; their ignorance of God is invincible, and therefore though they fail to reach the Beatific Vision, they escape damnation in the strict sense. Dr. Karrer does not accept this view. He also rejects as insufficient the theory that faith is made possible by the preservation everywhere of the required minimum of truth as a remnant from the original revelation. Purely natural faith (*fides late dicta*) is ruled out by the condemnation pronounced by Innocent XI (DB 1173) and by intrinsic reasons; the doctrine of the desire of faith (*fides stricta in voto*) is rejected by most theologians; *fides formalis* seems impossible without some special intervention by God Himself; hence the author adopts the theory of *fides virtualis*, combated by Beraza, but defended by Scheeben, Mausbach, Straub and others. According to these writers the soul, co-operating with divine grace, comes to affirm the two essential truths that God exists and that He is the Rewarder; and it does so by a free act which may be explicit, or may be implicit in the practical conforming of moral conduct to the divine law manifested in the conscience. This act argues a readiness to accept revelation if God reveals; hence it implies the desire of formal faith. Besides, since it affirms God as the Supreme Being, it also affirms Him, at least implicitly, as the Supreme Truth, Whose knowledge is all-perfect, and Whose word is invested with absolute authority. But this is precisely how the act of formal faith affirms Him. Hence the act described, being supernatural by reason of the grace with which it is produced, and being equivalent to formal faith by reason of the object affirmed, may justifiably be called an act of strict, though virtual, faith. From it the soul, still with the aid of grace, can pass on to the other acts required for justification—fear, hope of pardon, perfect contrition, charity; and thus acquire the right to eternal happiness.

Whatever theory one adopts, a further problem has to be solved. *Extra Ecclesiam nulla salus*: can an adult therefore who remains inculpably outside the Church be saved? Yes, answers Dr. Karrer; and drawing on the teaching of the Popes, the Fathers and the theologians, he explains the exact nature of the *necessitas medi* ascribed to membership of the Church, and the validity of incorporation by desire, if to the desire be joined faith and perfect love. On p. 270 occurs a somewhat old-fashioned formula which, as Lercher has pointed out, is inaccurate and likely to engender misconception: "In so far as they

(non-Catholics) are in good faith, they belong, not indeed to the body, but to the soul of the Church." But the object of their desire is membership in the *body* of the Church; hence they belong not merely to the soul, but also, though not *actu*, yet *in voto*, to the body.

No one may reasonably quarrel with the author for following the more benign opinions held by recognised theologians; but one or two lesser matters invite comment. The phrase *cogitare ut expedit* used by the Council of Orange bears a more specialised meaning than "to think fittingly of high things, to think about the Divine" (p. 157), or "true and fitting thought in the religious sphere" (p. 191). It rather means to think of Divine things in the supernatural manner required for the soul's justification and salvation. Again, Ripalda's position in regard to the faith needed for justification could be made clearer (p. 241). Though he argued strongly in favour of *fides improprie dicta*, his own declared opinion was that *fides stricte dicta* is necessary (I. d. 20, s. 23, n. 123).

A note indicating which of the foreign works could be had in a translation would make the ample bibliography (pp. 279-288) helpful to a wider circle of students. One would also appreciate exact references to quotations from the more voluminous authors, especially St. Augustine and St. Thomas.

Despite these few minor criticisms, Dr. Karrer has succeeded in a difficult undertaking; he has most ably set forth, in non-technical language, the doctrine of the Church and the subsidiary speculations of her theologians on the fundamental problems of human salvation. His book is not one to be hastily read; neither the matter nor the somewhat austere dignity of the style (at least in the translation) allow of superficial perusal. But the work well repays study. It should also help to bring to Christ many souls who are held back by no more than a misunderstanding of the Catholic claim.

R. J. PETERSON, S.J.

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DE FIDE. Petrus Lumberras, O.P. Romae: Pont. Instit. Internat "Angelicum." 1937. Pages, xii, 199.

As students of St. Thomas are well aware, the second and most extensive "part" of the *Summa Theologica* deals with "the movement of the rational creature towards God," i.e., with man's last end and the acts he must do to attain it. The *1a 2ae* is devoted to a general consideration of man's acts; and the *2a 2ae* to a particular consideration of them, as specific virtues.

Father Lumbreras, who has been lecturing on the *Summa Theologica* in the Dominican University, Rome, is publishing a series of lectures on the *2a Pars*, under the title, *Praelectiones Scholasticae in Secundam Partem D. Thomae*. The first volume appeared in 1935, commenting on QQ. 71-89 of the *1a 2ae*. Now the distinguished professor has passed on to the *2a 2ae*, and published his commentary on QQ. 1-16, in which St. Thomas left his most mature, though not his entire, teaching on the important virtue of faith. The sixteen questions treat in turn of faith in reference to its object, its act, and its habit; of the corresponding gifts (intellect and science); of the contrary vices; and of the precepts respecting faith.

This commentary adheres faithfully to the order of the *Summa*, and its method is strictly scholastic. The opinions of the principal Thomists, or most of them, are noted—often with substantial quotations in the footnotes. In connection with the object of faith, the commentator is sympathetic with the views of Father Marin-Sola. It is pleasing to observe that Father Lumbreras insists on the necessity of a knowledge of the Incarnation and the Blessed Trinity as a necessary means to salvation, or, what practically comes to the same thing, justification. Preoccupations as to what eternal lot befalls the countless men who die without that knowledge, should not deter theologians from accepting this thesis, but rather the thesis, accepted on its own merits, should be always a compelling motive for missionary enterprise  
C.R.

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#### THE REFORMATION, THE MASS AND THE PRIESTHOOD.

Vol. II. Rome and the Revolted Church. By Ernest Messenger, Ph.D. Longmans, Green and Co. Ltd. 30s. net.

In the October *A.C. Record* of 1936 we warmly welcomed the first volume of a work whose permanent value was not forfeited by certain minor errors which, by the way, we notice have been corrected in a list at the end of Vol. II. The same welcome is due to the second volume, which Dr. Messenger with unremitting industry has produced so soon after the first, thereby completing a work of 1349 pages in all.

Catholics deny the validity of Anglican ordinations in the Catholic sense, not in the Protestant sense, of Holy Order. In the end, the controversy depends on a dogmatic issue, viz., the true conception of the Christian ministry, and this in turn depends on the true conception of the Blessed Eucharist. It was because the Church of England

under Edward VI. repudiated the Catholic doctrine of the Real Presence and of the Sacrifice of the Mass that it rejected a sacrificing priesthood and substituted an heretical ministry of the word and the sacraments. The Edwardine Ordinal was designed precisely for that.

Vol. II begins with the accession of Queen Mary and the appointment of Cardinal Pole, who as Papal Legate reconciled the nation to the unity of the Church. The Edwardine orders were treated as invalid from the beginning. In connection with the official declaration to that effect in 1555, it is pleasing to see that Dr. Messenger investigates how far the decision was influenced by the then common theological opinion that the porrection of the instruments (omitted in the Second Ordinal of Edward) was the essential matter of the Sacrament. Even though the Instruction of Pope Eugene IV. *Ad Armenos*, embodying that theological doctrine, was expressly referred to in the decrees of the Synod of Lambeth in 1555, nevertheless, Dr. Messenger is justified in concluding that "there is no evidence for, and a great deal of evidence against, the view that Anglican Orders were condemned because of the absence of the tradition of the instruments." The ordinations by the First Ordinal of Edward, containing a tradition of instruments, were rejected no less than those by the later Ordinal.

When the Marian bishops were extruded from their sees in Elizabeth's reign and a new hierarchy set up by the totalitarian State, these "parliamentarian bishops" obviously lacked the *potestas jurisdictionis*; but did they receive valid *potestas ordinis*? Dr. Messenger shows that once again, as in Edwards's reign, their ordinations were null and void owing to defect of form and defect of intention. The "Nag's Head" story about Parker's consecration is, of course, discredited in view of the evidence of the Lambeth register which for long had been concealed from the public; although Dr. Messenger is "tempted" to suggest that there may have been a specious foundation for it in the form of some rehearsal in the said tavern, where the consecrating prelates dined a few days before the ceremony.

Prayer Book, Articles, and the writings of Elizabethan "divines" are sifted by the author, showing how definitely anti-Catholic was Anglican Church at the time.

"By the end of Elizabeth's reign the true priesthood (in the Church of England) had been completely lost." Hence it is "comparatively unimportant," as Dr. Messenger remarks, that under the

Stuarts there was a recoil from the extremely "low" view of the ministry and the Eucharist. The Anglican doctrine under James I. and Charles I. is reviewed, and the final Settlement of 1662 described, when the Church of England received the Prayer Book and Ordinal it still has—the House of Commons having refused to ratify the proposed Alternative Book ("Catholic" or Protestant) in 1928.

The last Part of this exhaustive study is devoted to the official condemnations of Anglican Orders by the Holy See since the 17th century. In the particular cases submitted to the Holy Office in 1684 and 1704, the decisions were based on the same dogmatic grounds as the general decision of Pope Leo XIII. in 1896, i.e., defect of form and defect of intention. Dr. Messenger interestingly records the discussions leading up to the famous Bull, *Apostolicae Curae*, adding some new information from recent documents. While acknowledging that the Papal condemnation was meant to be final, and that it was the only decision consistent with honesty and truth, Dr. Messenger thinks it was not *ex cathedra*. Not all doctors agree with him in that.

There is a chapter on attitude of certain Catholics to Anglican ordinations in the Malines "Conversations," which meetings English Catholics then viewed with misgivings and which have since proved futile. One of the most original chapters is on the recent recognition of Anglican Orders by some of the Orthodox Eastern Churches. This recognition appears to be only an "economic" revalidation, based on principles at variance with the historical doctrinal position of the Church of England, and probably, Dr. Messenger suggests, influenced by "mundane" considerations.

C.R.



## BOOKS RECEIVED.

The following books have been received, and may be reviewed in future issues:—

Marietti, Turin:

*Praxis Ordinandorum* (C. Carbone).  
*De sacris functionibus*, Vol. II (Moretti).

Herder & Co.:

*Patrologia* (Steidle, O.S.B.).  
*Critica* (De Vries, S.J.).

P. J. Kenedy & Sons, New York:

*Child Psychology and Religion*.  
*Blessed Martin de Porres* (Kearns, O.P.).  
*Eucharistic Hours for Priests and People* (Reany).

Longmans, Green & Co. Ltd.:

*Nativitas Christi* (Mother St. Paul).

The Dolphin Press:

*The Considerate Priest* (Kerby).  
*Prophets of the Better Hope* (Kerby).  
*Next Sunday's Sermon* (Sharp).

Sheed & Ward:

*Soviet Tempo* (Connolly).

Pellegrini & Co. Ltd.:

*What does the Pope say about Catholic Action?*  
*Christian Civilization versus Bolshevist Barbarism* (Forrest).







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Diocese of Lismore—Rev. T. Morris, West Kempsey, N.S.W.

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Diocese of Port Augusta—Rev. W. Kain, Carrieton, S.A.

Diocese of Rockhampton—Rev. T. Byrne, Rockhampton, Q.

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**Nihil Obstat :**

**RICHARDUS COLLENDER,**

**CENSOR DEPUTATUS.**

**Imprimatur :**

**✠ MICHAEL,**

**ARCHIEP. SYDNEYENSIS.**

# Official Documents

SACRED CONGREGATION DE PROPAGANDA FIDE.  
DECREE.

APPROVING THE REVISED AND NEWLY ADOPTED TEXT OF THE  
GENERAL STATUTES OF THE PIOUS UNION OF THE CLERGY FOR  
MISSIONS.

The General Status of the Pious Union of the Clergy for Missions, promulgated by authority of this Sacred Congregation in 1926, have, on account of the growth of the Union, undergone timely revision and adaptation at the hands of the Eminent Fathers of this Congregation assembled in general Session, on the eighth of last March. The revised text is annexed to this Decree.

Our Most Holy Lord Pius XI by divine Providence Pope, in an audience granted to the undersigned Secretary of the Sacred Congregation of Propaganda, on the ninth of last March, approved the decision of the Eminent Fathers, and entirely ratified the text of the Statutes given hereunder, ordering the present Decree on the matter to be published.

Given at Rome, from the Palace of the same Sacred Congregation de Propaganda Fide, the fourteenth day of April, the Solemnity of St. Joseph, A.D. 1937.

P. Card. FUMASONI-BIONDI, *Prefect.*  
+ C. Costantini, Titular Abp. of Theodosiopolis,  
*Secretary.*

## GENERAL STATUTES OF THE PIOUS UNION OF THE CLERGY FOR MISSIONS.

### *I. Of the nature and end of the Union.*

1. The Pious Union of the Clergy for Missions is an Association of Priests established for the purpose of helping the sacred Missions of the Church, as is declared in No. 4.

The same, having been approved and enriched with favours by the Holy See, altogether depends on the Sacred Congregation de Propaganda Fide.

2. It venerates as its special Patron the Blessed Virgin Mary, Queen of Apostles and of Missions, and pursues the end proposed to it under her singular patronage.

3. The Pious Union is to be erected in each diocese according to the norm laid down in canon 907 of the Code of Canon Law.
4. This Pious Union proposes to inflame the souls of Priests with love for the conversion of the nations, so that through them the whole Christian people may be enkindled with zeal for Catholic Missions and so the whole Church may concur in spreading the Kingdom of Christ throughout the world.

It strives, moreover, to foster the return of all non-Catholics to the unity of the Church, since the union of all Christians is a condition of great importance for obtaining the conversion of pagans.

5. The Union of the Clergy for Missions is not a new Missionary Work established to collect the offerings of the faithful nor is it meant to take over the government of other Missionary Works, although it endeavours to dispose the minds of the faithful, so that they may help all missionary works to the full extent of their power.
6. The members of the Pious Union strive to attain their purpose by the following chief means:

(a) by fervent prayers to the great, good God for the happy success of sacred Missions and for good results from their own personal work in favour of the Missions.

(b) by becoming acquainted with the needs of the Missions, with the apostolic labours which are being carried on by Missionaries in various regions of the world, with their success or non-success and similarly with everything that concerns the spread of the Kingdom of God, especially amongst pagans.

(c) by conferences and congresses of the Associates wherein they shall mutually enlighten each other regarding the needs of the Missions and exhort each other to come to their assistance.

(d) by fostering missionary vocations in Christian families, either for the priesthood or for the work of Missionary helpers.

(e) by reminding the faithful of Christ, through sermons, public conferences, private conversations and exhortations, through the public press and in other suitable ways, about the great work of evangelical preaching amongst infidels and about the various ways in which it is possible to succour the needs of Catholic Missions.

(f) by freely giving a helping hand to those who are in charge of Missionary Works, and principally those which have been recognised by the Holy See as its own and recommended above all others in the *Motu Proprio Romanorum Pontificum* of May 3, 1922. These are above all the Work of the Propagation of the Faith, the Auxiliary Works of the Holy Childhood and of St. Peter the Apostle for the education of the native Clergy as well as the annual collection on the feast of the Epiphany for the ransom of captives or for the African Missions; also the special collections for certain regions or missions or for particular needs which may arise in missionary places.

(h) by promoting the celebration of Missionary Feasts, Conventions or Congresses and such like, that the zeal of the faithful of Christ towards the missions may be fired and grow strong.

(i) by furthering through private or common action, according to local circumstances and as enlightened zeal may suggest everything calculated to draw dissenting brethren to the unity of the faith.

## II. *Of the Membership.*

7. In the Pious Union of the Clergy for Missions all Priests, both secular and regular, may be enrolled, as well as clerics who are students of sacred Theology.
8. Enrolment is made either by the Diocesan Council or by the National Council, or in the absence of these, by the International Secretariate instituted at Rome.
9. By enrolment the burdens proper to the Pious Union are undertaken and a right is acquired in regard to gaining the Indulgences and enjoying the favours and privileges which have been accorded by the Holy See to the Pious Union. The members should know, however, that it is not enough to give one's name to the Pious Union, but those duties are to be sedulously and faithfully fulfilled which the members at enrolment undertook, that is, if they desire to really enjoy the graces granted to the Pious Union by the Church.
10. Ordinary members are those who, besides the other duties of the Pious Union, yearly pay the contribution fixed by the National Counsel.

11. Perpetual members are those who, besides the faithful observance of the duties accepted, pay a larger contribution specially fixed by the National Council.
12. Honorary members are the Bishops and Cardinals of the Holy Roman Church who have joined the Pious Union.
13. All Priests who actually live in the Missions or who by reasons of health, old age or obedience have been obliged to leave them enjoy all the privileges and graces accorded to the Pious Union.

### III. *Of Government.*

#### A. The International Secretariate and its Council.

14. In order that the Union of the Clergy for Missions may be more easily instituted in all nations and its action more efficaciously ordered and directed, an International Secretariate of the Union has been constituted at Rome in immediate dependence on the Sacred Congregation de Propaganda Fide.\* This International Secretariate is directed by an International Council.
15. The members of the International Council are:
  - (a) The Secretary for the time being of the Sacred Congregation de Propaganda Fide, who is the President of the Council;
  - (b) The National Directors of the Union of the Clergy for Missions and the General Secretaries of the Union of the Clergy and of the Papal Missionary Works, while in office; also those men from various nations resident in Rome whom the Sacred Congregation de Propaganda Fide shall choose as being specially conversant with Missionary matters. These are nominated for five years and may be re-elected.
16. The General Secretary is nominated at will by the Sacred Congregation de Propaganda Fide. While in office, he is a member of the Supreme Committee of Missionary Co-operation and of the Supreme Councils of the Papal Missionary Works.
17. Every five years, the International Council of the Union shall be convened. But when circumstances suggest it, the members of the Council, who are resident at Rome, may be convoked by the President, with deliberate vote.
18. It belongs to the International Secretariate under the guidance of the Council:

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\*Address: Via di Propaganda, I-a, Rome (Italy).



(a) to see to the establishment of the Union of the Clergy in nations and dioceses through the respective Bishops, and when established, to stimulate and promote its activity;

(b) to publish regulations in accordance with which the propagation of the Union may be furthered everywhere fruitfully, concordantly and actively; to make the end and nature of the Union publicly known, so that its statutes may be everywhere uniformly known and observed;

(c) to use suitable means for the establishment of mutual bonds between the various National Unions, in view of giving each proper solidity;

(d) to foster the supernatural spirit amongst all the National Unions and to set forth with all zeal the mind of the Church with regard to Missionary co-operation on the part of the faithful of Christ;

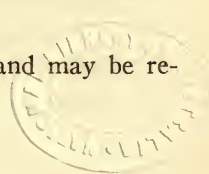
(e) to demand annual reports from the directors of the National Councils and to draw up statistics;

(f) to convoke the International Conventions of the Union;

(g) to examine and approve regulations (*réglements*) proper to each nation drawn up by each National Council according to the norm of these General Statutes.

#### B. The National Council.

19. In each nation the Pious Union is immediately subject to a National Council consisting of a President, the National Director of the Union, the National Directors of the Papal Missionary Works, and some Councillors partly chosen from amongst the diocesan Directors, partly from among such men as have deserved well of the Missions.
20. The President of the National Council is nominated by the Sacred Congregation de Propaganda Fide from amongst the Bishops of the Nation who most favour the Union.
21. The Councillors are elected by the President with the advice of the local Ordinaries, if there is question of secular Priests, and with the advice of the Regular Superiors, if there is question of Religious.
22. The Councillors remain in office for three years and may be re-elected.



23. From among the Councillors one shall assume the office of Secretary and one of Treasurer; the duties of each, apart from the nature of the office, being determined by the President.
24. It belongs to the National Council to promote the Pious Union in the respective Nation with all zeal, to fix the contribution which is to be paid by ordinary or perpetual members; to examine and take cognizance of accounts of receipts and expenses on the part of the diocesan Councils, to help these when necessary, to summon Congresses of the Pious Union of the whole Nation, and other such things.
25. The National Council shall meet at least once each year at the summons of the President.
26. The seat of the National Council is determined by the President.
27. It belongs to this Council to nominate a Director to whose control everything concerning the action and progress of the Union in the Nation is referred according to the regulations approved by the Council.
28. The National Director shall especially see that the Union be propagated by spoken and written word amongst Priests and Clerics in the Seminaries, and that an Official Bulletin of the Union for the Nation be published.

#### C. Diocesan Council.

29. The Pious Union of the Clergy for Missions is subject in each diocese to a Diocesan Council consisting of a Director or Moderator and Councillors, of whom one holds the office of Secretary, another that of Treasurer.
30. Both the Director and the Councillors are nominated by the local Ordinary and remain in office at his will.
31. It belongs to the Diocesan Council to promote the Pious Union in the diocese, to see that all priests are enrolled, and especially that all members are inflamed with zeal for the Missions and actively pursue the holy end of the Association.
32. The diocesan Council meets twice a year and, besides, as often as the Director deems it opportune to convoke it.
33. It belongs to the diocesan Moderator, at the beginning of each year, after having previously reported to the diocesan Council, to send for approbation to the National Council a report of the receipts and expenses, as also of the work done together with a list of new members.

34. The Secretary shall draw up the minutes of all acts both of meetings of the Council and diocesan Congresses, and also of any notable things pertaining to the Pious Union.
35. It belongs to the Treasurer, who is dependent in everything on the Director, to collect the contributions payable by each member and faithfully administer the monies, giving a yearly account of them to the Diocesan Council.
36. The seat of the Diocesan Council is determined by the Moderator or Director, with the consent of the Ordinary.

#### IV. *Of Congresses.*

37. International Congress of the Union of the Clergy shall be called at the time and place determined by the International Council.
38. A National Congress of all the members of the Pious Union for Missions shall take place every five years, now here and now there, in the chief places of the Nation, at the choice of the President.
39. If, for special reasons, an extraordinary Congress is judged necessary, the President, with the approbation of the National Council, shall call the diocesan Directors and put the matter before them.
40. In the ordinary Congresses the Director shall make a report of the memorable things that happened since the last Congress.
41. The Director shall likewise give an account of the economic status of the Pious Union in the Nation.
42. The National Congress shall deliberate on the state of the Pious Union, on the best means of fostering love and zeal for the Missions in the members and of such other matters as come on its agenda; it shall likewise deliberate on petitions received from the Moderators of Missionary works and other like matters. Without the explicit consent of the National Council, it shall not be lawful to discuss at meetings such matters as are not comprised in the schedule of the Congress.
43. A diocesan Congress shall be celebrated at least once every two years; an extraordinary Congress may be convoked by the Director, after he has consulted the Council and received the approval of the local Ordinary.
44. The Diocesan Congress is subject to the same regulations as the National Congress.

# The Missionary Union of the Clergy \*

Over thirty years ago a young Italian priest was working on one of the mission fields of India. Although his position was in no way different from the majority of other missionaries, he could not help but see the impossibility of making much headway working as he was, single-handed, with Christians in twelve different villages to care for, with scarcely any time left to give even a passing thought to the tens of thousands of pagans on all sides.

"How few we are," he reflected, "against such tremendous odds! This is a task," he reasoned, "not for a few hundred or for a few thousand but for great armies of hundreds of thousands, for the common effort of the entire Church." But, above all," he concluded, "it is a task which needs the co-operation of the entire priesthood of the Church." He was Father Paul Manna, afterwards Superior-General of the Foreign Missions of Milan, and the founder of the "Missionary Union of the Clergy."

Overwork and consequent illness forced his return to Italy, but his heart was still with the missions he had left. Naturally, in his new sphere of life the burden of his conversation was mostly the missionary endeavour of the Church. Speaking about it, writing about it, preaching about it, he soon became aware of a curious attitude of mind among the clergy of his native Italy. It was not that they were hostile to missionary work; he found them always kind, and sometimes even enthusiastic. It was not that they were not interested; he always found a ready audience and a great deal of sympathy. It was abundantly apparent, however, that the great bulk of the clergy of Italy looked upon the missions as something that reached them only at a tangent, something that did not concern them personally, something that belonged entirely to another section of the Church Militant. For most of them the care of souls in their own parishes was sufficient preoccupation; for a few, the affairs of the diocese required all their time; and a still smaller few were concerned with the affairs of the Catholic Church throughout Italy. They seemed to consider that as God had given them vocation to work in their own country, and had not asked them for personal service on the foreign missions the missionary work of the Church should be left strictly to those who had received such a vocation, and should only vaguely encroach on the interests of the parochial clergy.

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\*Reprinted from "Apostolatus," 1938.

## OUR FELLOW-PRIESTS.

We who are priests can readily understand the impression made on the spirit of the young Father Manna. In all our undertakings we are well used to the opposition of the world, in fact we would be surprised if we did not receive it. If there is one thing, however, which we prize above all others, it is the co-operation of our fellow-clergy. If, in any enterprise, we have the good-will, the assistance, and the encouragement of our fellow-labourers in God's service, we feel that surely God's blessing is not far removed from our work. There is no one so lonely, no one so easily discouraged, as the man who is working without the sympathy and without the co-operation of his fellow-priests. Father Manna knew men who had been working like that—Italians and French, Germans and Americans—he had been one himself—and from the memories of his struggles arose the idea of the "Missionary Union of the Clergy."

## "GO YE INTO THE WHOLE WORLD!"

The guiding principle of the Missionary Union of the Clergy is founded on the last words which Our Lord spoke as a commission to His Church before He left this earth: "Go ye into the whole world, preach the Gospel to every creature." This command of Our Blessed Lord's was directed to the whole Church, and it must have been directed in a very special way to the members of His priesthood. Endowed as he is with the power of perpetuating the Sacrifice of Calvary, the privilege of that power of the priest carries with it the corresponding responsibility of making all mankind the subjects of his ministration. The Sacrifice was for all, and the priesthood must be for all.

Catholicism has never been at ease with mere Nationalism, although it has encouraged the development of a truly national expression of Christian life. Of its very nature it is international, universal. In the Body of Christ there is no east or west. The Catholic Church stands as a concrete expression of the international spirit in which all men, rich and poor, learned and ignorant, black and white, yellow and brown, alike find their natural and their equal home. Circumstances, and the workings of Providence, very often place a priest in a position where his primary interest is, and must be, centred in the spiritual care of a number of souls in a restricted area. Being, however, "Alter Christus," the interests of the priest must be as wide as the Heart of Christ. While He was labouring on the highways and byways of Galilee, while He was preaching on the Lake of Genesareth, while He was curing the sick and

the lame in the streets of Jerusalem, the Heart of Christ was planning and was working for His creatures across the face of the earth "from the rising of the sun to the going down."

### A GUIDE TO THE PRIEST.

Not to every priest does God give this supreme call of leaving home and country to dedicate his life to the salvation of an unknown people—and sometimes it is easier to work where suffering is keenest, and the glory more certain; but every priest is a partaker of the Mission of the Apostles, and no officer in God's army may shut entirely out of his heart the command to "go and teach all nations." The role that the Missionary Union of the Clergy is intended to play is really that of a guide. It attempts to draw the attention of the priest to the outstanding principles and facts concerning missions, and through that introduction to encourage him to a livelier intimacy with his brother priests on the mission field. It is important to realise that the Missionary Union is not a collecting agency. In fact, the small subscription that the ordinary member gives each year is entirely returned to the donor in the form of Mission literature. But while it does not gather funds for the Missions, yet it does endeavour to point out to the priests the great needs that exist—needs of prayer, of increased man power, of material—and then leaves it to his own good judgment to do what he can and will to realise the need.

The Missionary Union of the Clergy was founded in 1916. One year later the Missionary Union counted 1254 members. It is interesting to note that the first priest in Rome to join the Missionary Union of the Clergy was the then Librarian of the Vatican, Monsignor Ratti, who was afterwards to be the present reigning Pope Pius XI. At the International Congress of the Missionary Union of the Clergy held in Rome in November, 1936, the number of clergy throughout the world who were members of the Missionary Union was cited as 160,000, thus being the largest organisation of the clergy in the Church.

At that Congress of the Missionary Union an International Secretariate was established, with Father Manna as the world secretary of the Union, and during the last twelve months the Holy See has made a special effort for the diffusion of the Missionary Union of the Clergy throughout the world. At the Congress, the fact was stressed that only in great numbers and in the union of the priesthood throughout the world is there any real hope of winning. After pointing out that this

united action of the priesthood had possibilities of profoundly influencing rising civilisations in the growing cultures of new people, the founder of the Union stated that "we shall never obtain the desired result unless we collect into one agency all the living energies of the Catholic priesthood to the supreme end that Christ may triumph in the present non-Christian world." This is the precise aim of the Missionary Union of the Clergy.

How may this objective be fulfilled? Three essentials are required. (1) Knowledge; (2) zeal; and (3) practical action. A thousand times each of us has repeated to children that we are all made to know, to love, and to serve God in this life, and before we love, we must first know, that the more we know God, the more we love Him, that we serve Him as a natural consequence of our knowledge and our love. In the same way the more we know the Missions, the more we will love the mission ideal, and the more we know and love the Missions, the greater will be the value of our service to the Missions.

#### KNOWLEDGE.

The primary object, therefore, of the Missionary Union is to encourage the priesthood to learn of the Missions. The Missionary Union of the Clergy, in each country where it is established, publishes usually a bi-monthly review for the clergy, giving facts about the Missions. Such a review has been established also in Australia, under the very appropriate name of "Apostolatus." This must be regarded merely as a beginning, and a very modest beginning at that. With its very limited resources, all the review can do at the present time is to give some passing indications of those problems and those events of the Mission fields which should be of supreme interest to the Australian priesthood.

It can be shown that the future of the Missions depends upon our knowledge of them, and until the priesthood of Christian countries really knows the Missions, we can never hope for an understanding on the part of the laity. The future of the Missions is the future of the Church and the future of civilisation. Carrying this thought still a step further, the future is in the hands of the priests. Almighty God has entrusted to us the task and the privilege of being world saviours.

#### ZEAL—

Once conscious of the Mission task, we are stirred by what it represents of all that is noble on the part of the missionaries. We feel proud

of the glory which the vast missionary enterprise reflects on the entire Church. We are profoundly happy that such numbers find salvation through the Missions. We experience deep satisfaction that the Church grows and takes on new vigour. But what shall be the nature of our individual adherence to the Missions?

—NOT SENTIMENT.

Quite certainly every intelligent priest will make sure that his attitude towards the Missions does not depend upon sentiment. A recognition of the fact of missions will mean a recognition of our duty towards the Missions—a duty established by Christ and founded on the Scriptures, on theology and on the verdict of history as well as of our contemporary Vicars of Christ. With none of us will it be a matter of mere “appealingness” of the cause, powerful though this may be. It will be a question of conviction born of duty.

ACTION.

Speaking to the members of the Superior Council of the Pontifical Society for the Propagation of the Faith on May 19, 1936, His Holiness Pope Pius XI made the following statement:—

“It is well to note, my dear sons, that persons of such responsibility as you have the right and, to a certain extent, the obligation, not merely to recommend and to persuade, but rather to indicate the strict duty of all Christians towards mission co-operation, because they are Christians, living members of the Mystical Body of Christ, and possessing the precious gift of Faith which immense numbers of men do not possess because they have not received the smallest announcement of the Divine Redemption.”

“A STRICT ACCOUNTING TO GOD.”

This utterance is characteristic of all that His Holiness has said with regard to the Missions. Even in such an important document as the Encyclical, “*Rerum Ecclesiae*,” he speaks quite bluntly of duty to the Bishops of the world:—

“No one of the faithful can free himself of this duty. What, indeed, shall we say of you, Venerable Brothers, raised as you are to the fulness of the priesthood, and each of you finding yourself in your diocese at the head of your clergy and of your Christian people? It is not only to Peter, whose Chair we occupy, but to all the Apostles, whom you succeed, Jesus Christ, as we read, has given the command, ‘Go into the whole world and preach the Gospel to every creature.’ Whence it follows that the task of spreading the Faith falls to us, but that without any doubt you owe us your collaboration and your aid up to the point which the performance of your duties permit. And may you show no hesitancy in following our paternal exhortations, Venerable Brothers for in a matter of such great importance we must all one day render a strict accounting to God.”



As has been said already, the Missionary Union of the Clergy leaves it to the individual priest's own good judgment to do what he can and will to realise the needs of prayer, of increased man power, and of material assistance to the Missions. The Missionary Union, however, places a number of proposals before its members to enable them the better to carry out their obligations to the object of the Union.

#### PRAYER.

The first proposal on the part of the Missionary Union is one of prayer. It asks each member to offer the Holy Sacrifice once a year for the Missions. There is no need to elaborate on the tremendous flood of grace that is poured out on the mission field by the 160,000 Masses that are celebrated each year by members of the Union for the Propagation of the Faith. It further requests him to give frequent remembrance of the Missions in his Divine Office and daily prayers, and to stimulate the laity to pray. In the Divine Office the member of the Missionary Union has an ideal instrument at hand for the fulfilment of this, the first, duty towards the Missions. It is a constant prayer, it is a prayer common to every priest, and, above all, it is the official prayer of the Church.

#### FAMILIARITY WITH THE MISSIONS.

The Missionary Union asks the priests to maintain and deepen their knowledge of the Missions by reading books and news of the Missions, and to aid in the wide distribution of Mission magazines, such as "Catholic Missions," the official organ of the Propagation of the Faith, as well as those published by various mission societies.

#### VOCATIONS.

One great work of the Union is to encourage in various ways young men and young women to give their lives as missionaries. Although necessarily here in Australia we have for a long time past, and will for a long time to come, be concerned with vocations for God's work in our own country, yet there is a great field for missionary vocations among the youth of Australia. We have our own native race to consider, we have the races of the Pacific Islands off our very shores, and it is only just that Australia's sons and daughters should be taking their place in the field by the side of the missionaries of other lands. If we are generous with Almighty God, He will be generous with us, and there is no surer way of bringing God's blessing on vocations for the home missions

than by working generously also for the appeal of the Universal Church. No one can do more than the priest in the matter of discovering and encouraging vocations, and, faced by the needs of millions of souls, the Church turns to him and begs his aid.

#### THE SPOKEN WORD.

The priest has repeated opportunities to introduce the mission idea into his talks, sermons, and instructions. In fact, the Missions offer an almost endless source of material for talks suitable for any occasion. Nearly all persons, both young and old, invariably show keen interest in stories of the Missions. They can be used to great advantage to exemplify the practice of religion under trying circumstances. No better means can be found to visualise in a practical way the mark of the Church known by most, but really understood by few—Catholicity.

#### PROMOTING MISSION WORK.

While the Missionary Union is not a fund-raising agency, it aims to stimulate a concern for the Missions among its members to such an extent that they will take a spontaneous interest in doing as much as they can to promote the material welfare of all mission enterprises in so far as they are able. In the first place come the three Pontifical mission aid societies—namely, the Propagation of the Faith, the work of St. Peter Apostle, and the Holy Childhood. With regard to the first, his Eminence the Prefect of the Sacred Congregation of Propaganda emphasised the necessity of priestly co-operation when he said recently, “Priests, particularly members of the Missionary Union of the Clergy, are the backbone of all missionary efforts. On them depends the progress of the Society for the Propagation of the Faith.” The work of the Society of St. Peter Apostle is a work that should be very dear to the heart of the priest, aiming as it does to provide means for the promotion and the bringing to fruit of native vocations. Only in a properly formed and strong native clergy can the future of the missionary endeavour of the Church be secured. The Association of the Holy Childhood is likewise a great mission movement that looks to the members of the Missionary Union for support, for it realises the special power and ability of priests in turning the thoughts of the children of Christendom to the tens of millions of little ones neglected in paganism.

Besides these Pontifical Associations there are also a number of mission societies which have just claims upon the help of the priests. Despite the sums which the Pontifical Societies distribute throughout

the world, at present they can provide only a part of the total mission needs. So, of necessity, there must exist individual Mission Societies which provide for the needs of their personnel overseas and the entire cost of missionary training. These societies also are in a special way the care of the Missionary Union of the Clergy.

#### IN OUR OWN AUSTRALIA.

There is one very important part of the work of the Missionary Union of the Clergy which was stressed at the International Congress in Rome in November, 1936, and which is of very special interest to the priests of this country. The Missionary Union does not intend to confine its attention entirely to the conversion of the infidels, but it wishes also to stimulate and to intensify the work for the recovery of those Christians who have strayed far from the standard of the True Faith. How many are there of our fellow-citizens who are Christians in name only? How many Australians have lost all practical belief in God? How many are living as decent animals, without a thought of, or even belief in, the life to come? What are we doing for them?

Individual priests are doing what opportunities and circumstances will allow, and individual souls are being bettered by their ministrations, but the great bulk of our non-Catholic fellow-citizens are almost completely outside the influence of the Catholic Church.

Only the tremendous moral power of a united Catholic priesthood can hope to overcome this apparent stalemate. This is one of the principal ends of the Missionary Union of the Clergy, and it needs no argument to demonstrate the splendid field for its operation that exists in Australia.

Both Pope Benedict XV, in whose reign it was founded, and Pope Pius XI, who has seen its development throughout the world, have spared no efforts to warmly recommend the Missionary Union of the Clergy. Special mention of it was made by Pope Benedict XV in his Missionary Encyclical, "Maximum Illud":—

"But that our wishes may be carried out with better security and success, you absolutely must, Venerable Brethren, direct, so to say, the training of your clergy towards the object of the Missions. The faithful, as a rule, are willing and love to support apostolic men; but you must make a wise use of this inclination, for the great benefit of the Missions. Know, therefore, that it is our wish that in all Catholic dioceses of the world there be founded what we would call a Missionary Union of the Clergy, to be placed under the authority of the Sacred Congregation of the Propagation of the Faith, to which we have given all necessary authority. Recently founded in Italy, it has rapidly spread to other countries; and as it has flourished with our support, we have muni-

ficently endowed it with Pontifical Indulgences. And for good reasons, for under its influence the activities of the clergy are excellently directed, not only to the work of guiding the faithful who have a zeal for souls, but also to carry on the various institutions that the Apostolic See has patronised for the benefit of the Missions."

In his "Rerum Ecclesiae," Pope Pius XI makes the following charge to his Bishops: "Nevertheless, that this work may be linked with the other duties of your pastoral office, see to it that the Missionary Union of the Clergy be established in your diocese, or, if it has already been established, encourage it to renewed activity with your advice, exhortation and authority. This Union, which was providentially founded eight years ago by our immediate predecessor, was enriched with numerous Indulgences, and was blessed under the authorisation of the Sacred Congregation of the Council; in these last three years, it has spread over many dioceses of the Catholic world. We ourselves have honoured it more than once with testimonials of our Pontifical benevolence. All the priests who belong to this Missionary Union, and all ecclesiastical students, according to their status, pray particularly in the Holy Sacrifice of the Mass, and encourage others to pray, for the gift of the Faith for the innumerable multitude of pagans. Everywhere and on every possible occasion they preach to the people concerning the apostolate to be carried on among the heathens, or they see to it that, from time to time, on certain days, very profitable conferences on missionary work are held. They spread missionary literature, and whenever they meet a person with the signs of a missionary vocation, they direct that person to an institution where he may be properly prepared. In every way possible they encourage and promote, within the limits of their own dioceses, the work of the Propagation of the Faith, and all other work subsidiary to it. You are well aware, Venerable Brethren, of the means already supplied by the Missionary Union of the Clergy for the aid of this good work, and of the means that the future promises, as the generosity of the faithful increases year by year. Some of you, Venerable Brethren, have been patrons and sponsors of this Missionary Union in your own dioceses. It is our earnest desire that henceforth there be no cleric who has not been inflamed with the love of the Missions."

# John Bede Polding

XVI.

## *Summary:*

Report to Society for Propagation of the Faith. Praise for emancipists. Influence of Dr. Polding's visits on observers. Dean Kenny's tribute. The Bishop at Bathurst. Condition of female convicts in assignment. Centres of activity. Persecution. Dr. Polding's protest. Dr. Ullathorne wishes to resign. Decides to remain. Again tenders resignation.

In the following Report to the Society for the Propagation of the Faith, there is nothing we do not know, and one paragraph we have already quoted in full; but through it breathes the spirit of the Bishop, elated at the progress, humble in telling of the part he played and grateful to God and His various agents for their assistance. It was written at the very beginning of the year 1840:—

“Gentlemen,—The assistance which, during the last two years, we have received from your Association has been of immense service in the improvement of this vast Diocese. It has enabled me to aid in the support of several young Irish ecclesiastics already advanced in their studies and with whom I have formed the commencement of my seminary. Through their co-operation I have been enabled to open a public school where the benefit of a Christian education is given to the Catholic children. This young institution, which is prospering daily is under the direction of Dr. Ullathorne, so well known by the apostolical zeal which he had displayed in Europe in favour of my flock. The eloquent appeal which he has made to Ireland and England has decided a great number of excellent ecclesiastics to join us during the last eighteen months. All devote themselves with ardour to the glorious mission of preaching repentance to sinners and lightening the chains of the captive. When I landed in Australia, in September, 1835, I had but six clergymen with me; at this moment I have twenty-three priests under my jurisdiction. Of these two are established at Norfolk Island and three in Van Diemen's Land. Thus religion has been able to extend its benefits to a vast extent of territory, and yet my clergy and I have felt, and still feel, sincere and deep regret for not having a priest to devote to the conversion of the savage natives. I am convinced by my own experience that the faith would be easily spread among the tribes which are removed from all intercourse with the Europeans with whom any contact is commonly the source of corruption. These savages—the object of so much contempt—appear to us intelligent, cheerful, and very observing. I had from time to time the opportunity of seeing them, and when I could speak to them on religion I found it very easy to make them comprehend the principal truths of the Catholic faith. The cross, particularly,

is for them a subject of serious reflection. Oftentimes we have the happiness of seeing fathers bring to us, at Sydney, their children that they may receive a name—it is thus they signify baptism. We grant, without difficulty, this favour whenever a priest resides on the territory which the tribe inhabits, and we give a certificate which is to be presented to the missionary in order that he may watch over the regenerated infant. Any writing which we entrust to these savages has, in their eyes, something mysterious and sacred, and if they happen to know that the letter or ticket concerns themselves or their children they preserve it with a truly religious care. The friendship which they have for each other, and the affection which they testify for any kindness shown to them, are qualities which characterize and recommend their good disposition. Nothing is more affecting than to hear them speak of their attachment to Father Therry, who, during several years, was alone occupied with their salvation; so that if you wish to give them a favourable idea of the priests you have only to represent them as brothers of Father Therry, and the Bishop as father of all.

A little sugar and water with bread is sufficient to satisfy them. Lately, near Wollongong, the Clergy gave them a feast of this description. The tribe assembled to celebrate the happy event. Formerly it was numerous, now it is only composed of a few families. An old woman went to take her seat apart and the young paid her particular attention; it was a pleasure to see that their first care was to put aside her portion and immediately to present it to her with respect. They have a particular predilection for a little spot on the coast opposite where I live. Several times during the year they assemble there to celebrate what they call a corroboree. Their singing is plaintive, I should say melancholy, even when they wish to express joy. It is in the night-time they meet, and the noise they make awakens all the neighbourhood. Although my residence in this country does not go beyond some years, I am able to ascertain of myself that the number of aborigines is rapidly diminishing. In a little time hence and that people shall have entirely disappeared before the destructive breath of a civilization which is neither inspired nor directed by religion. When shall this portion of my flock be able to receive the care of some devoted pastors who, going in search of the savage would endeavour to preserve him from the corruption of our cities—would keep him in the bosom of his solitude and there speak to his well disposed heart? If it be permitted to me to express on this subject an opinion, which experience has suggested, I would say that the young persons brought up in France for the foreign missions are peculiarly adapted to this good work.

In the course of this year our dear Sisters of Charity arrived in Australia; we shall for ever preserve a grateful recollection of the event. After residing some weeks near Sydney they established themselves in a house founded for them at Parramatta that they might be able to attend to the unhappy female convicts in the great prison and in the workhouse. At this place a glorious mission is opened to them; and oh what miracles of grace has God wrought through their ministry! The establishment which is under their care contains at the present moment near six hundred Catholic women, and never, perhaps, has the light, the consolations, the succour of faith been bestowed on more desolate beings. The Sisters attend the prisoners twice in the day at stated hours; they also visit them frequently in the intervals. Their labours are directed by my Vicar-General—and have in a short time worked a remarkable improvement in characters which seemed incapable of correction—silence and order have succeeded to quarrelling and never-ending disputes. After some weeks I was invited to administer the Sacrament of Confirmation to more than a hundred prisoners, and among these to several aged women whose life had been formerly stamped with infamy. In a little time afterwards eight other convicts received the same grace; many of them approach the Holy Table every month, and thirty or forty communicate every week. The fervour of these poor creatures gives us consolation and delight. I am also invited to give Confirmation in the workhouse, where there are some sheep which the Good Shepherd desires to bring back to the fold by ministry of these pious and admirable nuns. There were certainly great rejoicings in heaven on account of the sinners whom we have seen converted, and of the prodigals we have received this year into their paternal home.

Aided by your holy association I have commenced the foundation of a second convent in Sydney, where the assistance of the Sisters is eagerly desired. Two of them have the care in the meantime, of our establishment for orphans where there are 80 children. These unfortunate infants have been, for the most part, familiarized with crime from the moment their understanding began to act. Some of them, scarcely seven years old, have been seen to rise from their beds at night, and guided by the instinct of theft, to go to the beds of the new comers and search their pockets, or rove about the house trying to steal provisions, not through want but merely to gratify their depraved dispositions. However, all feeling is not as yet extinguished in these young hearts, and thanks to the maternal care of these good religious they will become, I am convinced, honest and virtuous; several of them have already shown the example of a blessed change. I regret exceedingly that I am still unable to send you

such complete information on my mission as our brethren in Europe seem to desire. I have taken measure that your members shall in future be constantly informed of all the good which is produced here by their alms. Until the present time our ministry could be only exercised within very narrow limits on account of the small number of my assistants; but now that our Church is established in a firm manner, and that our numbers are increased, everything promises to our efforts the most consoling results. There have been this year 4000 communions at Sydney, and 2000 at Parramatta; 250 dissenters have returned to the Catholic faith; 9 churches are building in the principal towns of the Diocese, and we are preparing to commence several others in different localities. The kind and generous aid which we have received from your Society has revived my courage which had failed. I was indebted £1400 for the completion of the Cathedral. As soon as I shall see the possibility of discharging this debt I shall lay the foundations of another church at Sydney, which reckons a population of 28,000 souls, of whom one-third are Catholics.

I continue to receive the most satisfactory accounts from Norfolk Island, where an astonishing reform has taken place; criminals who were reputed incorrigible have become examples of docility and resignation.

During the last year about 2400 transports arrived here, among whom they reckon 800 Catholics. We brought the latter to attend the religious exercises which always precede their departure for their several destinations; such as had not been confirmed received this sacrament. When we consider that these unhappy creatures were, for the most part, on the brink of the abyss into which crime and despair were ready to plunge them if religion had not stretched forth to them her arms, must we not admire the Divine goodness which makes use of temporal chastisements in order to save souls, and which is often nearest to us at the moment that we think ourselves abandoned? The conversion of these prisoners is one of the greatest consolations of our ministry. In general they persevere in their good resolutions, although they are often more than a year without seeing a priest. They show a great desire to receive the aid of religion, as you will perceive from the following instance. About two months since I held a station on Macdonald River for the purpose of assisting the Rev. Mr. Brady, the missionary of Windsor. A poor prisoner, named Nolan, hearing that Mass was to be celebrated at the place obtained leave to go to attend it after his Saturday's work. The distance he had to travel was 35 miles. The same evening he arrived at the establishment called Chapel of Saint Rose, in Hawkesbury, and the following morning he ran from 17 to 18 miles in order to have the happiness of receiving Holy



Communion. This poor man was hardly a fortnight out of the hospital where he had been confined by a sore leg. Immediately after Mass he resumed his journey that he might be at his work on Monday morning.

The year just past was a period of dreadful suffering, particularly among the convicts, and a great number of them died of exhaustion and want, and some fainted and expired on reaching the hospital. The provisions of every kind were excessively dear, the drought having destroyed the crops. This year, thanks to the Divine mercy, will be a year of abundance; but the faithful are very poor and unable to contribute, according to their wishes and our wants, to the many good works which so many necessities multiply among us.

Receive, I pray you, my thanks and those which my grateful flock address, through me, to your venerable association which God has raised up to make known and bless His holy name to the bounds of the world. Already, although cast to another end of the earth, we have shared in the fruits of its zeal and generosity. We are anxious to hasten with our ardent prayers the moment when it will be permitted us to extend and advance it among ourselves. Every fifteen days my clergy and I celebrate the Holy Sacrifice for all our benefactors; under this title we particularly include in our prayers the members of the Propagation of the Faith. The 3rd of November of every year we unite with our brethren spread over the earth and offer with them the propitiatory sacrifice for the deceased members. May their souls rest in peace, and their good works, like our gratitude, accompany them into the other life.

I have the honour to be, etc.,

J. B. POLDING,

Vicar-Apostolic of Australia."<sup>1</sup>

In this letter we see again illustrated the deep tenderness with which he regarded the less fortunate members of his flock; and, as a kind of corollary, some remarks on the emancipist question made about this time come opportunely. The occasion was the laying of a foundation stone at Macdonald River. The Emancipist question was far from dead, and a section of the colonists would lief have crushed these *free by servitude*. It goes without saying that the Catholic sympathies were generally favourable to the Emancipists; for a great number of the Catholics who had been transported, had, on the expiration of their term of imprisonment, become creditable members of the community. It was the generosity of one of these that led the Bishop to express his very strong opinions:

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<sup>1</sup>Moran, *History*, etc., pp. 303-6.

“... The land on which we stand is given by Mr. Watson, who also deposited £300 as his contribution. The Almighty has blessed his labours, and he deems it right, thus to return a part to the service of Him who gave all.

Already does he see around him the rising families of the children he and his excellent wife have adopted for their own. Placed by him on farms purchased by his own honest and well-deserved earnings, he enjoys the highest and most exquisite feast it is for their happiness and prosperity. For their use and for the public benefit, he devotes so large a sum to the erection of this church. I may mention another circumstance, which, in my mind, lessens not the value of that donation, nor diminishes my estimation of the man. Thirty years ago, in a moment of thoughtlessness, that was done, which has been the cause of great regret. Is this not amply expiated and atoned for? Is the stain of such a fault to be made more enduring than the justice of God? Not so thought that Blessed Legislator from whose code, as illustrated in his own example we are accustomed to draw our rules of life, when the publican Zaccheus, nay, even the chief of the publicans, sought, and he succeeded to see Jesus, was he not forthwith recognised by the Saviour, and desired to prepare to receive him in his house—for that he intended to abide with him. What were the dispositions of Zaccheus? “Lord,” says he, “I give one half of my goods to the poor, and if I have wronged anyone, I restore to him fourfold.” And when we see those who have followed Zaccheus in his aberrations, imitating him in their return, striving by honest industry to raise themselves that they may see Jesus, and merit to be recognised by him, who came to save the sheep that was lost, shall we hold in eternal remembrance the fault of one moment? It is not thus we shall prove ourselves the ministers nor even the disciples of Jesus Christ;—never, never will be seen in the conduct of the true disciple of Jesus symptoms of aversion, and contempt for a large class of his fellow citizens, in which, if there be found objects of punishment well deserved, there are, and must be, from the nature of human institution many many victims of misfortune.

“I cannot fasten my judgment to the ever-turning wheel of fashionable opinion. I am not prepared to deem Joseph a degraded character, though sold as such by his malevolent brethren—nor to pronounce the blessed Jesus guilty, though condemned as such by those leagued together for his destruction—nor to throw a stone at the bidding of every Pharisee.—I regard not of what classes the settlers and cultivators of the soil are composed. Wherever I go, and I have largely traversed this country, I meet men of industrious domestic habits, solicitous to give their children an education superior to their own. I perceive a deferential

respect where respect is due—attachment, combined with that proper sense of independence, which in my mind evinces a sense of propriety totally incompatible with vulgar or mean thought. Take for instance this beautiful valley with its inhabitants! See those plains! How zealously has not the plow pursued its claims—to the very mountain foot! Not a weed is visible amongst these families of corn plants, who bend their deep green flags to the breeze—emblem, dear children, in Jesus Christ, of your own state who are now truly the *cultivation of the Lord*. How often have I not reposed, when neither lock, nor latch, nor fastening protected—save from the midnight air. . . . . Such being your state—your dispositions, why should the minister of peace make enquiries odious and uncharitable. Most willingly do I bear my testimony, that in no part of England, and I have seen much of her rural population, have I observed a middle class possessed of qualities more valuable, or by their conduct more deserving of estimation and of trust, than it has been mine to meet here and in other parts of the colony which I have visited.”<sup>2</sup>

It is useful, from time to time, to record the opinion of those who listened to the discourses of the Bishop; and a settler from the McDonald River furnishes us with such in a letter to the *Chronicle*:—

“ . . . that the impression made by the Right Rev. Dr. Polding upon the minds of the people on that solemn occasion, has been felt and observed since, and will for a long time. Our Venerated Pastor, the Rev. Mr. Brady, was pleased to congratulate us, seeing the happy effects of his Lordship’s visit amongst us, in effect, the Holy time of Christmas and the New Year, was spent in a Christian-like manner, and the people are happy in the many blessings they have received. . . . .”<sup>3</sup>

Other grains of incidental information deserve a place in the annals of the time for they show the expansion of the Church and the vigour of its growth. The Wollombi correspondent hands down to us this interesting paragraph:—

On the 8th instant, that really indefatigable clergyman, the Rev. Mr. Lynch, paid his periodical visit to this place, and performed divine service in the presence of a numerous congregation, many of whom had to come a distance of fourteen or fifteen miles. A subscription was entered into and men set to work, to erect a church on a piece of land, the gift of an inhabitant. The effects of the labours of our clergy have already become apparent to the Catholic inhabitants of the district, although not yet a twelve-month since the first visit of the Rev. Mr. Mahony. . . .<sup>4</sup>

<sup>2</sup>*Australasian Chronicle*, January 14, 1840.

<sup>3</sup>*Australasian Chronicle*, January 17, 1840.

<sup>4</sup>*Australasian Chronicle*, January 21, 1840.

A few weeks later, Dr. Polding was in Bathurst to lay the foundation of the Church at Bathurst, and, under an awning on the site, the Holy Sacrifice was offered. The expressions of joy and thanksgiving that come from one M.D.D. writing of the event are too touching to be omitted:—

“What were the feelings of love and gratitude that filled the heart of the Cātholic, and the recollections that crowded the mind when he beheld the mitred prelate raise his hands to heaven to draw down a blessing on a land which the dark clouds of infidelity so long overshadowed, he best knows whose heart had been once consoled by the life-giving truths of Christianity, but which unpropitious circumstances allured into error and vice, from which it requires to be purified. It was really gratifying to witness the edifying patience with which both Catholics and Protestants attended, under a scorching sun, to the ceremony of blessing the foundation.”<sup>5</sup>

This beginning of the year 1840 is a good index of the manner in which the rest of the year was to pass. Dean Kenny records that “the Catholic Church made great strides during the years 1839 and 1840,” but if he had said that these were the most progressive and important years of all the nineteenth century, few would dare to contradict him. The stamina and the energy of the Bishop are amazing. To follow his journeying for the year, north, south and west, raises a question whether any one man could do more even in these days of easy travel. In those days he could have no rival in all the colony.

We have used the Dean’s words quoted below at an earlier period; but if we repeat them here—the period to which they belong—they will strike home with a greater force.

“Sir R. Bourke’s Church Act was now in full operation and it was deemed advisable by the Bishop and his Vicar-General to take advantage of its provisions without delay. Through the strenuous efforts of the Bishop and his clergy, churches and schools were erected in the most populous parts of the Colony, as a means requisite for the advancement of religion. The Right Rev. Dr. Polding was then in the vigour of life, and he did not spare himself in the labour of the Lord’s vineyard. Wherever his clergy required him to lay the foundation stone of a church, or to promote any other good work, he was sure to be present at the time and place—in fact, it may be said he then worked almost night and day. There were no good roads in those days, nor trains nor telegraphs, and in many places only bridle paths. He

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<sup>5</sup>*Australasian Chronicle*, Feb. 7th, 1838.

travelled with his clergy from place to place, through the thick forest, exposed to a broiling Australian sun, and shared with them the terrible thirst, which sometimes there was nothing to quench but muddy water. Everywhere he was received by the people with joy and acclamation, and they bowed implicitly to his injunctions. The Bishop was an excellent horseman, who bore well the heat and brunt of the day, and often, at the end of a very long ride, was less fatigued than the young clergy who accompanied him."<sup>6</sup>

Not only did he travel amongst his people, but he seemed to be able to grasp the peculiar difficulties and circumstances of the different districts with marvellous clarity. And in his addresses to the country congregations, he stressed these points in a way that was compelling, yet, at the same time not hurtful. Some of his words when laying the foundation stone at Bathurst illustrate his method :

With considerable gratification I meet you on the occasion which this day assembles us—an occasion which, owing to causes over which neither you nor I could exercise control, has been so long delayed. These causes have been explained to you by your excellent pastor, and to them I need not now advert. Blessed be God—if the building up of the material temple has been delayed, the intervening time has not been lost, for by the labours of your pastor and his coadjutor, the stones of the sanctuary which lay scattered have been gathered together—the spiritual temple, which consists in a building up the people towards God, has made progress, and such progress as much rejoices the hearts of all interested in your welfare and that of society. I am much gratified to hear that drunkenness—a crime once so prevalent, the parent almost of every vice, the cause of every woe—is less common amongst you. In the decrease of that propensity, there must be a general amelioration of conduct, and such I am informed is the case. . . . Yet there are, I lament, still instances of individuals setting at naught the proprieties of social life and the commands of God, by living in a state of impurity. . . . Let them remember that the bond of marriage is sacred and indissoluble—that the union formed by God, man may not dis sever—it continues until death, the minister of God, dissolves its obligations; and to contract a marriage without full certainty of this event, is to form no other than an adulterous connection. The number, however, of such individuals so circumstanced is much diminished, and I trust this stain on the social order of this district will soon disappear; for this sin does spread disgrace around it, it communicates disgrace to all who voluntarily associate with the parties under its

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<sup>6</sup>Kenny: Progress, etc., p. 185.

guilt—a guilt which no rank, no wealth, can render respectable, which reduces the highest with the low, the noble and the base to the same degraded level. . . . With grief I have heard that while the grosser vices have diminished, animosities and dissensions, to a certain extent, exist amongst you. Can this be? What! dissensions amongst the children of one family—disunion amongst the members of Jesus Christ? With what propriety can you each address your Creator by the endearing term, Our Father. . . . You have generously raised a sum which exceeds in amount any with which churches have been commenced in other parts of the colony. . . . Not one amongst you would not contribute a sum ten times greater than he has already given, were it required, and within his means; there is a sum—not greater indeed—required, however, and within the means of all. It is the surrender of the resentment any one may feel towards another. . . .<sup>7</sup>

The letters from correspondents to the *Chronicle* may fairly be taken as illustrating Dean Kenny's statement that the people everywhere received him with "joy and acclamation." And the story of events later in the year will bring added proofs.

On the Monday following the ceremony at Bathurst, the Bishop set out for Wellington Valley to study the progress made amongst the aborigines by the Protestant missionaries who had established a station there. He was bent on initiating Catholic activity for the conversion of the natives—and was anxious to add to his knowledge of methods and difficulties.

The following letter shows us the Bishop at work amongst the prison population immediately after his return from the west; but it also gives us an outside view of the social problem that is so distressing in the history of the colony for more than fifty years since its foundation.

"Parramatta, Feb. 14, '40.

"Sir,—On last Wednesday, the Catholic Bishop visited Parramatta. His Lordship celebrated Mass in the Female Factory, and after suitable instructions, explanatory of the nature of the sacrament, and of the dispositions with which it should be approached, administered Confirmation to over sixty inmates of that institution. Immediately before leaving, His Lordship addressed a feeling and an instructive discourse to them on the means by which the graces that day imparted might be made to fructify abundantly, and to obtain for them, in the ways of virtue—perseverance to the end of their lives, despite of the many trying and

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<sup>7</sup>*Australasian Chronicle*, Feb. 7, 1840.

perilous temptations to which they would be subjected on leaving the factory.

Gratifying it must have been to His Lordship to have observed the dispositions manifested by many of those poor creatures—gratifying to have known that those dispositions were called forth by the untiring exertions and unostentatious piety of the ‘Sisters of Charity,’ who attend the Factory every morning and evening, uninfluenced by any reward, save that arising from the consciousness of doing good, or any hope, save that whose object is beyond the grave. But pleasurable as were the feelings that filled the breast of the good bishop, on Wednesday, they could not be unmixed. A few days, and those individuals so happily disposed would be assigned without distinction to Christian and Gentile—to the blasphemer of the name and person of our Redeemer—to the revilers of morality and all religion, who would deny them access to religious instruction, make the manifestation of virtuous sentiment subject for searching ridicule and worthless witticism, and, by their own licentious example, allure them from virtue—by harshness, tyranny, and not unfrequently by insufficient food and clothing—necessitate them to be vicious.

Were his lordship to visit the Factory, in a few months, and to see many of those individuals returned, perhaps to the cells, fallen indeed would he believe them to be; and how would he feel, unless indignant that so much labor was lost upon them. But were he to lend an ear to their tale of woe, to the obstacles placed in their way, to the difficulties by which they were surrounded, to the temptations to which they were exposed, sure am I that sterner hearts than his would relent, that the weakness and the frailty of our nature would exact a tear, and that no special blessing would be invoked upon the execrable system of Assignment from the Female Factory. Far am I from desiring it to be understood, that the system of assignment is *in every instance*, prejudicial to their morals, nor do I assert that this may be affirmed *as a general truth*; but I do not hesitate to say that it is objectionable in so many instances as to require revision, and to afford a fit subject for the wisdom and humanity of our Council to legislate on.—I am, Sir, Yours &c., HUMANITAS.”<sup>8</sup>

Mr. Duncan could not resist the temptation to comment on that letter; and his comment is biting:

“ . . . If masters, or rather *mistresses*, had the good sense, if not the humanity, to endeavour to make these poor women *forget* their degradation, instead of straining their ingenuity to make them *feel* it, the objections to assignment would be fewer, and less strong than unhappily they are at present.”

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<sup>8</sup>*Australasian Chronicle*, Feb. 18th, 1840.

The pages of the *Chronicle* during the years of its existence are so interesting that one would wish to reprint a half of their contents. The great difficulty in making a selection is not what to put in, but what to leave out. There is a wealth of matter that makes up a tribute of glory to our forefathers in the faith. In the days of their happening they were just isolated incidents; but as we see them now in cumulative strength, we realise the depth and solidity of the foundations on which the Catholic Church in Australia was built. McDonald River, Wollombi, Burragorang, Bathurst, Wollongong, Appin, St. Patrick's (Sydney), Goulburn, Yass, Cowpastures (Camden), Windsor, Stone-quarry (Picton), Dapto, Jamberoo, Maitland, Bungonia, Berrima, Brisbane Water, Liverpool, Hexham, and Melbourne. These are all places that appear in the records of the year as centres of intensive Catholic activity. Sites had been obtained or churches had been begun or were nearing completion; and though the interest in the detail is mainly local, yet the broad fact of the progress made cannot help impressing us after a hundred years. New schools had been established at Campbelltown and Wollongong, the congregation of the former town being "the first to erect, at their own expense, a school-house, at once in a moral and material sense creditable to them," and tenders were being called for the Catholic orphanage.

The Bishop's presence at most of the places named in the catalogue of activity during the year shows the wide area he covered and his almost super-human efforts in the service of religion; while the warmth of the welcome extended to him in every centre attests the awakened spirit of the Catholics and opens to our sight a field white with harvest.

A Protestant minister, Rev. J. McKenny, writing of these missionary achievements, writes:

"This is not a question of mere pounds, shillings and pence, for it now assumes this form, 'Shall Australia be a Protestant or a Popish Colony?' The number of priests who are being sent out is quite frightful . . . ."

That quotation is merely by the way, but it leads up to the fact that these advantages were not gained without individual pain and persecution of the Catholic body. Judge Burton's scurrilous book was to reach Australia during the year to stir up a general bigotry, but that will probably be discussed later. In the earlier months, the *Chronicle* had to tax various officials with acts of injustice of which the following extracts will give a sample:



"Some time ago the Rev. Mr. Mahony, from Maitland, paid us (the Catholics of Dungog) a visit, and, finding that his services would be beneficial, he repeated his visits every six weeks, remaining three or four days each time, and labouring to recall the people from the path of vice to that of virtue. Having nothing but a hut to meet in for the celebration of Divine worship, we applied to Mr. Cook, the police magistrate, for the use of either the court house or the police barracks (which is unoccupied), both of which he flatly refused . . . and, not content with this, he has thrown every additional obstacle in our way that lay in his power.

And, as if he were determined to establish an Inquisition in this district, he holds prayers every Sunday at Dungog, at which he compels Catholics (such as constables, ticket-of-leave men, &c.), contrary to the dictates of their religion and conscience to attend—the former under pain of dismissal, the latter under pain of having their tickets cancelled.

Last Sunday this lay-parson-magistrate officiated at Dungog. James Boland, keeper of the lock-up, and Patrick Coleman, ordinary constable, did not attend, they being Catholics, and forbidden by their clergyman to do so. Cook sent the chief constable to them, with a message that if they would not attend they would be dismissed. They replied they would not. Accordingly, Cook caused a notice to be placed on the courthouse on Monday, in his own handwriting. It runs thus:

'ADVERTISEMENT. There will be wanted for this establishment (to come into pay on the 1st of April next) a Lock-up Keeper and Ordinary Constable. They must be of good character, and none but PROTESTANTS need apply.'

Thus are two men dismissed because they would not profess a religion they do not believe. Cook is only a layman, but any person who attends his prayers—no matter how dissolute or wicked his life may be—he will escape with impunity. This is a notorious fact, and will be corroborated by any person who knows this district. Boland is a man advanced in years, and an old soldier. He served in the whole of the Peninsular War with the 30th regiment of foot, and always bore an excellent character. . . . "9

The *Chronicle's* Leader on March 31st is devoted to this matter:

" . . . . We did not think that there could be found in this age, in any Christian country, one holding the situation of a magistrate, capable of acting up to the worst examples of the worst days of religious intolerance. We could have almost sworn to the impossibility of a magistrate being found under the sway of Queen

Victoria, and under the eye of such a man as Sir George Gipps, who would dare to discharge a veteran of the days of British glory in the Peninsula from the office of *lock-up keeper* simply for refusing to betray the faith of his forefathers; and, in addition to this, to post up an advertisement, in his own magisterial handwriting, for a successor to this lock-up keeper, and to a common constable similarly discharged, insulting the whole colony with the infamous veto, NONE BUT PROTESTANTS NEED APPLY.

“What! A Catholic not fit to be a lock-up keeper! The possessor of the faith of Alfred and of the Barons of Runnymede not fit for the situation of an ordinary constable! Why, the penal laws which were written in the blood of our ancestors hardly went this far. . . .”

The Catholics of the district took the matter up with Dr. Polding, who wrote to the Colonial Secretary:

“Sir,—A petition has been presented to me on the part of the Catholics residing on Williams (Upper) River, praying that I will call the attention of His Excellency to some circumstances which have occasioned great excitement and discontent in the district.

(He outlines the case and copies the advertisement).

“The Catholics of the district deem themselves insulted by the invidious distinction and exception introduced into this public notice, and connecting it with the dismissal of two men from their situation from no other cause than their attachment to their religion and their preference of its forms to those of another church, they consider themselves not safely guarded against undue prejudices, if a police magistrate can openly violate the first principles of religious liberty and avow the violation with impunity.

“I have, therefore, the honour to present this case for inquiry by His Excellency, and to request he will take such steps as may prevent the continuance of the discontent which at present is stated to exist, and which cannot fail to produce calamitous results.

I have the honour to be, etc.,

J. B. POLDING.<sup>10</sup>

April, 1840.

Within the diocese itself there were threatened changes which worried the Bishop considerably about this time. It will be remembered that when Dr. Ullathorne returned from England, his health was somewhat broken—a result of his strenuous efforts in the home countries. The storm of abuse with which the anti-Catholic party greeted his return, and the fresh outbreaks of bigotry, together with the frankness of “one of the senior clergy, whom I had sent out, (who) told

<sup>10</sup>Moran: *History*, etc., p. 306.

me that they would never have peace so long as I stayed in the Colony"—all these tended still further to damage his nervous system.

Then, before he went away, Dr. Ullathorne was quite definite on the point that the Bishop was quite incompetent to deal with the office of the Catholic community, and could scarcely do without him. The Bishop in his humility seconded this idea. But the event proved that Dr. Polding was far better equipped than either of them had imagined for treating with the Government in its various departments. The finding that things had gone on quite well in his absence was somewhat disappointing.

Besides, the sojourn in Europe with all its feverish activity seems to have unsettled him for the comparative obscurity of Parramatta and the occasional attendance at the Vicariate office.

He decided to resign from the Australian mission and return to England. Dom Birt ascribes his resolve to an attack of nerves; and most probably that is true. At any rate, his frequent changes of mind during the following two years give an indication of nervous indecision.

However, it was very distressing to the Bishop, who was as busy as man could be in the purely pastoral duties of the diocese. He tried to arrange matters in a manner satisfactory to his Vicar-General, and managed to delay the final break; but it had to come. In October, 1839, it was publicly announced that Dr. Ullathorne would retire, and Dr. Polding wrote to a friend:

“ . . . My Vicar-General has, I fear, made up his mind to leave this country. On my return to Sydney I found a letter from him, requesting my sanction to this measure, written in the most earnest terms. How much this grieves me I cannot tell you. I had, as I thought, arranged everything to his satisfaction. Parramatta had become uncomfortable to him, and the labour was too great. I had brought down Mr. Brennan to be there for a time at least. Dr. Ullathorne was to be the President of the Seminary, to transact the business of the diocese as Vicar-General, and to go to the Sisters of Charity once a week by the steamer which returns the same day. I had arranged all, as I thought, so that I could visit my people without uneasiness. Thus I am disconcerted. I know not what I shall do. Poor Ullathorne's health is indeed sadly shattered, and his spirits have become affected. The savage calumnies heaped upon him by our wretched press, have alienated his mind from the country, and he imagines, I am sure, groundlessly, that there is existing against him a general prejudice. The good he did this Mission in England you on the spot may perhaps more distinctly know than we at a distance: by the fruit we know

that good. But since his return his services in the cause of religion have been beyond all praise. He has formed the House of the Sisters of Charity; his labours have made the Factory an abode of penitence. Almighty God has sent me many trials; this is, of all, the most severe. May His holy will be done. . . ."<sup>11</sup>

By the middle of the month, Dr. Ullathorne had made up his mind to remain; and the following letter shows the enthusiasm with which he again took up his duties. But he is rather unjust to the Bishop who was so considerate of him. The jangled nerves made a focus of the Bishop's *weakness*, mainly because Dr. Polding's ideas of office routine differed from his.

"My dear Confrere," he writes to Mr. Brown, "I have delayed writing to you until I could furnish you with something definite. The mission is, on the whole, doing well and vigorously. We are much straitened by want of missionaries. Twelve good active men would be a great relief to us. And the Christian Brothers in Sydney we cannot do without, so I suppose you will send them. Our recruits are doing beyond all expectation well. For a new mission, give me the young men in their first fervour with an old head over them. They are placed two and two in the centre of large tracts of country with scarcely any control, and never trouble their heads with any one thing but their mission. The moral face of the country is showing a new set of features, though much desperate wickedness must of course continue to thrive. We have just had it promulgated from the Governor that the present system of transportation is to cease instanter, no more assignments, all convicts on arrival are to proceed straight to Norfolk Island, where a penitentiary system is to be established; after a certain number of years the prisoners are to come here in the enjoyment of tickets-of-leave, withdrawable on bad conduct. As I have had my small share in bringing about this state of things, you may be certain I am not very popular with the money-making leeches of the Colony. On that score, and on the old one of being an inveterate promoter of Catholicity 'per fas et nefas' they imagine, I have been since my return the 'best abused man' on this side of the globe, O'Connell being the one on your side. The whole of the Press has been upon me; seven columns per diem is a good allowance, especially when enriched with a republication of Dens. The *Sydney Monitor* has established a distinction between the old Gothic popish church and its abuses and the new modern reformed Catholic one, at the head of which he puts Dr. Polding, who bears it, together with the honourable innuendo as to my headship of the old Gothic, in most amiable patience.

*Entre nous*, my dear Confrere, I have had much to suffer

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<sup>11</sup>Birt: *Benedictine Pioneers*, i., p. 436.

from the Bishop's weaknesses. I have twice entreated permission to give up the Vicar-Generalship, and twice resolved to return to my Order. I had nearly completed my arrangements last week, and had actually taken my cabin; the fact that I am leaving is still uncontradicted before the public, and the Catholics are actually taking measures for a public meeting, an address, testimonial, etc. Dr. Polding's penchant for the mission makes him neglect business; the Government correspondence is in a scandalous state; the duties towards the clergy and general business, done or put off or abandoned, according to impulse, the Bishop himself a continued prey to his own acute and morbid feelings, and his very house together with his person so thoroughly under the despotic sway of the only two priests who do not cordialise with the rest, that it was painful for any priest, even myself, to go near his house. His eyes are at length open; he confesses it was only such a trial as I have put upon him would have done it. He wrote me a letter in most yearning language, and could not understand why I should leave him. I at length told him everything strongly, first by letter, next through Father Brady, a man I revere as a saint. He admits he has not treated me well, and that I am justified in my intention of leaving him; confesses he has not the firmness to govern the Church; that if I go all things must be confused; that there is none to succeed me whom the clergy will look up to; and surrenders the management of all affairs into my hands. I have insisted as a basis of all arrangements, a statement of accounts; and that he live by himself, that all may have equal access to him: that he will conceal nothing from me in which the Church is interested. That when a thing is once deliberated upon and decided, it shall be committed to execution, and not changed by the fleeting whim or nearest influence. On these terms, at the public invitation of the Bishop and Clergy, I consent to remain for the present. I take in hand the young Seminary, the general business of the Church, not one iota of which in its mechanical workings, shall be transacted out of my office room. This will, I trust, set things on their legs again, and there are only one or two of our priests whose hearts will not be much lighter. One of these wants my place, but could never have it for want of breadth of mind and freedom of temper, though otherwise a very good man and a valuable missionary. There will be much congratulation in the Church, and much sorrow among the bigots at the news of my remaining. Gregory has just arrived from Norfolk Island. There has been a mutiny amongst the military; the Commander drew his sword, the soldiers refused obedience and handled their muskets. Major Bunbury told them they should march over his dead body if they advanced. Gregory stepped forward, and seized the first man's musket, and was the chief means of restoring order: 160 of them

have come up for Court Martial. Gregory is the same simple-hearted, affectionate, laughing soul he ever was, and a most valuable missionary. Sumner is a very weak man of especially small use. I have been obliged to be kindly firm in his regard since my return. He is under Mr. Goold at Campbelltown. By the bye, Gregory will tell you my description of Norfolk Island is one of the most matter-of-fact things you ever read. My chief consolation in all my cares is my dear Convent of Sisters of Charity. I have had it all my own way from the beginning. It is a community of saints. I have had almost to recast the greater part of them; there is something radially wrong in Mrs. Aikenhead's management, but she has most valuable subjects. I had more anxieties on the voyage out than I ever had in my life, and am now only recovering from the effects on my constitution. We have two novices. I believe the prayers of the Convent have brought things about more than anything else. It was the sense of the desolation of the Convent without a soul to know or understand them, which tugged most desperately at my heart and conscience strings, or I believe I should not now be here. What would I not sacrifice to have Mr. Heptonstall along with the Bishop. I foresaw all this, and felt he would have been the means of preventing it. What would I give to live in the simplicity of obedience in St. Gregory's. No one but one who has experienced it, knows the pain of the evil effect on self, of being obliged to govern and almost command your own superior and Bishop. God help me! See, my dear friend, what a confidential letter I have written you. Pray for me, counsel me; a letter from you would be a good part of the hundredfold in this life. Understand me: the Bishop is doing vast good as a missionary, and is idolised by the people as he is beloved as well as pitied by his clergy; only God never made him to govern or transact business. . . ."<sup>12</sup>

That letter hardly enhances our regard for Dr. Ullathorne. In it, no one is right—excepting himself. Love of power, high opinion of self, mistrust of the ability of others, show from his own words in strong contrast with the humility of the Bishop so willing to submit even to dictatorship in order that he might retain the undoubtedly great services of Dr. Ullathorne for the infant Church, so that he might be freed to exercise his own talents in the service of his beloved people.

But may we not attribute his prideful attitude to nervous disorder? For scarcely six weeks passed before he handed in his resignation again—this time because things were running so smoothly that he could be spared!

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<sup>12</sup>Birt: *Benedictine Pioneers*, i., 437 sqq.

"After my last lugubrious letter, you will be glad to receive a more satisfactory one. Our new arrangements have worked admirably. The Bishop has got rid of that terrible indecision of mind which made himself and his mission miserable, and tells me he never before felt his position. . . .

"I have taken the opportunity of the present promising and prosperous state of things to fulfil my intention of retiring. To save the pain of a long contest, after having had so many, I sent in my resignation yesterday to the Government and Bishop at the same moment. The Bishop, after a struggle with himself, has at length come into my wish, says it is arranged by Providence for the greater ultimate service of the Mission, as he trusts I shall be allowed to have an eye on the general interests of the Colonies, etc., etc.

"I have, *entre nous*, succeeded at last in persuading the Bishop to separate Van Diemen's Land as soon as possible, which it is impossible he can conscientiously attend to from N. S. Wales. I write this in case he should possibly seek for anybody for that Mission. Myself am out of the question. I am running away from a contemplated coadjutorship held out here, and I know that nothing could induce me to go there. I write this, of course, in confidence. The next ship will probably bring me to England. Will you have the kindness to communicate this from me to V. Rev. Father President. I shall proceed at once to Downside, unless I find orders with Mr. Heptonstall at London, and there expect commands. . . ."<sup>13</sup>

One would think that letter definite enough, but somehow—by pleas of which we have no record—the Bishop staved off the evil day, and the Vicar-General remained to carry on his good work until the end of the year; but the rumble of resignation was in the air all the time.

J. J. McGOVERN.

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<sup>13</sup>Birt. Benedictine Pioneers, i., p. 441.

## Voltaire as a Truth-Teller

After leading the eighteenth-century dance of "free thought" and general subversion, Voltaire had become by the middle of the nineteenth century something of an antique. Not that his influence had died out; on the contrary, it was kept alive by a succession of "liberals" and anti-clericals—Béranger, Sue, About, Renan and others—up to our own days. Yet "the patriarch of Ferney" might be said to have become among his descendants rather a tradition than a personal influence; while to Catholics he was a legend, a "chose jugée," a label. But this indefiniteness is now challenged by some vivid, if not unquestionable, portraits.

In France the popular writer, M. André Maurois, has recently added to a popular series a volume which is mainly a very warm appreciation of Voltaire as a wit and a stylist. In England there has appeared something more momentous—Mr. Alfred Noyes's "Voltaire" in 635 pages—a clever and effective plea for a general rehabilitation. Its merits, and its timeliness in being sprung upon a world which had lost definite knowledge as to what Voltaire really was, may be judged from the weakness of the reviews with which it was met. It is hard to mention more than one Catholic review that strikes one as really adequate, whether as regards knowledge of Voltaire or ability to deal with Mr. Noyes. That one review was Professor Mary Ryan's in *Studies* of June, 1937. Three review-articles published in the *Melbourne Advocate* during December last, and since praised as a "debunking," cannot claim that proud character, but they were at least an effort, backed by relevant knowledge, to put certain things back into their proper places. Perhaps a near future will bring a more substantial treatment of the subject.

To return to France, there Père A. Condamin, S.J., has taken up Voltaire and one of his admirers in a *brochure* entitled *Voltaire le grand homme de M. Albert Bayet*. Père Condamin is well known as an authority in the field of Biblical criticism. M. Bayet is an author of treatises on morality for the use of school children, and also a whole-hearted admirer of Voltaire. The conflict of the Bayet and the Condamin opinions as regards morals and Voltaire has suggested the particular topic of the present paper. Our subject is Voltaire as a truth-teller.



Voltaire was a very great man according to M. Bayet. He was one of the heroic characters "who have laboured, struggled and suffered that humanity might become better, and life more just and more sweet." In fact, "great men are those thanks to whom there has been on earth more truth, beauty and goodness."<sup>1</sup> And of such was Voltaire; and, apropos of the love of truth, M. Bayet lays down these propositions, which, beyond doubt, are excellent both for children and grown-ups.

To be sincere is never to try to deceive others. To lie is to say something that we know to be untrue, or to feign fine sentiments that we do not feel. Lying is particularly disgraceful when one invents false stories in order to injure someone. Then one is a calumniator. Calumny may be a crime as grave as murder.

So far M. Bayet. As for Mr. Noyes, who can deny that he is a lover of truth? In all sincerity we accept him as such. He has written a book—*The Unknown God*—that is one of the most brilliant of true tales describing the modern quest for truth—a book that has genuine apologetic value beneath its brilliancy. His poems defend truth. But now Voltaire arises, like a baleful comet, to cross the heaven of this apologist of Truth, and the author of *The Unknown God* becomes the defender of a man who might be called, like Lucifer, "a liar from the beginning."

It is not a good opening for the history of a truth-lover to find that his high-sounding name is one to which he has no claim. Arouet was the real name of the truth-teller we are concerned with, but it has a rather unpleasant sound for French ears, and, as he wrote, "I willingly forget it"; so he forged for himself the much more elegant "Voltaire," and later "de Voltaire." Consistent with this rejection of the family name is the entire absence of family affection, as to which his admirers have little to say. How far his family deserved affection is another matter: and the circumstances of his birth and earliest years did not recommend him or them to suspicious neighbours or impartial biographers.

The beginning of his literary career brought him at once into trouble, for he was suspected—not without good reason—of being the author of various peculiarly malignant satires or lampoons on persons

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<sup>1</sup>Incidentally, he quotes a definition given by Voltaire himself: "I call great men all who have excelled in the useful or the agreeable." This, remarks Perè Condamin, would place cooks on a level with Alexander and Pericles.

in power. It was not a nice kind of beginning.<sup>2</sup> It brought him unpleasant consequences—exile from Paris, imprisonment and a thrashing. The effect on his peculiarly nervous temperament was to inspire him with a passion for anonymity and for denials of literary fraternity which clung to him through life. This habit was, no doubt, characteristic of the age, but there is no author of the century the assignment of whose words has been rendered so difficult by the author's own persistent denials. The practice suited at once Voltaire's extreme constitutional timidity and his "impishness" (to use a favourite word of Mr. Noyes's). The susceptibilities of vanity, the mere doubt as to a perfect impunity, started his denials, and with them a mischievous laying of responsibility on the shoulders of other people. His performances in this way are often amusing—as amusing as they are inconsistent with the ideals of M. Bayet.

One of the early indiscretions already referred to, a bitter and fierce satire called *Regnante Puero*, was repudiated by him in the following emphatic style, in a letter addressed to a Minister of State, the Marquis de Maurepas:—

I can assure you on my life that there is not a single man in France who can prove, I do not say that I have written the abominable composition of which I am accused, and which I have never seen, but that I ever had the smallest share in any of the lampoons directed against the Court.

His play *L'Enfant Prodigue* was, like most of his numerous attempts at comedy, a failure; and, as soon as this became too plain to the author (still undivulged), his eagerness to disavow the piece became feverish—yet not so feverish as to stifle his mischievous glee in bringing upon a rival the mortification of a failure.

He wrote (3 April, 1736) to his friend, Mlle. Quinault, who acted in the piece:—

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<sup>2</sup>Mr. Noyes, however, thinks it was not only nice, but right, in a sense inevitable. Voltaire's faults, he shows in a chapter, entitled "The Making of an Ironist," were really the faults of his surroundings, the faults of "a corrupt and sophisticated world, that might well have developed the mocking anger of a Hamlet or the brutal satire of a Juvenal." That it might have developed the zeal of an Ignatius or a Canisius or a Francis de Sales; that it did call forth and throw into lustre the virtues of a Bourdaloue, a Fenelon, a Brydaine, a Massillon, a de Belzunce, a Languet, a de Beaumont, a de la Motte, a Marie Leczinska, a Dauphin Louis, besides the virtues of tens of thousands of humbler Christian contemporaries, is a thought that escapes the scope of Mr. Noyes's rhetoric. Far from being comforted by such a vision, he seems to adopt the extraordinary position that vice is to be coped with by vice, not by virtue. He writes: "A world in which for brilliant minds and *sensitive consciences* mockery was the best armour, and *wit the only effective weapon*." This seems hardly consistent with the Sermon on the Mount.

Oh, I am lost; oh, I am hissed, dead and buried! La Mare knows all; he knows that I have written what you know. . . . The secret is revealed. What a danger! Here is the remedy: The piece must be attributed to Gresset. . . . You and your friends, don't you know well that it is by Gresset. [Later, to the same]. Really I have some hopes of that piece by Gresset, and if your acting can give a little comicality to that cold Gresset, you will do him a lot of good. . . . But if it's a failure, I simply forsake that Gresset; it will be all the fault of that Gresset." [Later, to the same intimate, about an "Epistle" he had written against the poet J. B. Rousseau]. "Whenever I write anything I boldly acknowledge it. So if I disavow this thing, it is a proof that I have not written it."

Again about the "*Enfant Prodigue*," this time to a M. Berger:—

My dear friend, you must maintain before all the world that I am not the author. . . . If by any misfortune the secret of the "*Enfant Prodigue*" transpires, keep swearing that I am not the author. To lie for one's friend is the first duty of friendship.

Again, about the same piece, to Mlle. Quinault:—

Keep denying stoutly! If the whole pit cries out that it is mine, tell them it is not. [Later]. How well you have done in lying for the good of the cause! Lying in such a case is a virtue, as you well know.

Apropos of the same unlucky play he wrote to another friend, Thiériot, who was in the secret:—

Lying is a vice only when it does harm; it is a very great virtue when it does good. So be more virtuous than ever! You must lie like a devil, not timidly, but boldly and always. . . . Lie, my friends, lie, and I will repay you when occasion arises.

In his old age, he kept up this active game of disavowals. In 1762 he wrote to his friend Helvetius:—

One ought never to publish anything over one's own name. I have not even written *La Pucelle*. Counsellor Joli de Fleury may, if he likes, draw up an accusation against me; I will tell him he is a calumniator, that he wrote it himself and malignantly wishes to charge it on me.

In 1764 he published his "*Portable Philosophic Dictionary*," which was, like the larger and more celebrated *Encyclopédie*, to which he was a chief contributor, mainly a series of attacks on religion. "The title-words of the several articles," says the friendly Prof. Saintsbury, "are often the merest stalking-horses, under covers of which to shoot at the Bible or the Church." This work he furiously disavowed, calling it "that diabolical dictionary," "that alphabetical abomination." "As soon as there is the least danger," he begs his ally d'Alembert, "pray warn me, in order that I may disavow the work in all the public papers, with my customary candour and innocence."

Ten days later he has invented a scapegoat:—

The book is recognised to be the work of a certain Dubut, a little theological student in Holland ["who never existed," he writes next day]. We must shout and get all the shouters to shout in favour of the truth.

He comes back to the matter in dozens of letters; he elaborates imaginary authors for the various articles. D'Alembert tries to re-

assure him. "Be calm; be sure I will bray as loud as an ass." But Voltaire is hard to reassure: "I don't want to die a martyr for a book I have not written."

This habit and doubtless a certain enjoyment which he found in it grew so inveterate with him as to lead him into absurd public denials which nobody could be expected to believe. In December, 1759, he published a letter in which he declared: "So far am I from sending any work to Paris that I have no intercourse with any bookseller there, directly or indirectly, nor even with any literary person in Paris, nor (except for one tragedy) have I ever got anything printed in that city." No wonder Fréron, editor of the Paris *Année Littéraire*, declared it impossible to believe in the authenticity of such a letter! "How," he asked, "could M. de Voltaire have made statements so notoriously false? Does not everyone know that he is in constant relations with the booksellers and authors of the capital? Continually copies are circulating of some new letter from him." Voltaire even pretended not to know of the existence of the *Année Littéraire*, whereas he had repeatedly complained of it in his letters to his friends.

A theme of many disavowals—nor is this wonderful—was *La Pucelle*—that filthy poem wherein the pure and saintly Joan of Arc, a heroine of her country, is dragged in the mire, but which Voltaire worked at with complacency during some twenty years. One repudiation occurs in a long letter written in 1760, at first private, but afterwards thought worth publishing. A type of persiflage and hypocrisy, it professed the warmest attachment to the Church and her doctrines, at the very time when he was scandalizing even infidels by his sacrilegious Communions, writing blasphemous anti-Christian articles in the *Encyclopédie*, and exhorting his confidants to "écraser l'infâme."<sup>3</sup> He quotes a reply given by Corneille to his literary enemies: "I submit all my works to the judgment of the Church, and I greatly doubt whether they will do the same"; and goes on—

I take the liberty of saying the same thing as the great Corneille. . . . It is particularly pleasant to say it in a region so close to heretics as mine is. The more I am filled with charity for their person and indulgence for their errors, the more am I firm in the faith.

He mentions then six of his works—*La Henriade*, the *Siècle de Louis XIV*, the *Essay on General History*, the *History of Charles*

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<sup>3</sup>It is merely absurd to deny that this favourite war-cry was directed against the Christian Church, if not against its Divine founder Himself. The proofs are written large over Voltaire's own words and those of such friends of his as Frederick II, Condorcet and d'Alembert.

XII, that of *Peter the Great*, that on *Newton's Discoveries*, and goes on:

These are, if I remember rightly, almost my only authentic works, the merit of which lies only in love of truth and humanity. . . . Every day works are ascribed to me of which I know nothing. I am not to be blamed. If Chapelain composed in the last century the fine poem of *The Maid*,<sup>4</sup> if some young men amused themselves some thirty years ago in writing another *Maid*; if I was admitted into their society, and was obliging enough to lend myself to their jest ("ce badinage"), by inserting into it some of the decent and modest things that are found here and there in that rare work, still I take no responsibility whatever for any *Maid*; I deny in advance before any accuser that I have ever seen a *Maid*. One indeed has been printed, which seems to come from some back street or the fish markets; its adventures and language belong to those regions.

Elsewhere he repudiates the "surreptitious editions" that have inserted "ignoble verses in a long poem"; or else denounces the editors who have tried to make money by printing under the title of *The Maid of Orleans* an abominable work, "a rhapsody," "an infamy"!

About the same time he was writing to his friend d'Argental: "Am I lively about the affair of the *curé*? Yes! Then, when I have rendered that service to the Church, I work at a canto of *La Pucelle*."<sup>5</sup>

As Sainte-Beuve remarks: "When one gets the habit of indulging in unlimited falsehood, it becomes the easy accomplice of all our passions," from which he justly concludes that Voltaire's most solemn affirmations on the most serious matters have no value as evidence. Similarly, Emile Faguet (*Dix-huitième Siècle*, 1890, p. 197) says:—"Voltaire lies just as water runs. He is such a liar that he has lost any clear conception of lying. And so he is amazed when anyone reproaches him with hypocrisies."

#### WIT AND FLATTERY.

That Voltaire was a master of the arts of repartee and flattery has been admitted unanimously. Examples of his skill might fill many amusing pages; whether they would increase our esteem for the man is another question. During his stay at Potsdam the Princesses Ulrica and Amelia, sisters of Frederick II, received at his hands many of his perfumed insincerities. One day, when he abounded in these, the elder of the two, who was, it appears, much older and plainer-looking than her sister, but was not wanting in humorous perception, suddenly ask-

<sup>4</sup>Chapelain's poem on Joan of Arc was well-meaning but very dull—hence an inevitable butt of ridicule for the "philosophe" party.

<sup>5</sup>The "service to the Church" which alternated with the composition of *La Pucelle* and which interested d'Argental, was Voltaire's exertion to have a certain priest, who was accused of a crime, condemned to the galleys. These exertions contrast somewhat oddly with those other interferences in legal matters that have gained him a high reputation as a humanitarian.

ed the flatterer: "M. de Voltaire, if my sister and I were both drowning, which of us would you try to save?" He hesitated, but only for an instant; then he said: "Ah, princess, can you not swim?"

For some fourteen years Voltaire used unweariedly his unsurpassed powers of intrigue and adulation with a view to one great object of his ambition—the attainment of a seat in the French Academy. "He showed a desire to take his rightful place there" is Mr. Noyes's mild way of putting it. Of Voltaire's brilliance and ability as a writer there could indeed be no question; the use he made of his abilities was, unhappily, quite another matter; and all that was soundest in the kingdom at that time felt that the Academy was not the "rightful place" of one who was universally known to be restless in undermining respect for authority of any kind. The Academy was a conservative body, manned to no small extent by clerics and "croyants"; the Court had to be placated, and there was a thoroughly pious queen, and a king who, though a sensualist, was no fool and not irreligious; to conciliate all such "capucins" (as Voltaire often called them) it was necessary to assume all the colours of orthodoxy. So bishops and other friends of virtue are assured of his "real respect for the Christian religion"—a respect which "inspires him with the determination never to write anything offensive to purity." This was at the time when, besides *La Pucelle*, which (as someone has said) "seems to represent the perverted imaginations of a vicious schoolboy," he was writing open attacks on religion under the names of *Lettres Philosophiques* and *Remarques sur Pascal*. His old Jesuit masters were not forgotten by their "grateful" pupil. He wrote to Père La Tour, rector of the Collège Touris-le-Grand; "I declare that if anything has been printed under my name which could give scandal even to a sacristan, I am ready to destroy it; that I wish to live and die quietly in the bosom of the Catholic Apostolic and Roman Church." His old masters, however, were not so easily deluded as have been some of his apologists.

When addressing elevated personages of cruder sensibilities, the crowned but coarse-minded Fredericks and Catherines, he lays "the flattering unction" on as if with a trowel. Frederick II of Prussia, the enemy of France, he hailed as "his true king," "the hope of the human race," "the god Frederick," "for whose existence he thanked heaven every day," while at the same time he was designating Frederick among his intimates by the infamous nickname which that monarch's private habits had brought upon him. Catherine II of Russia was the enemy

of Frederick, but that did not prevent a similar effusion of flatteries at the feet of a woman whose scorn of religion and morality was equal to Frederick's. In 1771 he treats as "stupid fools" the Frenchmen who had gone to help the Polish patriots to defend their country against Russia. "In our day," he writes, "Tartars are become polished, and the French are become Scythians. Deign to observe, madam, that I am not Welche [a contemptuous name for Frenchmen or Italians] but Swiss, and if I were younger would become a Russian." And he did! Professing to have become naturalised, he signed himself in a letter to Catherine, "Your old Russian of Ferney" (Aug., 1774). In 1766 he had addressed her thus: "We are three, Diderot, D'Alembert and I, who raise altars to you; you make me a pagan; I am with idolatry, madam, the priest of your temple." Elsewhere he calls her "goddess," or "St. Catherine."

#### A HATER OF CALUMNY!

Flattery carried to such extremes may repel or disgust; but at least it is more tolerable than the contrasting vice of calumny. One, however, is too commonly the pendant of the other. Both may be studied at leisure in Voltaire.

"I never pardon caluminators," he once wrote. The proposition was true only if translated into this somewhat different one: "I never pardon anyone who attacks myself." Even slightly depreciating notices of his works infuriated him for the moment and left in his mind a lasting deposit of rancour. He got the reputation of being the most rancorous reviler of his time. "Nearly every time I write to him," wrote his friend and ally d'Alembert to Frederick II, "I exhort him to despise the insects he tramples on, and to spare the men of merit whom he reviles." And the contemporary vaudevillist and memoir-writer, Charles Collé, who does not seem to have had any personal quarrel with Voltaire, denounces his evil pen and tongue with more vigour than elegance:—

This habit of biting others like a mad dog—of attacking Homer, Pascal, Fénelon, Corneille, Bossuet, Shakespeare, La Fontaine, Moliere, Quinault, Boileau, and in general all the authors of his age, some of whom he has crudely satirised and outraged, going beyond reasonable literary criticism. . . . He cries out like a devil when his own works are candidly criticised.

It is simply true that Voltaire raged and satirised and caluminated all round him so indiscriminately that it is difficult to choose examples among his destructive exploits. One example may, however, be given with some fulness on account both of the prolonged fury and success of

the assault and of the merit of the victim. This victim was Elie Fréron, a journalist and general writer, who appears to have been an entirely worthy person, who wrote well and criticised well. He appeared after 1740 as a decided adversary of Voltaire's impieties, and for that offence has had to pay ever since a heavy penalty. Two recent writers, M. Cornou and M. Bellesort, have taken up Fréron's cause and shown that he has been cruelly maligned.<sup>6</sup>

In prose, in verse, in letters, in theatrical squibs, Voltaire never wearied of reviling and ridiculing Fréron, nor even of repeating a poor pun upon his name, which sounded like "frelon" (hornet). "He was depicted," writes M. Cornou, "in the most repulsive and disgraceful colours; as a cynical brute, a criminal without morals or honour, envious, drunken, a thief, a police spy; he was refused any claim to talent, judgment or impartiality. Ingratitude combined with hatred against him. Nor did even his death silence or interrupt the shower of abuse that accompanied his life. For more than a hundred years he has been steadily caluminated, and writers still pour on his name the venom that swells the correspondence of Voltaire."

In Voltaire's farce, *L'Ecossaise*, Fréron is reviled or ridiculed as ignorant, viper-tongued, perverse-minded, muddy-souled, impertinent, base, dishonest, treacherous, a spy and informer. Contemporaries who were not friends of Fréron's thought it odious and revolting. Saintsbury calls it "a very inferior farce-lampoon"; it and some other pieces of Voltaire's "derive all their interest from being personal libels."

But Mr. Alfred Noyes's account of the whole matter is so amazingly different that it may be of interest to insert it:—

A more elaborate satire disposed of his enemy, the critic Fréron, in the five-act prose comedy, *L'Ecossaise*. This amusing play, which he pretended was the work of an Edinburgh clergyman named Hume, a relation of the philosopher, met with great success in Paris, where every point went home. Fréron (under the name of Frelon, the Wasp) received everything that he had been asking for, during the last ten years in which he had pursued Voltaire with his malice. He had taken upon himself to defend tyranny in Church and State for the sake of tyranny, and he had been officially encouraged to attack Voltaire and the philosophers. It was the general opinion that, in this play, Apollo had effectively taken the skin off Marsyas; and the opinion was fortified by the sympathy of other writers who had suffered from Fréron's persecution. Voltaire had done a service to others as well as himself.

This is certainly a courageous re-writing of history. One would like to have some evidence as to the "general opinion" and the "sym-

<sup>6</sup>F. Cornou: *Elie Fréron*, Paris, 1922. A. Bellesort: *Essai sur Voltaire*, 8th ed., Paris, 1925.



pathy" of writers in support of Voltaire against Fréron. Those writers certainly did not include d'Alembert or Collé. *Vide supra!* Nor the host of miscellaneous persons he was constantly and viciously assailing.

Not satisfied with *L'Écossaise*, Voltaire, who "never pardoned calumniators," put together a whole collection of *Anecdotes sur Fréron*, which M. Cornou calls "the most rascally pamphlet that has come even from that pen so prolific of calumny and vileness." Of course Voltaire disowned paternity. He had no more notion of honorable opposition than has a mischievous monkey. He wrote to M. Le Brun (6 Feb., 1761):—

The *Anecdotes sur Fréron* are by M. La Harpe, who was formerly an associate of Fréron, and was cheated by him. Thiériot sent them to me, written by the hand of La Harpe. Some copies remain with me. I have been assured that all the facts printed are true.

In the periodical *Les Lettres* (1st July, 1922), M. Martin-Chauffier (quoted by Père Condamin) thus writes of the *Anecdotes*—

Voltaire delighted in witty and often sharply sarcastic attacks, but he could not endure a retort in kind. A clever literary assault left him frantic. . . . The affair of the *Anecdotes sur Fréron*, a collection of imaginary infamies collected and put forth by Voltaire, who reserves [no, not always!] his belief in them, was a master-stroke of malice. Indifference to truth, trickery in publication, fierce joy in overwhelming a literary opponent, and attacking him in the tenderest point of his self-respect, all this draped in a cloak of pretended innocence—there you have Voltaire all out.

"*Voilà du pur Voltaire.*" Such was the hero of truth and philanthropy whom M. Bayet (with other "liberal" moralists) would have us admire, such—more wonderful still—the man, not only truthful but of good heart and kindly nature, whom Mr. Alfred Noyes laboriously endeavours to create for us.

We cannot follow out the "patriarch's" assaults, prolonged throughout years, on the poet Le Franc de Pompignan. Le Franc was on principle an enemy of the "philosophes"; worse still, "he had written," so Saintsbury says, "one piece of verse so much better than anything serious of Voltaire's that he could not be forgiven"; and forgiven he never was.

A more famous object of attack was J. J. Rousseau. So much may be fairly said against this personage, who, besides, could wield a pen as powerful in its own way as his assailants, that one is inclined to take a mild view of attacks upon him, however furious. Nevertheless, if one recalls that Voltaire himself was guilty of every offence with which he charged Rousseau, and that his fury against this adversary

vented itself in outcries absolutely homicidal, it must be admitted that we have here no ordinary episode of literary warfare.

“A rascal, a quack, a criminal who writes against France, the country that feeds him, a madman and a malignant madman, a wild beast who should be kept within bars and touched only with a stick”; with such expressions as these the “patriarch’s” letters are adorned, when the name of the unhappy Genevese exile comes up. It was more serious when he published, under cover of the usual denials, a pamphlet named *Sentiments des Citoyens de Genève*, where, in the guise of an honest and wise Protestant, he denounces the “impieties” of Rousseau, and calls for a capital execution!

He must be taught that if light punishment suffices for an impious romancer, there is capital punishment for a base sedition-monger.

On which Emile Faguet comments (*Dix Hitième Siècle*, p. 194).

In return for a sharp criticism, he persecutes Rousseau with incredible doggedness, denouncing him as an enemy of religion, and, while the unlucky man was already being pursued and hounded, raises a cry of “capital punishment for a base sedition-monger”—extraordinary surely on the lips of a man who had campaigned against all capital punishment.

*Voilà du pur Voltaire!* This is the man whose tolerance, generosity, truthfulness, shining out amid the darkness of eighteenth century France, are belauded by teachers of “lay morals” to French school children and by the author of *The Unknown God!*

G. O’NEILL, S.J.

# The Church and the Proletariat

Wholesale condemnation of Communistic propaganda is apt to overlook the important fact to which Marx's theory as to the Dictatorship of the Proletariat bears witness. That our age reveals a process calculated to make the workers the dominant power in society is an historical actuality which only the most obtuse can deny. When this process is completed there is little doubt but that the class in question will be found to have imposed its own distinctive character on both politics and culture.

The prospect will seem to some alarming, but this is because they have identified too closely the proletarian regime with the example of it given by Russia. It is fallacious, however, to suppose that the mass of propertyless workers which capitalism has created is necessarily materialistic and irreligious. Nor need it be imagined that the method by which it achieves its end should be inevitably of the revolutionary kind. Dissociate the prospect suggested from these things and there will be found, from the Catholic standpoint, nothing very alarming.

It should be remembered that this would be by no means the first time that rule had passed from one class to another. From the fourteenth to the seventeenth century there was going on a gradual transference of social importance from the feudal nobility to the lawyers, merchants and craftsmen, who constituted the new middle-class. The coming of the printing press and the consequent multiplication of those who could read had much to do with the change. So also had the fact that the expense of costly wars was met by taxation in return for which the Court granted charters and franchises to the burghers. The newcomers were not content to take over intact the social and cultural ideas of their predecessors, but created their own *ethos* and civilisation. It is they who have given us the characteristic institutions under which we are now living, and which are being so fiercely challenged by the proletariat.

We can even see the working of a certain spiritual law in this change. While a long tenure of wealth and power is apt to enervate those who enjoy it, suffering preserves the heroic element in human nature. There is a natural as well as a supernatural sense in which we may understand the saying: "The first shall be last and the last first."

Wisdom suggests that instead of quarrelling with a fact that must be now accepted as the teaching of history, we should make due preparation to meet it. It is to this need that Mr. Christopher Dawson pointed when he said, "The future of the world lies in the culture of the working classes and of the apostolate of the laity." More authoritative and more explicit was the statement made recently by Cardinal Pacelli, speaking in Paris on behalf of His Holiness. "In the complexity of the modern world," said His Eminence, "the working classes take on a growing importance, an importance that it would be stupid and unjust to underestimate. The extent to which the representatives of labour are penetrated with the principles of the Gospel will decide in large measure the extent to which the society of to-morrow will be Christian." Strong as is that declaration, it is not stronger than the position taken up by Pius XI in *Divini Redemptoris*, in which Encyclical, it will be remembered, the Pope goes so far as to say that, apart from his ordinary sacerdotal functions, the priest has no more urgent duty than that of directing an apostolate to the working-class.

But these declarations make it clear that traditional methods adapted to the requirements of the *bourgeoisie* may not be the most suitable in the case under consideration. It is for this reason that His Holiness has laid such stress on the fact that the apostolate to the working-class must be carried out by those who are themselves workers, and competent to understand the outlook of their fellows.

As an illustration of the change of emphasis which may be needed, a reference to St. Francis of Assisi may be helpful. St. Francis belonged to that merchant class which in his time was acquiring a growing predominance. It was a class that had many excellent qualities, but the very nature of its calling made it subject to the temptation of avarice. It was this danger which led the Saint to renounce his social position, and adopt the life of a homeless mendicant. He sought and found salvation in following the Poor Christ and preaching the ideal of Holy Poverty. It was a Gospel admirably adapted to the circumstances of the age, when commerce was taking the place of warfare as the centre of interest.

But there is such a thing as unholy poverty. There are conditions which rob men of their self-respect. It is this state of which the modern proletariat is so painfully conscious. It sees itself used as a tool in the pursuit of wealth. Wholly at the mercy of his exploiters, the labourer

has most to fear the temptation to become servile, and thus to suffer the destruction of the very foundation of character. It is not the arrogance of the wealthy which in his case has to be overcome by drastic asceticism but the perils arising from his dependent condition, and his great need is some source of inspiration which will restore respect for himself as a man and a worker. It was of this very class that Leo XIII wrote: "To consent to any treatment which is calculated to defeat the end and purpose of his being is beyond his right; he cannot give up his soul to servitude; for it is not man's own rights which are here in question, but the rights of God, most sacred and inviolable."

The apocalyptic vision held before the eyes of the workers promising a Dictatorship of the Proletariat is no more than a mistaken attempt to throw off this spirit of servitude. It will not be met by the preaching of humility and patience. Some positive object must be presented which effects the same end by means consistent with Catholic Truth. It is here that we see the relevance to the present situation of Christ the Worker. That the Incarnate Son of God should have chosen to become a carpenter, thus identifying Himself in the closest possible way with their own class is the central fact of that Gospel which will most strongly appeal to those in question. Prominent in successive social Encyclicals, it becomes increasingly the pivotal point of the movement for the re-Christianisation of the workers. The more able and ambitious of this class in the nineteenth century sought to escape the social stigma of their condition by themselves becoming masters. To-day the worker is learning to take a pride in the fact that he is a worker and to exalt his calling. Most effectively does he do this when he is able to point to Jesus of Nazareth as his Divine Comrade.

But this implies the dignifying of labour. Seen from this standpoint, it can be conceived of no longer as merely the means of earning a precarious livelihood, but as a vocation given by God. Seen thus, it demands due preparation. The young must be trained to regard their work with professional pride. Attention must be given to apprenticeship. From this point we advance to the necessity of reordering both the material and cultural conditions of the industrial world, not as an end in itself, but as the means of fostering a Christian manhood, self-respecting and God-fearing. The Christianity required is one which integrates the whole man, drawing no deep dividing line between the church, the home and the workshop, but viewing life as a whole, and see-

ing it in its wholeness dedicated to the service of Christ.

The approach to the evils to be remedied in order to effect this purpose supposes a relentless realism. Action must be based on knowledge—not the knowledge acquired from books, but that which life itself supplies. Hence wherever we find a movement of Catholic workers on foot, we shall see that it is busy laying foundations of accurate diagnosis of industrial conditions by means of enquiries conducted by the members themselves. These enquiries differ from such as have been made in the past by social statisticians in as much as they are more intimate than any to be found in books on the subject, and also because the facts are recorded for their bearing on life, viewed in its religious and Christian aspect.

The strength of the weak is in their solidarity. This is the secret which their struggles have taught the proletariat, and it determines the manner in which they approach religion. Other circumstances are giving prominence at the present time to the conception of the Church as the Mystical Body of Christ, but its importance has been much increased by its relevance to the needs of the workers. They, indeed, are seizing on it as a revelation specially adapted to their requirements. In it they find a source of unbounded inspiration and enthusiasm. It is likely to become one of the outstanding features of their movement.

These observations as to the particular emphases to be stressed in conducting the apostolate to the workers are more than conclusions reached by abstract reasoning. Concrete exemplification of what has been said can be found in that Jocist organisation of which an excellent account was given in *The Australasian Catholic Record* for April, 1936.

This organisation, numbering now some 250,000 members, has recently celebrated its tenth anniversary, and was addressed on the occasion by Cardinal P. Verdier, Archbishop of Paris, who declared that never since the times of the Crusades had such enthusiasm been seen, and who spoke of the movement as one which had set out to accomplish the miracle "upon which in our timidity we had no longer counted." In its activities and extensive literature will be found all those characteristics which have been noted as necessary in order to win back the workers to Christ and the Church, and this is due to the fact that Canon Cardijn, the founder and leader of Jocism, comes of the class for whose salvation he now labours, and that the apostolate which he conducts is carried

on by those who are of the same class. The J.O.C. (or Young Christian Workers) demonstrates fully the aspects of Catholicism which will be most prominent in a future dominated, as we believe, by the proletariat.

As St. Francis was raised up to meet the menace constituted by the emergence of the new, monied class, so, it would seem, has this movement arisen, under the direction of Divine Providence, in that very section of society from which a militant atheism had drawn its most zealous advocates. Jocism is more than a counter movement to Communism. It is a positive and dynamic thing which would have come into existence sooner or later, even if Marx and Lenin had never been born. It is, humanly speaking, the product of that class which has now been called to occupy the centre of the stage and to whom, according to all appearances, the future belongs. It is therefore worthy of study by all who would be equipped for the task which falls to the lot of our generation and its successors.

STANLEY B. JAMES.

# Ecclesia Sancta

## *Summary:*

The aims of the Vatican Council.—The errors it combated,—then and now.—The significance of the Vatican decree on Divine Faith,—a paraphrase.

The Church as a motive of credibility, described by the Vatican Council.—An examination of this motive,—and its basic quality, holiness.

The nature of holiness—Its presence in the Church—interior and exterior holiness.—Its visibility in the Church's members and doctrine.—The witness of the Saints and the daily life of the faithful.

The meaning of the Church's sanctity of teaching,—what it means to the world,—An outline of the manner in which it can be seen,—in her formal teaching,—in her ordinary teaching.—St. Augustine's invocation to the teaching Church.

The stability of the Church in her doctrine and structure a revelation of her divinity.

When the Fathers of the Vatican Council came together during that memorable year to promote by their united action, "the glory of God, the integrity of faith, the dignity of divine worship and the salvation of the entire Christian people,"<sup>1</sup> it was not their intention, unlike the Council of Trent, to set out the complete doctrine of the Church, on the subjects of which they were to treat, but rather to place authoritatively before the faithful certain divine truths under those aspects which were best suited to meet the errors of the time. They employed a form neither didactic nor elaborate. In clear and simple sentences, avoiding all controversial points, they defined such particular portions of doctrine as the heresies of the day attacked. To confirm and render unmistakable what they purposed to define, to each chapter of defined doctrine were joined canons, in which the errors opposed to the teaching set out in the chapters, were specifically anathematised.

The errors of even those so recent times are now scarcely heard of. Like all heresy, they subsisted on the broken fragments of divine truth which remained to those who had broken away from the source of this truth. Now even these fragments, which human reason had vainly striven to adjust to its own limitations, have eluded them. But that is not the end of the warfare against truth. The challenge of these times is not, however, against doctrine. It is the age old challenge of the sons of men against the sons of God; unbelief against belief: the life of the natural man against the new life in Christ, though even this warfare is in many cases still cloaked in a vague veil of outward religious form. It is a challenge more difficult to encounter, more evasive, more widespread, not to be met with the positive arguments of

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<sup>1</sup>Pius IX "Aeterni Patris" (Litter. Apost. convening the Council, July, 1868).



theology or by a comparison of evidences. It is to be countered only by a showing forth of that which is most attacked, by the visible evidences of a life which is above the world, which is divine, and which men call by the name of holiness.

Although the Fathers condemned the errors of a passing age, their words, like those of their predecessors in the exercise of this same office, enshrine divine truth for the ages to come; "*verba mea, quae posui in ore tuo, non recedent de ore tuo, amodo et usque in sempiternum*" (Is. LIX, 21). In the Fourth Session, from which came the dogmatic Constitution on Catholic Faith, there is a chapter which illustrates this quality in Catholic teaching. It is the chapter on faith and contains, in sentences of wonderful simplicity and beauty, a comprehensive picture of the virtue of faith as it applies to all men.

The chapter may be briefly paraphrased as follows. It first indicates the root or fundamental reason of the obligation of believing in God, namely, because He is our Author and Creator. Then follows a definition of this faith (from the words of St. Paul) and its formal motive (or *formal object*), namely, the authority of God revealing. Here at the outset, faith is distinguished from knowledge. Assent to this divine testimony, which is confirmed by signs of a divine character, proceeds from the human will and is and continues to be a free act. To elicit this act, however, man is prepared and assisted by divine grace. The fourth paragraph outlines the *material object* of this faith, that, namely, which God has revealed and which is proposed to our belief by the authority of the Church. Having stated the nature of faith and both its formal and material object, the decree goes on to lay down the necessity of faith and man's obligation to embrace and persevere in it. To enable us to fulfil this duty, God has instituted His Church, which, in herself, the Council declares, is a concrete divine revelation, exhibiting to us the truths we are to believe and motives for their credibility. To this external aid is joined the interior help of grace which invites, and confirms in us, the faith once given.

So much for this chapter. But while it is concerned with the virtue of faith, what emerges from a consideration of the chapter is the vision of the Living Church, which "God through his Son instituted and endowed with the manifest notes of His institution, that she may be known by all men, as the Mistress and Guardian of the revealed word."<sup>2</sup> It is significant that at this point in the chapter, the Fathers

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<sup>2</sup>Sess IV Cap. De Fide.

did not enumerate what these notes were, although they were set down in the original *schema*<sup>3</sup> submitted to them, by the theologians prior to the session.

Some of the Fathers in the preliminary discussions desired to state them, as they had hitherto been proclaimed, namely, the Church's unity, holiness, catholicity and apostolicity. This however was not done, and apparently for the following reason.

These notes, four in number, are deduced from the idea or concept of a divine church; which concept is, actually, a synthesis of those elements and qualities visible in the Church as it exists. These notes are then applied to or contrasted with the living Church, and while the attributes described by them are certainly visible in her, their demonstration rests on other principles, some of which are or were admitted by the enemies of the Church (e.g., the inspiration of the Scriptures), and some were not. Now the elements in non-Catholic belief, which afforded a comparison, by which the True Church might be discerned, have almost disappeared and scarcely one of the principles, upon which the proof of these four notes is based, is any longer accepted. It was necessary therefore to present such proofs of the divinity of the Church, as the apologetic of the time required. Instead, therefore, of proclaiming anew, the notes by which the Church of God could be discerned from heretical sects, they aimed rather to set up the Living Visible Church herself, as a supreme motive of credibility.

Accordingly, the Fathers added a sentence which depicts this active divine life as a clear and compelling motive of credibility. Many of the Fathers at first opposed this phrase as superfluous, but the Deputatio de Fide resisted them, because, in their view, "the phrase forms a beautiful exposition of the motive of credibility, which is contained in the Church itself."<sup>4</sup> Its significance has since then become clearer. It may now be said to summarize as a true note the outward signs of the Church's interior divine life.

Having declared that to the Catholic Church alone all these things belong, which in so many and such wonderful ways have been divinely arranged to manifest the divinity of the Christian Faith, the Council goes on to define the motive we are considering; "Verily indeed, the Church, by reason of her wondrous propagation, her sublime holiness and her endless fruitfulness in all good works, through her

<sup>3</sup>Acta et Decreta S. Vat. Concil. Collectio Lacensis, p. 512.

<sup>4</sup>Relatio de emendationibus cap. 111, Coll. Lacensis, p. 180.

catholic unity and unassailable stability, is by her very self at once a great as well as an enduring motive of credibility and an indestructible testimony of her divine mission."

The words reveal not the notes of the Church as hitherto proclaimed, but the Church as she appears endowed with qualities, which all men may see and value at their true worth; which indicate an active and flowing principle of life, which must have an origin that is divine; characteristics, that by their simple existence, without dependence on argument or proof, proclaim, "like a sign raised among the nations,"<sup>5</sup> that here is the City of God, *Ecclesia Sancta*, the "Guardian and Mistress of the revealed word."

Considering these facts in the Church's life, of which the Fathers of the Council here speak, we may inquire which of them it is that in itself now constitutes the most effective motive of credibility. The decree speaks of her marvellous propagation, her richness in good works, her Catholic unity. These are the logical attributes of a Church divinely instituted for the salvation of all men, and their real and visible existence bears witness to her divinity. But the fundamental note, either in the concept of the Church or in its actual existence, is that of holiness. It bespeaks in the manner most easily comprehended the presence and operation of a life truly divine. For it must be confessed that to the average non-Catholic, the unbelieving, the indifferent and the uninstructed, without a true notion of religion, its origins or its forms—these qualities, such as unity, Catholicity and propagation, will not appear an effective motive for belief in the divinity of the Church. Purely human effort may seem to have created combinations and organizations which embody these qualities as effectively as the Catholic Church. But holiness cannot be imitated, the evidences of divine life cannot long be counterfeited. The note then which is here set before us, is the living Church herself, the basic, essential and supereminent quality of whose life is her "*eximia sanctitas*," that is, holiness betokening an interior divine life.

Setting aside the consideration of those other adornments spoken of in the decree, we may here enquire to what extent is this holiness externally visible, or rather in what way is it visible to all men, of any belief or none? Before answering this we must first consider the nature of holiness.

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<sup>5</sup>Isaia, XI 12.

## II.

Holiness in the primary sense of the word, implies the sanctity attained by rational creatures. It is also used to describe the means which have power to sanctify men, such as the holiness of the sacraments, the holiness of the Church's doctrine, laws, and institutions. As applied to the Church, it here appears to signify that living active principle in the Church, which we know to be the presence of the Holy Spirit, revealing itself in word and work, that is, in the sanctity of her teaching and the sanctity of her members.

"The name holiness," St. Thomas tells us, "implies two things, one of which is cleanness (*munditia*), and with this meaning concurs the Greek word; for it is called *agios* as if unsoiled (or unearthly, *sine terra*).<sup>6</sup> Another implies stability (*firmitas*); so among the ancients these things were called holy (*sancta*) which were secured by laws. And both meanings apply. Cleanness is necessary that the mind may cleave to God, for the human mind is soiled by being immersed in lower things, and a mind without cleanness cannot draw near to God. Stability is required that the mind may attach itself to God, for to Him it is attached as to the last end and first beginning. Such attachment ought above all to be immovable. Hence St. Paul says '*Certus sum quod neque mors, neque vita separabit me a Charitate Dei*.'" (S.T. 2.2, Q. 81, a. 8.)

Of the greatness and depth of the interior holiness of the Church we can gain no adequate idea. Her sanctity is the sanctity of Christ, communicated to her through the mystical union of the Church with Christ, infinite in measure, divine in degree, overflowing to us through the perpetual offering of the Divine Gift in the Sacrifice of the Mass, and outweighing infinitely in honour, the dishonour men offer to God. To perceive this holiness requires divine faith. The extent to which this interior holiness becomes external and visible is the extent of holiness as a note of the Church.

Before considering in detail the visible nature of the Church's holiness, we may here note the testimony which the world itself bears to the divinity and visible holiness of the Church, by the manner in which it wars against her. This is admirably expounded in the following reflection on the visible evidence of the Church's holiness.

"If the Catholic Church were from below and not from above, if she did not in all things oppose by her principles and her effective in-

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<sup>6</sup>This derivation from a (privative) and ge (the earth) is no longer tenable.

fluence the perversity of the world, clearly the world would love and cherish her, or at least leave her in peace. But the world knows by experience that among men the Catholic Church is the surest bulwark of the divine law, and the last obstacle to the unfettered reign of human rights (as understood by the worldling) and unbridled passion. Hence she is singled out for the onslaughts of the world, which cries without cease against her, 'raise it, raise it, even to the foundations thereof' (Ps. 136, 7). Nevertheless, by this fact, her enemies stand forth as the most telling witnesses of her sanctity."<sup>7</sup>

Generally speaking the holiness of the Church is really and actually visible under two main aspects, namely, in the sanctity of her teaching and in the sanctity of her members. We shall treat first of the latter. In any consideration of the holiness of the Church in her members, we are to bear in mind the plane from which it has taken its so arduous and painful rise. It is described without reserve in the Epistles, particularly the Second of St. Peter, that of St. Jude and St. Paul's Epistle to the Romans. From that base level of evil propensities, unregulated passion, moral and mental blindness, human nature, without right of merit, has been raised up in varying degrees of moral perfection to the participation of the sanctity of God Himself. This work, even with divine aids, is one of the most difficult for man to achieve. Even with the means divinely given to him to attain this end, man could never attain to it without the aid of long continued instruction, cultivation and direction in a society existing for this purpose. Now, there is not nor can there be any society or association of men, which through its own purely human powers and culture can bring men to profess constantly and in all ages so exalted and so heroic a mode of life. Such a society must be divine, in its origin as well as in its power and doctrine. Such a society is the Holy Catholic Church.

In proposing the holiness of the Church in her members as a proof of her divine life, we are not considering that degree of holiness, which falls within common or ordinary limits, but only that extraordinary and heroic kind which is above question or simulation. Now holiness of such a kind is visible in the Catholic Church, which proclaiming that the aim of her existence, is this very one, of leading men to holiness, offers to the world the roll of those of her children, who by the exalted nature of their lives, their works, their influence upon others and the manner of their deaths, confirm her claim to be the

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<sup>7</sup>Billot De Eccl. Christi, Th. V, p. 185.

source and teacher of holiness. This she does, not timorously or in the retirement of her own sanctuaries, but openly exhibiting her heroes of holiness to the veneration and reverence of the world, secure in that most searching process to which, in her canonizations, she has submitted their lives, that nothing can ever be found, to weaken her pronouncement of their holiness. Her action, so open and unreserved, is a challenge to the world, to deny her claims, to disprove and ridicule them, but it is a challenge, the world, even in these days, has never been able to accept.

But the visible nature of this witness from the lives of the saints has limitations. The lives and influence of persons of such exalted virture are, by their very nature, most rare. Scattered through history, even up to our own days, they do not offer, as a motive of credibility, that argumentative and conclusive force, which they really possess, to those without the Church and who for the most part are incapable of appreciating the ideals that inspire such heroic living. To offset this, it now appears permissible to extend or develop this motive of credibility based on the holiness of the Church in her members, in the following way.

Within the Church, much that is taken for simple practice of religion or considered as ordinary sanctity, is, in the eyes of others, whose standard of moral goodness or religious observance has been, for one reason or another, set very low, sanctity of a very exalted nature. So, to people without religion or effective moral culture or guidance of any kind (and outside the Church these are the majority) the daily and persevering efforts of Catholics the world over, to practise and live up to the exacting standards of their religion, guided by its teaching and aided by its sacraments, is a truly visible witness to the holiness of that religion. Indeed, this ordinary moral goodness, this daily effort of sanctification, is by many, especially in pagan lands, accepted or rather exacted as the only true witness of divinity in religion.

Perhaps, it is in this sense, that the Church's holiness in her members is actually most visible. For it is in this way that it is brought to the vision and apprehension of the greatest number. This, also, in actual fact, appears to be the very substance of Catholic Action as taught us to-day, by the Holy Father.

### III.

It is, however, in her doctrine, or rather, in her Living Word, that

the holiness of the Catholic Church is most clearly visible. Through it, all personal holiness is derived. Nor does the sanctity of her teaching labour under any original weakness or human imperfection. It is divine and holy *ex integra causa*. How is this holiness of doctrine visible,—how can it be seen by those without?

In the first place, it is of no avail, in proving the Church's holiness, to point to the presence of what we believe to be the means of sanctity, such as the sacraments. For these may bear fruit, even in unlawful hands. Nor can we point to the possession of Holy Writ,—for that is a principle of sanctity not, however, in the letter, but only in the spirit, in which it is understood.

Where her sanctity of principle is visible, is in the manner in which she fulfils the end for which she declares she exists,—the sanctification of men, through her and in her. This she does by distributing her divine means of sanctification, "which she dispenses to men, through her preaching, her laws and institutions, and her ever-living magisterium."<sup>8</sup> The following consideration will serve as introduction, to a concrete and more detailed supposition of this visible holiness of principle.

The Church is a society, visible and perfect, established to carry out a definite work,—which she believes and teaches to be the chiefest of man's existence, that, namely, to know love and serve God in this life, so as afterwards to attain to final union with Him in the life to come. The attainment of that supreme end must govern and direct all our actions and determine the relative importance of everything with which our life is connected. Now, though divinely established and divinely aided, she has to fulfil this work among men, endowed with free will yet perverted in her use of it, possessed of intelligence, which has been darkened by sin and still further obscured by the fog of its own perverted creations. Her mission here is to give strength and light. She alone can do this. As we have said, there is nothing, no set of principles, no enduring ideals, no philosophy of life, derived from human intelligence or human institutions, can take her place or accomplish this mission. Accordingly, it is her teaching, that is to the world, a light shining in the darkness, illumining those within and without her fold, so that even where her authority is not accepted, her doctrines have penetrated and her spirit refined the masses of men, wherever her influence has once been established. This is a supernatural mission,

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<sup>8</sup>Billot op. cit., p. 172.

and its daily fulfilment proves the truth of her claim to speak with divine authority.

Concretely, the holiness of her teaching embraces the whole of man's existence, his relation to God, His Creator and his Final End, his personal existence, his existence as a member of the family and of the state. The following points comprehend both her dogmas and her ordinary teaching, that is to say, the truths which she has solemnly defined, and those, and here her scope is far wider, which she daily and everywhere teaches through her ordinary and universal magisterium.<sup>9</sup> The points set out in the following paragraphs are not an outline of Catholic doctrine, but simply the heads of those portions of the Church's teaching which are clearly visible and can be apprehended by all men and which by their nature as well as by their fruits in practice, are a proof of her holiness and "a witness of her divine mission."

Beginning with God and man's relations to Him, she teaches:

1. That God exists, One, Omnipotent, Eternal, Infinite in all things, Whose existence we may know from the visible things of this world, which He has created.

2. That God, Who in His Wisdom and Goodness created us, has in the same spirit revealed Himself to man, who alone of His creatures can know and love Him.

3. This revelation He has made, "that men may know with certitude the Divine Will, in these things which are above their understanding" (Concil. Vat. De Revelato).

4. God has made this revelation to man, because in His Goodness He has destined him to share, eternally, His own divine Life.

5. That He has established a society where the means to attain this end are to be found, namely, His Church.

6. That we must live the manner of life she lays down for us, according to the theological and moral virtues: "approving nothing which is evil, imposing nothing that is not necessary, inculcating for all the sanctity of marriage, and adding counsels to a more perfect union with God, as, complete and angelic chastity, voluntary poverty and obedience."<sup>10</sup>

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<sup>9</sup>As to what the Council intended by the phrase, *universale magisterium*, these are the words of the Relator of the Deputatio de Fide; "nullatenus ea fuit intentio Deputationis, hanc quaestionem de infallibilitate Summi Pontificis, sive directe sive indirecte tangere; et ex hoc igitur verbum *universale*, idem fere significat, quod illud verbum, quod SSmus Pater in suis litteris apostolicis ipse adhibuit, nempe magisterium totius Ecclesiae per orbem dispersae." Coll. Lac., p. 176.

<sup>10</sup>Billot De Ecclesia, p. 197.



7. The gravity of offences against divine law and the necessity of repentance.

8. The final sanctions of human conduct, eternal punishment and eternal reward.

9. That men to attain this end to which they are destined, need that spiritual formation and guidance, which the Church alone can give.

These are the cardinal points of her formal teaching, which can yet be understood even by those without faith. Proceeding further to her ordinary teaching, bearing on the practical and moral issues of daily life,—particularly as it is attacked and challenged in these days, she, “standing erect in the midst of the moral ruin which surrounds her,”<sup>11</sup> proclaims with unfaltering clearness and authority:

1. That a ruling authority must exist in every civilized community and this authority has, ultimately, God for its Author.<sup>12</sup>

2. That God must be publicly and freely worshipped as Our Lord and Creator and the Source of all authority.

3. That the Church in her mission, is above temporal authority and institutions.

4. That to fulfil his duty to know, love and serve God, man must be instructed, so that he will know divine truth, “with firm certitude, unmixed with any error.”<sup>13</sup>

5. That to impede or oppose the Church in this work of instruction, is a violation of justice and divine right.

6. That not alone must the young be religiously instructed, their education must be wholly in harmony with the truths of religion.

7. That the marriage bond is, from its nature, perpetual and indissoluble, and that matrimony, as a sacrament, instituted by Christ, adds grace to the ancient wedlock.

8. That every deliberate frustration of the end of matrimony, “Is an offense against the law of God and of nature and a grave sin.”<sup>14</sup>

9. “That from the holiness of marriage, domestic society acquires the firmness and solidity so needful to it.”<sup>15</sup>

10. That, “the stability afforded by marriage, under religious sanction, once lost, parental authority over children and the duties of

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<sup>11</sup>Pius XI, “Christian Marriage.”

<sup>12</sup>Leo XIII, “The Christian Constitution of States.”

<sup>13</sup>Con, Vat, De Revel.

<sup>14</sup>Pius XI, “Christian Marriage.”

<sup>15</sup>Leo XIII, “Concerning Modern Errors.”

children to parents are necessarily and harmfully slackened.”<sup>16</sup>

11. She has vindicated the true notion of the dignity and inviolability of the human person and closed up an abyss of misery, cruelty and degradation by her efforts against slavery.

12. She is the restorer and preserver of the liberty and dignity of women and of childhood.

Finally her vindication of the principles of justice in everything pertaining to the social and economic life, such as, the right of private property, the right to a just and living wage, the right of contract, etc., etc., has been so clear, so insistent and effective, that her teaching has been at once, the guide, in the present amelioration of the economic evils of the modern era, as well as the sole stable element of a world in conflict, sprung from the evils of injustice and oppression that lay upon the lower ranks of mankind.

Throughout the stormy centuries of her existence, the Church has laboured, teaching to generation after generation, these same saving truths, upon which the Christian hopes of future happiness are based and which alone can secure justice and peace in this vale of tears. Not alone does she teach, but in her life and work, she has laboured as well as governed, in accordance with her doctrine and the spirit within her. She has done so from the beginning, when her growth and her influence among men, was yet but limited. Hear the words of St. Augustine, addressed to the Church, when in sentences full of tenderness and beauty, he extols the holiness of her teaching and its visible fruits:

“Thou dost teach and train children with much tenderness, young men with much vigour, old men with much gentleness, as the age not of the body alone, but of the mind of each requires. Women thou dost subject to their husbands in chaste and faithful obedience, not for the gratifying of their lust, but for bringing forth children, and for having a share in the family concerns. Thou dost set husbands over their wives, not that they may play false to the weaker sex, but according to the requirement of sincere affection. Thou dost subject children to their parents in a kind of free service, and thou dost establish parents over their children with a benign rule. . . . Thou joinest together, not in society only, but in a sort of brotherhood, citizen with citizen, nation with nation, and the whole race of men, by reminding them of their common parentage. Thou teachest kings to look to the interests of their people, and dost admonish the people to be submissive

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<sup>16</sup>Leo XIII *ibid.*

to their kings. With all care dost thou teach all to whom honour is due, and affection, and reverence, and fear, consolation and admonition, and exhortation, and discipline, and reproach, and punishment. Thou showest that all these are not equally incumbent on all, but that charity is owing to all, and wrong-doing to none."<sup>17</sup>

## IV.

There is a final aspect of this visible holiness of the Church, referred to in the Vatican decree. We have seen, according to St. Thomas, that the notion of holiness, implies as an essential element, *firmitas*, or stability. This quality is visible in the Church's life and teaching and is described by the Vatican Fathers as her "*invicta stabilitas*." It is an argument of great force to the worldly minded, that not alone has the Church proclaimed unceasingly and in all places, hard and difficult doctrines, but that she has done so even when it has meant calamitous loss of influence and power, of followers and possessions.

The restless and groping minds of men cannot withhold admiration of this quality, or withdraw themselves from its influence, from the ascendancy of that sublime tranquility and assurance in the midst of so much obscurity and uncertainty concerning the great and supreme problems of man's present existence and final destiny. It mirrors the calm,—the supreme divine confidence and infinite conviction of Christ teaching the multitude, when men were compelled to exclaim, "never did man speak like this man."<sup>18</sup>

Joined to this stability of doctrine, there is the stability of her external organization,—her hierarchy and priesthood, the instruments of her mission, the human channels through which the stream of her life and sanctity flows. To the outward mind, that permanence of doctrine, this inflexibility in the upholding of all truth, the enduring framework of this edifice, built up from frail men, convey the impression of a force that is above nature, of a life that, too evidently, is not drawn from natural sources, of a power that is above the world. It is something that challenges—that compels the mind seeking divine truth, to assent, that here must be the city of God.

M. F. TOAL.

<sup>17</sup>De moribus Ecclesiae Catholicae XXX, 63.

<sup>18</sup>John VII, 46.

# The Mass Stipend

## Some Recent Studies (3)

### Summary:

Professor Vincenzo Del Giudice considers that the mass stipend produces a contract of Mandate—Argument evolved on different lines from that of Fr. De la Taille—He rejects the onerous contract as juridically impossible—Mandate in classical Roman law—Prof. Del Giudice's analysis of the juridical relation involved in the mass stipend in the light of these principles of Roman law—A juridical criticism of the theory, (1) It does not safeguard the mutual obligation of justice, (2) Criticism of Prof. Del Giudice's explanation of the radical distinction between Mandate and *Locatio Operae*—Definition of the two notions in the laws of England—The theory not entirely satisfactory with a view to excluding simony, (3) Ways in which mandate ceases to exist, (4) Difficulty in view of current legislation about transferring mass stipends.

Father Maurice De la Taille would solve the juridical problem involved in the practice of mass stipends by interpreting the transaction as a contract of mandate. He claims that his solution is not a new one but as old as the Church; accordingly, he cites passages from ecclesiastical writings from the earliest times to demonstrate by the accumulation of positive evidence that his is really a "historical solution."<sup>1</sup>

Professor Vincenzo Del Giudice, of the Catholic University of Milan, also interprets the transaction as an example of the classical contract of mandate. His arguments, though, are juridical in character, recalling the notions and jurisprudence established by the great jurists of classical Roman Law.<sup>2</sup>

### PROF. DEL GIUDICE'S THEORY—REJECTION OF ONEROUS CONTRACT.

He first rejects the more commonly held opinion which considers the mass stipend to involve some kind of bilateral, onerous contract. The priest's activity in offering sacrifice, he declares, whether considered under the aspect of celebration or of application, is juridically incapable of being involved in an onerous contract.<sup>3</sup>

Considered under the aspect of the application of the "fructus medius," the priest's activity cannot form the matter of an onerous contract because it is altogether outside the bounds of judicial cog-

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<sup>1</sup>Fr. De la Taille's theory is discussed in *A.C.R.*, Oct., 1937, and Jan., 1938.

<sup>2</sup>*Stipendia Missarum* (1922). In this study, written in Italian, the learned author traces the historical development of the Stipend and examines various solutions proposed for the juridical problem which it involves, besides propounding his own interpretation of the contract.

<sup>3</sup>For this reason he rejects not only *locatio-conductio*, but also the innominate contract, "Do ut facias" and the modal donation as explanations of the problem under discussion.

nissance. In contracts which involve the rendering of some service by one of the parties, different degrees of confidence (*fiducia*) are required of the other party. According as the service is of a more elevated character, for example the office of a physician, advocate or professor, so is a higher degree of confidence required of the other party. Furthermore, according as the degree of confidence is increased so is the degree of subjection to judicial cognisance lessened. In the cases mentioned, judicial cognisance is reduced to a minimum. That it should remain at least in some slight degree is required by the very nature of a contract which involves mutual service from the contracting parties; without it the contract could not be enforced. Now, the priestly ministration, viewed under the aspect of application, is reducible to the internal intention of the priest. Its fulfilment is therefore impossible of judicial verification. It cannot be proved juridically, for example, that the mass was applied solely for the intention stipulated; only the word of the priest himself remains as guarantee of the fulfilment of his engagement.

Even under the aspect of celebration, the priest's activity is not conceivable as matter of an onerous contract. Certainly, it is subject to judicial cognisance in some slight degree, in that it involves certain external actions such as prayers and ceremonies. Nevertheless, those services of a higher order, already referred to, are excluded by the principles of Roman law from forming the matter of a *locatio-conductio*. Their dignity is such that they are rightly considered as juridically inept to be involved in an onerous contract. They must form the object of a gratuitous contract, namely *Mandate*. The author classifies the priest's ministration, considered under the aspect of celebration, with these services of a more exalted dignity.

#### CONTRACT OF MANDATE IN ROMAN LAW.

The notion of mandate is accurately defined in the "fontes" of Roman law. It is a consensual, imperfect bilateral contract by which one (the "mandatarius") undertakes to perform some service *gratuitously*, according to the instructions of another (the "mandans").<sup>4</sup> The essential elements of the contract might therefore be enumerated. Firstly, it is a contract which is effected by consent alone, independently

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<sup>4</sup>Vidal, *Institutiones Juris Romani*, n. 448; Bonfante, *Instituzioni di Diritto Romano*, n. 165.

of any "traditio rei" and without any formalities whatsoever.<sup>5</sup> Secondly, it is required that the object of the contract be something of interest to the "mandans"; otherwise it will be an instance of his tendering counsel rather than naming a mandatary. It is not required, however, that the mandatary act in his name, as his personal representative.<sup>6</sup> Thirdly, the service mentioned in the contract must be possible of fulfilment, physically, morally and juridically; otherwise the contract would be rendered invalid.<sup>7</sup> The author notes that not only services of a strictly juridical character but also those services which he asserts are impossible of being the matter of an onerous contract, are juridically capable of being the object of mandate.<sup>8</sup> Fourthly, the mandatary acts gratuitously. This is of such importance that if a "merces" be introduced, the contract automatically becomes a locatio-conductio.<sup>9</sup>

To meet the demand of changing conditions in the Roman state, the laws came to allow the mandatary to receive an honorarium for his services, while still classifying the contract as mandate.<sup>10</sup> This was verified particularly in the case of the jurisconsult and other such dignified professions.

There must be some limit beyond which this development of mandate might not proceed without its becoming a "locatio-conductio." The radical distinction between these two contracts, mandate with honorarium and locatio-conductio, is constituted, according to Prof. Del Giudice, in the mentalities of the contracting parties. If their mentality is to acknowledge an economic parity between the mandatary's service and the recompense offered, the contract is locatio-conductio. If, on the contrary, the intention of the parties in contracting for the performance of some service is ordinarily such as to exclude all notion of economic comparison, the contract remains one of mandate. This is particularly true, when besides this general under-

<sup>5</sup>The jurisconsult Paulus, in the Pandects: *Obligatio mandati consensu contrahentium consistit. Ideo per nuntium quoque vel epistolam mandatum suscipi potest.* Paulus. L.I. § 1, 2. DXVII. I mandati vel contra.

<sup>6</sup>The mandatary would thus become a procurator.

<sup>7</sup>Gaius, *Institutiones*, III, 157; Winscheid, *Diritto delle Pandette*, I, 291.

<sup>8</sup>*o.c.*, p. 190.

<sup>9</sup>Paulus L.I., §4, DXVI. I Mandati vel contra: *Mandatum nisi gratuitum nullum est; nam originem ex officio atque amicitia trahit, contrarium ergo est officio merces.* The *Institutiones* of Justinian are even more explicit, III, 26, 13.

<sup>10</sup>Ulpianus, L.6, pr., DXVII, I. *Si remunerandi gratia honor intercedit, erit mandati actio.*

Cf. Vidal, *o.c.*, p. 429, p. 431; Bonfante, *o.c.*, p. 474, p. 480; Winscheid, *o.c.*, II, 404; May, *Elements de Droit Romain*, p. 360; Hunter, *Roman Law*, p. 482; Buckland, *Manual of Roman Private Law*, n. 299.

standing of absolute inequality between service and honorarium, the element of confidence, so characteristic of mandate, is evident in the transaction.

#### NOTION OF MANDATE APPLIED TO THE MASS STIPEND.

Applying the notions of mandate as expounded in classical law, Prof. Del Giudice concludes that the priest who accepts a mass stipend is in just the same situation as the Roman mandatary who, while acting gratuitously, received an honorarium for his services. The essential elements of mandate, enumerated above, are verified in the case of the priest, according to the author. Moreover, the priestly ministrations, by reason of the infinite value of the mass, is considered by the contracting parties and, indeed, by all the faithful, to be incapable of comparison with the material recompense. The element of confidence, characteristic of mandate, is particularly evident in the case of one who offers a mass stipend. The offering is therefore an "honorarium" rather than a "merces." The priest's service as a mandatary is quite gratuitous and so all suspicion of simony is effectively removed.

#### CRITICISM OF THE THEORY—THE OBLIGATION OF THE CONTRACTING PARTIES.

As other theories which interpret the mass stipend as a gratuitous contract, this solution leaves in doubt the obligation of justice which, all agree, is incumbent on both parties.<sup>11</sup> If the priest's obligation is derived from his acceptance of an honorarium, the contract has become a *locatio-conductio*, in accordance with the general principles laid down by the Roman jurists.<sup>12</sup> It could arise, then, only from the intrinsic character of the service undertaken or from the positive intention of the priest, binding himself to the fulfilment of his mandate in virtue of strict justice. But even the infinite value of the fruits of the mass cannot effect that an obligation undertaken freely and voluntarily become binding in strict justice.<sup>13</sup> Regarding the intention of the contracting parties, there is a presumption that they bind themselves in fidelity only, unless it is clear that they have assumed a more burden-

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<sup>11</sup>Prof. Del Giudice also imposes such an obligation, o.c., p. 200.

<sup>12</sup>Cf. authorities already cited. Also *Institutiones*. III, 26, 13.

<sup>13</sup>Cf. Crolley, *Disputationes de Justitia et Jure*, Vol. 2, n. 398. "Hic contractus est omnino gratuitus, et ideo mandatarius non nisi ad levem diligentiam obligatur et ad restitutionem nisi ex negligentia crassa non tenetur."

some obligation.<sup>14</sup> This is borne out in practice. The priest who undertakes to apply a mass, although no stipend is mentioned, is considered to have assumed an obligation of fidelity, unless he has indicated in some way his intention of binding himself from some other virtue, for example, that of justice. On the other hand, if a stipend be offered and accepted, an obligation of justice is considered to have arisen, independently of the priest's intention.

To preserve the notion of gratuitous contract, the donor should give the honorarium freely, "ex grato animo," though as something due in honour. It would seem that if an obligation of strict justice is imposed, the contract has become "ipso facto" a locatio-conductio.<sup>15</sup>

#### RADICAL DISTINCTION BETWEEN LOCATIO-CONDUCTIO AND MANDATE WITH HONORARIUM.

In examining the juridical implications of the development which produced this new type of mandate, the most fundamental consideration is to determine upon some criterion by which to distinguish it from locatio-conductio. Prof. Del Giudice, as has been noted, sees such a criterion in the intention or mentality of the contracting parties, according as the mandatary's service and the material recompense are considered as the matter of an economic exchange or as impossible of economic comparison.

Now it is essential to the notion of mandate that it be gratuitous and it is particularly in respect of this characteristic that it is distinguishable from a true locatio-conductio. Accordingly the criterion by which the nature of the contract is to be determined in the cases contemplated must be such as to provide for a proper estimate of the transaction under this aspect. The criterion proposed seems to fail in this respect. For if a mutual obligation of strict justice be admitted, the contract becomes locatio-conductio from the very nature of the case. The intention of the parties does not preserve the gratuitous

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<sup>14</sup>S. Alphonsus, Lib. 3, n. 720; Lugo, De Justitia. Disp. 23, n. 93. Another difficulty arises at once in the field of Moral Theology unless the obligation of justice be safeguarded. An obligation of fidelity is considered to be "per se levis." The obligation to apply mass, by reason of accepting a stipend, is held, most commonly, to be "per se gravis."

<sup>15</sup>Applying the author's theory in other cases of Sacerdotal ministrations. e.g., administration of the sacraments, a similar difficulty arises. The Code provides that an Ordinary may inflict a penalty on those who refuse to offer stole fees to which a pastor is entitled on the occasion of administering sacraments. (Cn. 463, 1507, 2349). This provision does not seem to regard the offerings as "honoraria" in the strict sense, which would be due in honour and in fidelity, but not in strict justice.



character of the contract, when from the nature of things it has already been lost.<sup>16</sup>

It is of interest to examine the mentality of priests and faithful in the case under discussion. It is undoubted that, understanding the infinite value of the mass they exclude all possibility of an exchange between the priest's activity and the stipend. They do not, however, consider the transaction as having entered the realm of gratuitous contracts. Rather do they consider an onerous contract to have been effected implying mutual obligations of a strict character. They are assured that simony has been excluded by reason of the priest's right to be supported by the faithful (*titulus sustentationis*), which belongs to him irrespective of any suggestion of exchange of spiritual and material.<sup>17</sup>

It remains to suggest another criterion by which to judge the nature of the contract. It would seem that the essential difference between the two contracts, *locatio-conductio* and mandate with honorarium, consists rather in this, that the "merces" due on account of "*locatio operae*" might be exacted by legal procedure, while the obligation of a "mandans" to recompense a mandatary cannot be juridically enforced. Originally, no legal remedy was granted to the mandatary in Roman law and precisely in this, it seems, was he distinguished from a party to a *locatio-conductio*. Certainly at a later period a legal remedy was granted to him, a certain "*cognitio extraordinaria*" by the praetor.<sup>18</sup> The contract still bore the name of mandate but it would seem not to have differed essentially from *locatio-conductio*. The distinction after this date was no more than accidental, if we consider the matter in terms of legal philosophy. Thus it was that although the mandatary's honorarium might be exacted judicially, it was not so patently in exchange for the service rendered as in the case of the onerous contract; *e.g.*, if a mandans urged the fulfilment of the contract by invoking the "*actio mandati directa*," it was not a valid legal exception for the mandatary to urge that the honorarium had not been

<sup>16</sup>Prof. Del Giudice confronts those who propound a "*titulus sustentationis*" as distinct from a "*titulus laboris*" with the objection that they confuse the motive of the parties (*finis operantis*) with the objective end of the contract, determined by the nature of things (*finis operis*). It would seem that this same difficulty might be raised against his theory at this point.

<sup>17</sup>Cf. S. Thomas, 2<sup>a</sup>, 2<sup>ae</sup>, Q. 100, a.2, ad 2<sup>um</sup>.

<sup>18</sup>Cf. Bonfante, p. 474. Il costume regolava il compenso per queste opere con *donativi socialmente obbligatori*, che i romani chiamavano honoraria vel munera. Nel periodo imperiale simili rapporti cominciarono a essere regolati dal diritto per via di *cognitio extraordinaria*. Cf. Winscheid, o.c., II, n. 410.

given.<sup>19</sup> It is plain that a moral obligation was always incumbent on the mandans to deliver the acknowledged honorarium. But this original exclusion of the mandatary from any legal remedy for exacting it juridically would seem to have marked the essential difference between the two types of contract more accurately than the changing mentality of the parties, as Prof. Del Giudice claims.

#### MANDATARY'S HONORARIUM IN THE LAWS OF ENGLAND.<sup>20</sup>

The laws of England make a radical distinction between the notions of "merces" and "honorarium." The former is recompense for a service which is due in virtue of a *locatio-conductio*, the latter is defined as recompense which is *due in honour*, not as wages for services rendered. The classical example of service for which an honorarium is due, is the professional service of a barrister. The barrister and his client are considered as being juridically incapable of entering into a contract of *locatio-conductio* in respect of the former's professional services.<sup>21</sup> Thus it is that no legal action is available to a barrister for the recovery of fees from his client; juridically, the client is free to give or withhold the honorarium.<sup>22</sup> Judge Ehrle, in a classical pronouncement which is recognised as authoritative in this matter, states that the relation between advocate and client "creates incapacity to make a contract of hiring as an advocate, and the services of an advocate create neither an obligation nor an

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<sup>19</sup>Cf. Buckland, *Text Book of Roman Law from Augustus to Justinian*, p. 512. "Doubtless the limits of mandate and *locatio conductio* were not precisely defined. . . . These cases of recognised *salaria*, *honoraria* grew more numerous as time went on and services of almost every kind were dealt with in this way. . . . This makes its gratuitous character rather unreal but not unimportant; it would not be possible for a mandatary sued on his mandate to set off a claim for his honorarium. . . . It was no part of the contract." Bonfante describes the juridical development in similar terms. Cf. also Moyle, *Imperatoris Justiniani Institutiones*, III, 26, 13; Hunter, *Roman Law*, p. 482.

<sup>20</sup>Halsbury, *Laws of England*, under the headings, *Work and Labour*, *Barristers, Solicitors, Medicine and Pharmacy, Arbitration, Companies, Conveyances*; Addison, *Law of Contracts*; Chitty, *Treatise on Law of Contracts*; Pollock, *Principles of Contract*; Bell, *Dictionary of the Laws of Scotland*; *Encyclopedia of the Laws of England*.

<sup>21</sup>Cf. Addison, *o.c.*, p. 873; Chitty, *o.c.*, Ch. 19; Halsbury, *Vol. 1*, par 699 sqq.; *Vol. 28*, par 1532 sq.

<sup>22</sup>The barrister is permitted to demand his legal fee before undertaking the prospective client's defence. Afterwards no legal remedy is available. Should a client pay the barrister's fee to the solicitor, who fraudulently retains it, no legal action is available to the barrister, though, of course, disciplinary action would be taken by the Association of Solicitors.

inception of an obligation nor any inchoative right whatever, capable of being completed and made into a contract by any subsequent promise."<sup>23</sup> The learned judge expounded, in the course of the sentence, the nature of an advocate's profession. "Fees of learned men in the law are not in the nature of wages or pay, but honorarium, not merces; it is certain, not contracted for; no price can be set upon counsel, which is invaluable. . . . It is a gift of such a nature and given and taken upon such terms that, albeit the able client may not neglect to give it without note of ingratitude, still the counsellor may not demand it without doing injury to his reputation, according to that moral rule, *multa honeste accipi possunt, quae honeste peti non possunt*. . . . The incapacity of an advocate in litigation to make a contract affects the integrity and dignity of advocates, and so is in close relation with the dignity of human interests. He is trusted with privileges and powers. . . . Therefore he must have a high sense of duty so to stand courageously by his client. If a contract for hire were possible perhaps his mind would be lowered and the words of the contract mean more than his sense of duty."<sup>24</sup>

The mind of the legislator plainly is to consider the relation between advocate and client as a gratuitous contract, namely, mandate. He ensures this by depriving the advocate of any legal remedy in the case of his client's failure to pay the honorarium. The juridical notions thus embodied in the laws of England would seem in accord with the conclusion formulated above in respect of the essential difference between *locatio-conductio* and mandate with honorarium.

English law introduces the same distinction when regulating the professional activities of physicians, surgeons and arbitrators. Formerly, a physician was considered to work for an honorarium, a surgeon for a merces; all legal remedy was denied the former, though not to the latter.<sup>25</sup> Similarly, arbitrators are presumed to give their services for an honorarium, unless there be some stipulation, explicit or implicit, to the contrary; should the presumption stand, they have no legal remedy for the recovery of fees.<sup>26</sup>

#### THE LIMITS OF REMUNERATED MANDATE ARE UNDEFINED.

It is plain that the reason for the introduction of this juridical

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<sup>23</sup>Case, Kennedy Brown, 1862.

<sup>24</sup>Common Bench Reports, XIII.

<sup>25</sup>Halsbury, Vol. 20, Sec. 3, par 823.

<sup>26</sup>Halsbury, Vol. I, p. 668.

figure in Roman law was the elevated character of certain duties which made them inept as matter for a *locatio-conductio*, and disposed them rather to be suitable matter in a contract of mandate in which a higher degree of confidence (*fiducia*) is required on the part of him who wishes to avail himself of these services. This reason does not seem to arise from any principles of natural law, but merely from considerations of public utility and security. Accordingly, its application might be more extensive or more restricted according to the needs of public utility in different times and places; for this is a consideration of relative value, not a standard fixed and absolute.

So it is that in English law a physician was formerly considered to be entitled to an *honorarium*; now his recompense is classified as "*merces*" with a consequent variation of juridical effects in regard to recovery of fees. Moreover, a barrister has no legal redress when defrauded of his fees, while a solicitor is considered to receive a "*merces*" and must present a bill of costs. From the nature of the case, there would seem to be no reason for this divergent legislation; an equal degree of confidence is required of their clients. The difference in legal status must, therefore, be determined by external considerations, namely, of public utility—considerations found to be of different value in the different cases.<sup>27</sup> In the case of an arbitrator the requirements of public utility are of a less imperative character, it would seem; for the presumption that he is giving his services for an *honorarium* yields to a contrary intention of the interested parties.

Since the fundamental reason for the introduction of the contract under a consideration is something relative, not stable and fixed at all times and places, the limits of the contract are ill-defined; certain species of juridical relationship are found at one time within its bounds, at another time outside them. Now, in determining the character of the juridical relation existing between the priest and donor of a stipend, it is essential that all suspicion of simoniacal exchange be definitely excluded. This is not achieved with satisfaction by assigning the transaction to a species of contract, whose limits are so ill-defined and which is sometimes so difficult of distinction from *locatio-conductio*.

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<sup>27</sup>In earlier legislation a physician's recompense was an *honorarium*, that of a surgeon was *merces*. An equal degree of confidence is demanded in the client of the one or the other.

## CESSATION OF MANDATE.

A contract of mandate ceases to exist, according to the doctrine of classical law, on account of the death of either party to the contract, recall of the mandate on the part of the "mandans" or resignation on the part of the mandatary.<sup>28</sup> Accordingly, the contract initiated by the donor's request to the priest to apply mass according to his intention should be brought to an end in these ways; such, in fact, is the conclusion of Professor Del Giudice.<sup>29</sup> Many difficulties, though, both theoretical and practical, immediately arise.

Should the donor of a stipend die, the priest is still bound by his obligation of justice to apply mass for the intention stipulated. In fact, that he should be freed thereby from his obligation is a contingency not even contemplated by canonists and moralists. The law of the Code states simply: *tot celebrandae et applicandae sunt missae quot stipendia data et recepta fuerint*;<sup>30</sup> the legislator seems to have contemplated no exception to this general rule. Similarly should a priest die, it is for his heirs to arrange for the fulfilment of obligations arising from his acceptance of stipends. That such obligations are not merely personal, ceasing at the death of the priest, but real, and so incumbent on his legal successor, is implicitly recognised by the Church in exercising her power of Condonation in such cases.<sup>31</sup>

Neither can it be admitted that the donor of a stipend might withdraw his commission to a priest for the application of mass on his behalf. The priest, it might be presumed, would be required in such a contingency to restore the honorarium. The priest, after accepting a stipend, is considered in canon law to have assumed an obligation to apply mass either personally or through another. A corresponding right belongs to the donor. This right, though, is not extended to the point of permitting the donor to withdraw his commission to the priest; that would, in effect, concede to him the right which the Code acknowledges only for the priest, of selecting another who might apply the mass in his stead. Such an extension of the donor's right is not contemplated by commentators on church law. It would raise practical difficulties of an insuperable character.

Similarly, it is contrary to accepted doctrine and practice that a priest should, after assuming an obligation to apply mass, lay aside his responsibility at will.

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<sup>28</sup>An exception to this rule would be the case in which the mandate was not to become binding until after the death of the mandans.

<sup>29</sup>*o.c.*, p. 196.

<sup>30</sup>*Cn.* 828.

<sup>31</sup>*Cappello, De Sacramentis, Vol. I, n. 721.*

These ways of ending the contract are such an integral part of the notion of mandate that it seems fair to conclude that if they be impossible of verification in a particular instance, it is impossible to describe the juridical relation as an example of mandate.<sup>32</sup>

#### CURRENT LEGISLATION ABOUT TRANSMISSION OF STIPENDS.

The regulations governing the transmission of mass obligations from one priest to another impose responsibility for the obligations on the one who is transferring them until such time as he has received from the other a statement of his acceptance of the obligation and receipt of the stipend.<sup>33</sup> It is possible to conceive a case in which the party who is to undertake the obligation at the other's behest, signifies his willingness to do so; meanwhile, though, the party who will be relieved of the obligation, loses, without any fault on his part, the stipends due in consideration of the obligations. In such a case the latter party remains responsible for the fulfilment of the obligation.

According to the principles governing the contract of mandate, however, the obligation should become incumbent on the second party immediately that he undertakes the responsibility. For mandate is effected by the consent of the parties, not by the rendering of the honorarium. It might be concluded that the theory of mandate is not easily reconcilable with the principles embodied in the Code, which in this, as in other instances, seems to contemplate the juridical relation between priest and donor as an onerous bilateral contract.<sup>34</sup>

#### CONCLUSION.

It is of interest to examine the reasons advanced by the learned jurist in support of his primary contention, that an onerous contract is juridically impossible in this matter. However, this examination might be conveniently remitted to the concluding article of this series, which will treat of the various solutions which embody the notion of an onerous contract, including the more recent exposition made by Fr. Guillaume Arendt, S.J.

The work which Prof. Del Giudice has published is undoubtedly a valuable contribution to the canonical literature bearing on this difficult question. His solution of the juridical problem involved does not seem, though, to be devoid of difficulty, and, in a general estimate, does not seem more satisfactory than the theory of mandate as expounded by Fr. De la Taille.

JAMES CARROLL.

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<sup>32</sup>Similar difficulties might be raised against Fr. De la Taille.

<sup>33</sup>Cn. 839.

<sup>34</sup>Similar objections are raised against the theory of Fr. De la Taille.

# Liturgy

I—REQUIEM MASS IN LENT—CEREMONIAL FOR THE STATIONS OF THE CROSS—SHOULD *m.t.v.* AFFECT LAUDS HYMN IN OFFICE OF CONFESSOR NON PONT?

Dear Rev. Sir,

I should be glad to have your answers to the following doubts:—

1. The Ordo of this year says that a Mass of Requiem is allowed on the first free day in each week, but Thursday the third of March is not the first free day, as the Mass of Requiem was allowed on February 28th and March 1st, that is on the Monday and Tuesday of the same week.
2. When the Stations of the Cross are being celebrated in the church, what is the proper way for the servers to stand? Some say that they should stand in front of the Celebrant, with their backs to the Stations. Others say they should be at the side of the Celebrant, facing the Stations. Others put them at right angles to the Celebrant, and others have the cross-bearer in front of the Celebrant, with his back to the Stations, while the other servers would be at the side of the Celebrant, facing the Stations.
3. I have heard it argued that in the office of a Confessor non-Pont, marked *m.t.v.*, the third verse of the hymn at Lauds should be omitted. Do you know of any authority for this?

SACERDOS.

## REPLY.

1. The Ordo is correct, as will be seen by referring to the decree given below question X. The 3rd March is the first free Lent day of the week.
2. We shall search in vain for any authoritative ruling on this question. *De Amicis* speaks of the solemn celebration of the Stations of the Cross in which cross-bearer and acolytes take part. Here as elsewhere the acolytes are rather attached to the sacred image of Christ crucified than to the Celebrant, but the position occupied by the members of the group at each station is not detailed. (See *Caeremoniale Parochorum*, Part V, C. II, art. 2). Fortescue, 4th ed., p. 267, seems to say that at the Station they should form one line facing the Station with the Priest nearest to the altar, the

cross-bearer (between the acolytes) on his left or right, according as the Stations begin on the Gospel or the Epistle side. Of course the space through which the Celebrant has to move will also have effect on the formation of the group before each Station. Since, then, there is no particular law to guide us, we must allow ourselves to be guided by the dictates of decorum, and do all things in comeliness.

3. Time after time has this defect in the Breviary struck us, when the feast of a Confessor, not a Bishop, is not kept on his death day. Provision is made for the truth in the *Iste confessor*, but in the Lauds hymn the untruth is left uncorrected. *Anni reverso tempore,/Dies refulsit lumine,/Quo Sanctus hic de corpore/Migravit inter sidera.* And Father Caswall translates it: *Again returns the sacred day,/With heavenly glory bright/Which saw him go upon his way/Into the realms of light.* On receipt of this inquiry we again renewed our investigations, and sought to discover if any one had ever put forward a proposal for a change in the Lauds hymn to correspond with that in *Iste Confessor*. Daniel in his *Thesaurus Hymnologicus*, Vol. I, p. 111, has a note on this passage of the Lauds hymn, in which he gives a quotation from Gavantus, *Thesaurus*, III, p. 360: *In translationem festi et quando officia Confessorum transferuntur in aliam diem mutatur versus in hymno Iste Confessor, ut in Breviario Urbani VIII iussu recognito, ne mendacium dicatur, quod eo die oberint: in hymno Laudum Confess. non Pontificum videbatur etiam mutandus ille versus: Dies refulsit lumine, sed non mutatur, quia non dicimus haec dies praecise in quo fit officium.* This is a very keen observation of Gavantus, but it is not very convincing to the ordinary cleric, who would think that there is precise allusion to the day of the Saint's death, and that, besides, this is the day we are celebrating. We think that in all reason there should be here too a modification *ne mendacium dicatur*.

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## II—IMPORTANT DECREE OF THE SACRED CONGREGATION OF RITES.

In looking through the *Ephemerides Liturgicae* towards the end of 1937, we were somewhat surprised to find a decree of the S.C.R., dated 3rd March, 1936, which we had not before seen, because it had not been gazetted in the *Acta Apostolicae Sedis*, and indeed has not



since been. Since it contains the solution of some useful questions, it may interest our readers if we gave it in full. We shall place the reply after each question.

1. On the 3rd Feb. the feast of St. Blase, Bishop and Martyr, St. Blase's blessing of the throat is given, and the people are glad to receive it. Now, since many workmen and school children cannot go to the church except on Sunday, it is asked :

(a) May the blessing be given on the Sunday following the feast?

Answer: Yes.

(b) May the blessing be given throughout the day? Answer: Yes.

(c) Must the candles used in the blessing be lighting? Answer: No.

2. When the feast of the Precious Blood occurs within the octave or on the octave day of the feast of the Sacred Heart—

(a) Is the doxology of the Sacred Heart to be used in Complin and the little Hours, even though the Commemoration of the Sacred Heart is omitted? Answer: No.

**N.B.**—Our Ordo must be corrected in accordance with this ruling, for in common with other Ordos of high repute it prescribes the Sacred Heart doxology throughout the feast of the Precious Blood.

(b) Even though the commemoration of the Sacred Heart is omitted on the feast of the Precious Blood, should the Preface of the Sacred Heart be said, just as the Preface of the Epiphany is said on the feast of the Holy Family? Answer: No.

3. On a minor Sunday is consecrated a church, which is dedicated to Christ the King or some other mystery of the Lord. According to T. II, n. 7, of the *Add. et Varr.*, the Mass of the Dedication is to be said after the consecration. In this Mass the prayer of Christ the King or other mystery is said under one conclusion with the prayer of the Mass, and then the commemoration of the occurring Sunday is made, but which Preface is to be said, that of the Trinity or of Christ the King or of some other mystery? Answer: The Preface of Christ the King or of the other mystery which is Titular of the church. Which last gospel is to be said? Answer: The Gospel of the Sunday.
4. On a minor Sunday on which a church is consecrated, the Office (according to T. IV, n. 2, *Add. et Varr.*) is said of an occurring feast of the Lord, with a commemoration of the occurring Sunday as far as Prime. After the consecration of the church the Mass of Dedication is said, and in this Mass a commemoration of the occur-

- ring feast of the Lord and of the occurring Sunday is to be made. In this case which Preface must be said, that of the Trinity or of the occurring feast of the Lord? Answer: The Preface of the occurring feast of the Lord.
5. In the consecration or solemn blessing of a church in honour of the Annunciation, Assumption or Visitation of the Blessed Virgin Mary, the prayer of the Titular is to be added in the Mass of Dedication, or, in case of the solemn blessing, the Mass of the Titular to be said, is the said prayer or Mass to be taken from the feasts of the Annunciation, Assumption or Visitation, and not from the Common of the feasts of our Lady? Answer: The prayer or Mass must be as in the feast of the Annunciation, Assumption or Visitation.
  6. The feast of all the Saint Popes of the holy Roman Church is celebrated after the Octave of SS. Peter and Paul. In this case must the Credo and Preface of the Apostles be said on the feast? Answer: Yes.
  7. On Friday after the octave of the Ascension, on which the privileged votive Mass of the Sacred Heart is forbidden, solemn exposition of the Blessed Sacrament takes place, and the votive Mass of the Blessed Sacrament is to be said. May this votive Mass be said? Must not the Mass be rather the Mass of the feria without the commemoration of the Blessed Sacrament? Answer: The votive Mass of the Blessed Sacrament should be said.
  8. In the Mass of the Solemnity of the Titular or Dedication of a church transferred to Sunday, according to T. IV, n. 3, of the Add. et Varr., a commemoration is made of an occurring second class feast, not a feast of the Lord, and then a commemoration of the Sunday. Now, in this case, should not the commemoration of the Sunday come first? Answer: No.
  9. According to T. VI, n. 1, Add. et Varr., the season prayers are omitted on a Sunday if there is a commemoration of an octave day or of a day within even a common octave. When the Sunday's Mass is impeded by a feast of higher rite, and such Sunday's Mass is to be resumed during the week, on a day within a common octave, is the third prayer (the season prayer) to be omitted in this resumed Mass? Answer: Yes.
  10. In Lent, according to T. III, n. 9, the *Missa quotidiana Defunc-*

*torum* is allowed on the first day of each week on which, outside Quarter Tense and Vigils, is said the office of a semidouble or of a non-privileged ferial. Can this *Missa quotidiana* be said on the Thursday, Friday or Saturday after Ash Wednesday, that is on the first of these days that is free, even though Monday or Tuesday of the same week admitted such Mass? Answer: Yes.

11. A priest has charge of two churches. On All Souls' Day he says Mass in each. Must the Mass in each church be the first Mass given in the Missal? Answer: Yes.
12. In one and the same Mass several marriages are to be blessed. In this case are the prayers for the sponsal blessing, as given in the *Missa pro sponsis*, to be pluralized? Answer: No change is to be made.

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### III—MEANING OF “SOLEMNITIES” OF MARRIAGE.

Dear Rev. Sir,

What exactly is meant by the *Solemnitates*, which are forbidden without dispensation in relation to marriage celebrated during Lent? Does it mean any more than the celebration of nuptial Mass and the giving of the solemn nuptial blessing? Is it lawful to have the organ played during the marriage ceremony, to have the altar decorated with flowers, and to have beforehand what is called a “Kitchen Tea” in a local hall: are these included in the *solemnitates* which are forbidden?

GILBERTUS.

#### REPLY.

Only the solemn blessing of the marriage is forbidden in the closed times, and even this the Ordinary can permit for just cause after warning the couple to abstain from too much display, *nimia pompa*. (Can. 1108). This *nimia pompa* must be interpreted by local standards. What would be taken as great display in some parts of Australia might be judged extremely modest and subdued in other parts of the world. The local Ordinary or the parish priest must therefore decide for themselves. It is certainly to be advised that the incongruity of the celebration with the Church's mind should be shown forth by the retention of the sombre and penitential appearance of altar and sanctuary.

If our competence, alas! does not reach the "Kitchen Tea" in the local hall, it will at least give strong support to the pastor who thinks well to retain the altar in its Lenten look, and keep the organ in its sorrowful silence.

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#### IV—PRAYERS IN VOTIVE MASSES AND IN REQUIEM MASSES.

Dear Rev. Sir,

Kindly vouchsafe a little light on the following:—

1. Is it correct to hold that *per se* only three prayers are of obligation in a votive Mass not sung? I am excluding the monthly *Fidelium*, the prayer *Pro seipso Sacerdote* on anniversary of ordination, or certain *Orationes imperatae* which have to be said as fourth prayer, so that in unsung votive Masses the prayers of obligation are three only—1st, the prayer of the votive Mass; 2nd, the prayer of the day; 3rd, the prayer that would be second in the Mass of the day; and consequently the prayer that is third in the Mass of the day is never of obligation in such votive Mass. Three prayers the minimum; seven the maximum.
2. Regarding prayers in Masses for the dead (unsung). I have always been told that when the Mass is offered for the Holy Souls in general, the prayers are said as they lie in the *Missa quotidiana*; if the Mass is offered *pro defuncto certo designato*, the first prayer is chosen to suit the designation, the second is *ad libitum*, the third is *Fidelium*, and when the Mass is offered for some particular soul or souls whose description is unknown, then the order is: First, *Deus veniae largitor*; second, *ad libitum*; third, *Fidelium*. Certain learned men disagree with this. They say that when the person is designated the order of prayers is: First, to suit the designation; second, *Deus veniae*; third, *Fidelium*. That is, they hold there is no choice in the second prayer. I hold there is; for even in the sung *Missa quotidiana* the rubric rules that the first prayer is *Pro quo vel quibus applicetur Missa*; second, *Eligatur a Celebrante*. An *a fortiori* argument stands for the same procedure in the same Mass when not sung.

JUVENIS.

## REPLY.

We are pleased to recognise that JUVENIS does not permit the awful presence of the grave and reverend seniors to warp his judgment in matters liturgical. He is right minded on the whole, though the expression of that rightness may at times falter. Lynx-eyed weariness must he have who dares to express himself on rubrics, and as he goes he must hedge his words with a very thicket of reserves, restrictions and explanations.

1. As the question stands, it is not correct to say that *per se* only three prayers are of obligation in an unsung votive Mass. Take an example. Father X's church has for Titular St. Agnes, V.M. On the 23rd of January the good priest wishes to say in his church a votive Mass in honour of our Lady. The Mass is *Vultum tuum sine Gloria* (unless it is on Saturday), 2nd prayer St. Raymund of Penafort, 3rd prayer Octave of St. Agnes, 4th prayer St. Emerentiana. It is true three is the minimum number of prayers, and this number must be made up from the season prayers (in votive Masses of our Lady by the prayer of the Holy Ghost) if there are no commemorations to make up the number. In such a votive Mass as is contemplated in the question, all the commemorations occurring in the Mass of the day are of obligation. Of course, if JUVENIS means by his *per se* to exclude also obligatory commemorations his words approach nearer to the truth.
2. We agree entirely with the assertion of JUVENIS with regard to the prayers to be said in the *Missa quotidiana*. Of course he is on very firm ground when he keeps closely, as he does, to the rubrics. His strong position is not strengthened by his appeal to a rubric for the sung Mass. His position needs no such confirmation, since it is based on the explicit words of the rubric. Moreover, the rubric appealed to is, to us, of doubtful authenticity.

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V—ARE THE VESTMENTS TO BE KISSED WHEN VESTING  
FOR A MASS FOR THE DEAD? ABSOLUTION OF  
THE DEAD BY OTHER THAN THE CELEBRANT.

Dear Rev. Sir,

1. Is there not an instruction to omit all oscula at the Masses of the Dead and, in consequence of this, is it not wrong to kiss the vestments when putting them on for such Mass?

2. At a recent Mass for the Dead, a Bishop who was present was invited to perform the Absolutions after Mass. I was afterwards told that I had invited the Bishop to do a thing that was not lawful, since the privilege was the exclusive right of the local Ordinary, which the invited Bishop was not. Was I really wrong?

OBEDIENS.

REPLY.

1. The prohibition of the oscula at Masses is not so far-reaching as OBEDIENS thinks. There is indeed a general rule that the Ministers omit the oscula when offering anything to the Celebrant. The Deacon and Subdeacon neither seek the blessing nor kiss the hand of the Celebrant. The Gospel book is not kissed, but the altar is kissed as usual, and the paten is kissed after the *Pater noster* by the Celebrant, though not by the Deacon when offering it. So too are the vestments to be kissed as usual—there is nowhere mention of the omission of the *oscula* here. This omission of the oscula of the vestments at the Mass for the Dead seems to be not an uncommon error, for the Ordo issued by the Vicar General of Rome thinks it worth while to call attention to it. “At Mass for the Dead, whether High or Low, the amice, maniple and stole must be always kissed.”
2. Only the Bishop of the diocese may perform the absolution after a Mass which he has not celebrated. The right is incommunicable.

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VI—QUESTIONS CONCERNING SOLEMN REQUIEMS.

Dear Rev. Sir,

1. Some hold that at a solemn Requiem the acolytes should walk to the altar with hands joined, but I was taught that they go carrying lighted candles. What is the correct procedure?
2. Who puts incense into the thurible for the incensation at the elevation in a solemn Requiem? Where exactly is the Subdeacon to kneel for the incensation?
3. Does a Bishop read the ordinary preparation for Mass before a Pontifical Requiem?
4. In some places I have heard the *De profundis* recited after a solemn Requiem as the Clergy returned to the sacristy. What is the rule governing this practice?

Z.

REPLY.

1. The acolytes are to carry their candles as usual in the procession to the altar. They remain lighted on the credence table during Mass, but are not used until the absolutions for the Dead.
2. The Master of Ceremonies or one of the acolytes puts the incense into the thurible for the incensation at the elevation. The proper place for the subdeacon at this incensation is kneeling on the lowest side step at the epistle side of the altar, facing the gospel side.
3. Whatever the celebrating Bishop may have done in private, he does not read the ordinary preparation *in caeremonia*, but he contents himself with reading the vestment prayers, taking care to omit the prayers for the leggings, sandals and gloves .
4. The *De profundis*, etc., is always recited while the clergy are returning to the sacristy, when the Mass has been for some particular soul or souls, but not for the Holy Souls in general. These prayers are for the Holy Souls in general.

W. O'FLYNN.

# Literature in Education : Art or Science ?

## *Summary:*

Introductory: the *Direct Method*; definition and principles. The teacher and his class; the value of method. The spoken word—"Viva vox alit plenius." Conversation in class; made-up texts; authors. Curriculum, time-table and examinations; changes required by the Direct Method. Literature and mind-training; art or science? The objection from History. Conclusion.

Most teachers who have investigated the Direct Method of teaching languages<sup>1</sup> (*A.C.R.*, July, 1937) admit that in theory it is sound. Some doubt whether it can be widely and effectively used in class without sweeping and impracticable changes in our present educational system. A discussion of this problem had best begin with a definition of the Direct Method, and a statement of the principles upon which it is based.

*Definition:* As applied to the teaching of languages—and this is the only sense in which we here use the words—the Direct Method means that the sounds of the foreign tongue are associated directly with a thing, or an act, or a thought, without the intervention of an English word: and that these associations are grouped by a method, so as to make the learning of the language as easy and speedy as possible, and are not brought in at haphazard, as they are when children learn their own language in the nursery.

*Principles:* The purpose of Education is to develop all our powers for good. Largely it is to teach us the art of thinking.

Language, as the vehicle of thought, is the most important means to this end.

Literature is an art.

One's immediate purpose in studying any language is to learn to read, speak and write it fluently.

Vocabulary should be acquired through sentences (or phrases) and through direct associations.

The work should be as pleasant as possible for teacher and pupil.

The pupil should be interested and encouraged.

## TEACHER AND CLASS.

The matter should be graded to suit the pupil's mental equipment.

*A good teacher is a law unto himself; "methods" only hinder him. Look after your principles; the methods will look after themselves.*

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<sup>1</sup>*Corrigendum:* *A.C.R.*, Jan. 1938, p. 83, footnote—for 5/1/1927, read 5/11/1927.



The inference is that if we insist on our principles we shall have good teachers; but it is not enough to have principles: we must reduce them to practice—that is where method is valuable. The study of method enables the teacher to do the maximum of useful work with the minimum of useless effort; it throws light on his principles by showing how they affect his practical work; it gives him a sounder and broader view of the problems of class-management; it puts at his command a stock of useful devices; it may easily prevent him from forming habits of wrong teaching—habits to which the young teacher is almost necessarily prey if he has to work out a system for himself as he goes along; it gives a control which protects him from discouragement, a fruitful source of evil.

No method can supply for lack of scholarship or replace sincere appreciation of one's subjects; but a good method can do much to help presentation. Any method is only a means: it is to be used if it helps to the end in view, abandoned if it does not. It follows that no two teachers will use the same method exactly the same way: each will adapt it to suit himself.

The artist cannot afford to despise technique; the teacher cannot afford to despise method.

*The Direct Method asks too much of the teacher. The work is too individual. The teacher has to teach so many individuals instead of one class.*

Any proper educational work requires as much. One of the teacher's principal tasks is that of establishing in and through his subjects individual contact with the members of his class. Without this contact he will not be able to educate: he may impart knowledge, but he will not usually inspire his pupils with any true appreciation of things; his teaching will be quantitative rather than qualitative. That has been a root fault of much modern education.

The interest of his pupils in their work is a fair indication of a teacher's ability. The surest way to interest people is to approach them through their interests; to enter by their door, as the saying is, and bring them out by ours. This is true of teaching. The teacher must work through the children's interests: he must limit himself by their experience: he must keep in touch with their life. In that way he establishes contact with each of them, and can most effectively influence them. If he is so to unite himself to his pupils without sacrificing the subject he is teaching, he must have a thorough knowledge and sincere apprecia-

tion both of his vocation and of the subject itself, and he must be able to present his matter attractively: wisdom and knowledge are useless to the teacher who cannot communicate them to his class.

This may be asking much of the teacher. We cannot be content with less.

*Not fifty per cent. of our teachers could take a class on the Direct Method.*

Even were this true it would be no argument against the introduction of the Direct Method. Were one teacher in two to concentrate on the teaching of literature, the rest would be able to give their attention to other subjects, and our whole educational system would benefit. In any case, were the Direct Method introduced, teachers would begin with the lower (language) classes, and move up with their pupils. They would not be expected at once to take the literary courses. There is no question of the Direct Method being used with pupils who have already begun a language on the present method.

Any interested teacher of average ability could take an elementary Direct Method class with very little special preparation. It is mainly a matter of working up a simple vocabulary, and accustoming oneself to use the language in class. Not many words are needed at first; but they must express ordinary things within the pupil's experience. A few formulas have also to be mastered—"Que veut dire cela?" and the like. This makes no unreasonable call on the teacher's time. Tried text books provide phrases and the outlines of a method. The teacher's principal difficulty will be to confine himself to the simple expressions needed by beginners. As for his own fluency, the best way of improving that is to set aside a definite time for conversation in the language. Reading will help greatly to the acquirement of a fine sense of rhythm. Much could be done, especially for Greek and Latin, by a system of Summer Schools with conversation practice, demonstration classes, and lectures and discussions on method.

All-important is the teacher's attitude towards literature. A man with a low conception of literature and of education will never be a good teacher. The teacher must be sure of his principles before he starts to teach; he ought to know what each subject should effect, and how he is to get the best results from it: he should have a healthy stock on which to graft his own method.

This difficulty is peculiar to the transition period.

## THE SPOKEN WORD.

*All the direct methods in the world will not give us a foreign language as a vernacular.*

It is true that only habitation in a country and constant association over a period with its people and their customs will ordinarily give anything like native control of a foreign language; but more can be done than is being done in our schools at the present time.

*For most languages, a reading knowledge is all that we require.*

That is true. And the surest way of acquiring that knowledge is through the constant use of the language in question.

Written errors, especially if heavily underscored, impress: they are likely to recur. Generally speaking, written work should be restricted to themes in which there is little likelihood of definite error—not just imperfection of style, but those disheartening errors so frequent in early language work. It is best to do most of this early work orally, the written work being mainly transcription (from the board), dictation, and the reproduction of matter already thoroughly worked over in class.

A principal advantage of the Direct Method is the atmosphere produced by the use of the spoken language: the class accepts Latin and French and the rest as normal means of self-expression. This helps to carry it over the doldrums that must be met with sometimes. The children are willing to learn; they are interested; interest means attention; attention means work.

*The present method does teach us to read, write and speak other languages; fluency is only a matter of practice. After the early grounding in grammar is complete, it is only a question of putting it in practice. In any case, with the Direct Method, practice is necessary, quite as much. Experto crede!*

Practice is the crux. Does the present method provide the practice, even in modern languages? Can it do so without increasing the time spent on the subject? Generally, it does not: and it is fairly certain that it cannot ordinarily do so.

About half the present method class is in English—often more than half. With the Direct Method the whole class is in the language being studied.<sup>2</sup> The importance of the difference will be better appreciated if it

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<sup>2</sup>Normally. There are exceptions; as when the class is engaged in translating a passage, each word being tested and challenged and perfected, whether the translation is into or from English. This is the only way to learn really exact translation. Reading aloud is generally a sufficient test of whether the class understands an author.

is realized that while bi-lingual work involves very little thinking in the second language, the Direct Method requires up to about ninety-five per cent. Whenever English is necessary it should be regarded as the foreign language, and introduced by some such expression as "En anglais," "Anglice." Otherwise it is likely to destroy the atmosphere conjured up by the use of the other language. The circuit, so to say, is broken, and has to be re-made. The re-making wastes power.

As for the early grammar, the Direct Method spends two years giving pupils a mastery of the ordinary usages of accidence and syntax. By teaching usage through use it avoids much of the drudgery usually associated with the learning of languages; at the same time it provides constant practice, it builds up a vocabulary covering the ordinary affairs of daily life, and it teaches incidentally quite a lot of antiquities and history—an excellent background for later reading.

In every way, "viva vox alit plenius."

*However you try to get around the problem, the language spoken in class will not be perfect. It will generally be grammatical—and that is much—but it will not be Cicero: it will implant false ideas of rhythm and order, of the whole spirit of the language.*

*The same argument applies to the prepared texts you advocate for beginners.*

The force of this argument best appears if we change "Cicero" to "Newman." The English used in class is not usually "Newman"; nor are many school text books models of literary style. Though the teacher wishes to give his pupils an appreciation of fine English, and a power of writing and speaking well, he does not begin by setting them to study and to imitate in speech and writing *The Second Spring*. He first enables them to acquire fluency in the accurate use of simple words and phrases, always limiting himself by their (rapidly growing) experience, and in that way guarding against *Verbalism* or *psittacism*.

So with the Direct Method. It teaches first the words that symbolize the ordinary things around us, and bases the necessary grammatical and syntactic drill on these ordinary words, which are full of meaning for the pupil. The process continues for about two years, the period varying according to the pupil's mental ability and experience. At first the *Readers* are almost entirely made-up; but by the end of the second year a large number of verse and prose extracts from real

authors have been introduced into the texts, so that the pupil is now sufficiently acquainted with the ordinary usages of the languages to be able to begin the study of standard authors, when the work becomes primarily literary.

It will have been observed that this difficulty arises particularly in connection with the dead languages; since no classical authors have left us children's books we are forced to write our own. At the same time, it is very doubtful whether standard authors should be simplified—except possibly by the omission of less interesting passages. It is better to delay their use until the children can read and appreciate them without too great difficulty; any exceptional usages can be explained by the master as they occur. The study of authors should begin as soon as they can be read intelligently. Made-up texts are a means to this end, and are to be used accordingly. They must not be regarded as substitutes for standard authors.

#### CURRICULUM, TIME-TABLE AND EXAMINATIONS.

*The introduction of the Direct Method would involve extensive and impracticable changes in our curriculum, our time-table and our examination system.*

Perfectured by centuries of use, the Greek and Latin Classics are unequalled as means to mental culture. Though the Classics should have an important place—perhaps the most important place—in secondary education, not all are equipped to take advantage of the training they provide. For these, English and modern languages must have pride of place. The important thing is that the training be literary. Literature, taught as literature, develops the individual without sacrificing the unity of the class; if it is regarded as a science, the individual is sacrificed to the class, and the class is often sacrificed to its weakest members. Anyone can with patience collect facts: not anyone can do creative work—and our colleges should produce men capable of just that. All are not fitted for the same course of education; but the proper basis of all specialized education, for whatever state of life, is a liberal education, varying in degree as it precedes one course or another.

Such an education requires that about two-thirds of the class time be given to literary subjects.

The Direct Method, then, requires little change in the present time-table and curriculum. It requires that the elementary classes at least should not be larger than twenty to twenty-five pupils. For best results

it would require also a change in the examination system.

School examinations are the means to an end. The end is the education of the individual. As the conception of education and of the individual varies, so will the use of examinations.

The chief value of examinations is that they develop the power and habit of co-ordinating acquired knowledge and of directing one's activities towards a determinate end. They are valuable in that they demand the power of making a maximum of useful effort over a given period. They serve also for an indication of intellectual standing. In each of these departments their efficacy is conditioned by both the subject-matter and the form of questions asked. The best question is that which requires the exercise of the individual's powers of judgment and integration.

At present, examinations are supposed to indicate intellectual ability principally by testing the individual's power for reproducing within a definite time-limit certain facts previously imparted. This sort of test puts too high a premium on speed, and gives little place to creative work, which is the true test.

The phrase "slow, but sure" illustrates well the modern attitude, which regards reliability as a make-weight to "lack of efficiency." Speed is the modern catch-word; inconstancy is its correlative. We want reliable men, men whose judgments are not hasty, but considered, balanced, sure. As long as examinations are a race against the clock—and all education is very nearly just that nowadays—education must suffer.

As a measure of intellectual ability, the present examination system does little more than indicate—often uncertainly—that certain processes have been used in the training, and that the prescribed range of studies has been covered.

Were the Direct Method introduced, the local school examinations would have to be modified to allow for the changed method of work, which aims immediately at fluency—within obvious limits—of reading, speaking and writing. This fluency will be tested principally by exercise in these three branches. Questions on accidence and syntax will be asked; but care will be taken that they require the knowledge not of exceptional usages, but of the ordinary usage, whether "regular" or "irregular."

During and after the third year (this will vary according to the age at which the language is begun), the judgment and appreciation of authors read—including, within reasonable limits, the criticism of both

argument and expression—will be most important. Knowledge of the language will be tested as before by set questions on accidence and syntax. The principal test and the most valuable will be an essay, in the language being studied, on a topic chosen by teacher or pupil. A fairly liberal time-limit will be set to allow for thorough revision and correction of the essay before it is finally submitted. Under the same conditions translation is very valuable both as an exercise and as a test.

Such a reform, requiring change only within the class, should not be difficult. More complicated is the problem presented by the Public Examinations. Their reform should follow the same plan; but cannot be expected until the Direct Method has proved itself under present conditions.

The problem is: How can a teacher use the Direct Method and get his boys through the examinations?

The Direct Method should be used strictly until the year in which a Public Examination is to be taken. The better boys would be able to continue Direct Method work and take the examination in their stride; but the others need more work on the lines of the present method to enable them to face the puzzles that examiners love to set, notably in the Classics. As it is best to keep the two methods separate, this special work may be done during the final term, or on certain days each week, the Direct Method being used for the rest of the year. Our principle holds: to use English as little as possible—and as much as necessary.

Compromise means partial sacrifice at least of the proper literary work. If all boys are to sit for the Public Examinations, that is the price to be paid until examiners set papers suitable for Direct Method students; but at any rate the pupils' first impressions will remain with them—they will have a right attitude towards language and literature, and that is much.

It is clear that any compromise should be delayed as long as possible.

Of University Examinations little need be said. The University is the proper place for more specialized work on groups of subjects. More detailed knowledge may be expected—though never at the expense of that right broad view of the whole, which gives meaning to the parts. The examinations set by the School of French in the University of Melbourne are ideal.

Such, then, are the changes required by the Direct Method if it is to produce the best results. Though extensive, they are neither violent

nor impracticable. Before the necessary change can be expected in the Public Examinations, the Direct Method must prove itself: how is it to do so? There are three ways of dealing with this problem—by not sending pupils for the Public Examinations; by sending only the better pupils; by compromise. Unfortunately, compromise seems necessary.

#### LITERATURE AND MIND-TRAINING.

*The best vindication of a classical education is the excellent mental gymnastic it affords: the Direct Method, by doing away with the learning of paradigms and rules of grammar, sacrifices this mental gymnastic.*

The low view of literature, whether classical or modern, which can see no better defence for its use in education than that it can supply one of the lesser functions of mathematical studies, has been a main cause of the prevalent defective conception of education. The classics—Latin and Greek—help very much to clear, balanced, accurate and constructive thinking; but, as means to education, their value, as that of all literature, lies principally in their effect on the whole man. Nor is it by way of “mental gymnastic” that they form sound habits of thought, but by reason of the order, depth and beauty of their content, and the appropriateness and restraint of their expression. Once formed, these habits are constantly exercised and strengthened by the student’s efforts to appreciate what others have thought, and to communicate, in language equally exact, forceful and satisfying to noble minds, his own thoughts.

Of the means to mental training afforded by language study, translation is one of the most valuable; but it is quite out of place until the student is sufficiently advanced to be able to profit from its discipline.

If it be objected that abstract thinking is sacrificed by this conception of the function of literature in education, it must be remembered that there is grave danger of what many consider a capacity for abstract thought being in children verbalism, a failure to vision the reality symbolized by the word, and a consequent lack of contact with reality. Class work, especially in its early stages, should rely as much as possible on *leçons de choses*. Mathematics ordinarily provide sufficient training in abstraction.

It is frequently asserted, but not truly, that the Direct Method has no place for grammar and paradigm work. In this matter the difference between the Direct Method and that more generally in use today



is that one wishes to give meaning to the various word-forms before having them tabulated and committed to memory, while the other is satisfied to have them learnt by rote and used by rule of thumb. It is very doubtful whether children should ever be required to memorize matter which has for them no intelligible meaning or purpose.

Similar is the objection that the Direct Method is merely making things easy for the learner: that it does not develop his character—as, it is implied, the present method does—by accustoming him to work without encouragement, especially the encouragement afforded by an intelligent interest in his studies.

Ordinarily we do well what we like doing, and we like doing what we can do well. The Direct Method aims at making the work as attractive as possible for the learner, and so fostering his intellectual interests; it makes the work easy chiefly in the sense that “ubi amatur, non laboratur.” There is no Royal Road to the estate of an educated man. While the present method requires extensive knowledge of facts and formulas, knowledge more fitted to the University than the school, the Direct Method aims at the mastery of literature as literature, and tries to develop in the individual a certain power of noble thought and of accurate, clear and appropriate self-expression, so exercising those higher faculties which under the present system are in grave danger of becoming atrophied by lack of use.

The “grind” conception of education relies on a false account of man; it tends to stultify the learner’s mind and to lead him to regard all forms of study as mental slavery, from which he must escape as soon as possible; it tends to distort his view of authority, of society, and of his own place in society. It is much less generally accepted to-day than formerly.

For success in education, having always in view the primary importance of moral and intellectual formation, a community of interest between pupil and teacher must replace the discipline of “grind.” It is in and through literature that this vital contact is at once most naturally established and most efficacious.

#### THE HISTORICAL DIFFICULTY.

*Every time the Humanist ideal of Language and Literature as the base of education has been tried, it has failed. It flourished as long as there were brilliant enthusiasts to realize it; it could not long survive them. There is no reason to suppose that it would have a longer life if re-introduced at the present time.*

*Were the Direct Method an effective instrument, the Humanist system would never have broken down; the very fact that the Direct Method is a revival is an argument against it.*

The failure of the Humanists was not due to the failure of their method. It was the natural result of the degradation of their ideal of language and literature as the basis of education: style gradually took the place of matter, and grammar in turn replaced style as the object of study. This change of values was part of a wider movement in which spiritual ideals were being surrendered to material, quality to quantity, art to science, and wisdom to information.

Today there is for many reasons a seeking for high ideals, accompanied by a keen intellectual revival, particularly active among the middle classes, but rapidly charging with some of its own vitality the rest of society. Consciously or not, as far as the individual is concerned, this whole movement is a reaction against the crushing weight of materialist philosophy; it is a re-acceptance of a higher scale of values where all is seen *sub specie aeternitatis*.

The time is therefore opportune for the re-assertion of the principles and ideals of Humanist education. Whether any present revival will be more lasting than its predecessors it is impossible to say. Even temporary restoration of the Humanist system would do much good.

#### CONCLUSION.

Whether or not the Direct Method be generally adopted, the principles upon which it rests must form the basis of all true education. In the proper teaching of languages and literature—especially Latin and Greek—is a sure means to the realization of the Humanist ideal of education. All that is needed for the effective use of this means is planned, co-ordinated effort. The obstacles to be overcome are largely those which would hinder any conceivable educational reform undertaken at the present time. They are not insuperable. The introduction into our schools of the Direct Method of teaching languages is a project neither visionary nor impossible.

JOHN W. DOYLE, S.J.

## Book Reviews

JOANNIS A SANCTO THOMA, O.P., CURSUS PHILOSOPHICUS THOMISTICUS. Nova Editio a P. Beato Reiser, O.S.B., exarata. Vol. I (pp. xxvi, 839), Vol II (pp. xviii, 888), Vol. III (pp. xiii, 621), in 4 parvo. Marietti: Turin.

“Tandem emensa navigatione cursuque philosophico peracto tenemus portum et jactis ancoris vela contrahimus” . . . With these words, placed by John of St. Thomas (d. 1644) at the beginning of the last Book, Father Beatus Reiser, Professor of Philosophy in the Benedictine College of St. Anselm, Rome, signifies the completion of his own arduous task as editor of the *Cursus Philosophicus*.

In 1931 we had the pleasure of reviewing this new edition in its first volume. Now (1937) the third and last volume has been published. The completed work is made up as follows:—Vol. I: *Logica*; Vol. II: *Naturalis Philosophia*, pars 1a: *De Enti Mobili in Communi*, pars 3a: *De Enti Mobili Corruptibili*; Vol. III: *Naturalis Philosophia*, pars 4a: *De Enti Mobili Animato*. Part 3 of the projected course of Natural Philosophy (*De Enti Mobili Incorruptibili*—on the heavens) was never published by the celebrated Spanish commentator, and his distinguished editor suggests that possibly the manuscript lectures of this unknown part remained hidden in the library of some monastery or chapter in Spain, whence they might still be brought to light.

The Volume just published treats of the soul. After a summary of the first and second books of Aristotle on the subject, John of St. Thomas dealt in successive questions with the definition of the soul (in general), its properties, the vegetative soul, the sensitive soul, the exterior senses, their object, and the interior senses. Next, a summary of Aristotle's sixth book precedes the commentator's treatise on the intellectual soul. Here the rational soul as such, the *intellectus agens* and the *intellectus possibilis*, intellection, and the rational appetite, or will, are considered in order.

Besides editing the work of John of St. Thomas as it stood, Father Reiser has placed all students of Philosophy and Theology under a further debt of gratitude for drawing up, with immense industry and erudition, a series of excellent indices. These occupy no less than a third of the last volume. In addition to the Index Biblicus,

the Index Personarum (which includes brief biographical notes of recent as well as older authorities) and the Index Rerum (providing in effect a synopsis of the matter indexed) there are also an Index Aristotelicus and an Index Thomisticus, both of which furnish a systematic list of references as well as chronological and critical notes.

One can only express the highest appreciation of this splendid edition. It seems presumptuous to attempt to praise it. The Holy Father, who was himself one of the first students of the Roman Academy of St. Thomas Aquinas to be awarded the doctorate, warmly encouraged the Benedictine Professor's undertaking from the beginning, and the last volume contains a letter of encomium in the Pope's name from Cardinal Pacelli.

Congratulations are due also to the publishers on one of the finest productions we have seen from their well-known house. The text is very clearly printed, on good paper, and is arranged two columns to the page, with linear numeration to facilitate reference.

C.R.

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## BOOKS RECEIVED.

The following books have been received, and may be reviewed in future issues :—

Longsmans, Green & Co. Ltd.:

*Matthew, Mark and Luke* (Chapman). Price 25/-.

*The Divine Eucharist*. First Series: *The Real Presence*. By Blessed Peter Julian Eymard, founder of the Congregation of the Priest of the Blessed Sacrament, of the People's Eucharistic League, etc. Pages 264—viii. Size: 4 $\frac{3}{4}$ in. x 6in. Paper cover, in two colours. Sewn. Published by the Fathers of the Blessed Sacrament, Lonsdale Street, Melbourne, C.1. Price: 2/6, post free.

Pellegrini & Co. Ltd.:

*The Necessity of the Eucharist as a Means of Salvation* (Translation of Thesis 49 of the *Mysterium Fidei*), by Very Rev. J. Carroll, P.P., B.A. Price 1/3.

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Diocese of Wagga—Rev. P. Gahan, Coolamon, N.S.W.

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**Nihil Obstat :**

RICHARDUS COLLENDER,

CENSOR DEPUTATUS.

**Imprimatur :**

✠ MICHAEL,

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# Official Documents

## PAPAL ACTS.

*Solemn Canonization of Blessed Andrew Bobola Martyr, Priest of the Society of Jesus; John Leonardi, Founder of the Congregation of Clerks Regular of the Mother of God; Salvator de Horta, Professed Lay-brother of the Order of Friars Minor, which took place in the Vatican Basilica, on the seventeenth day of April, in the year 1938, on the Feast of the Resurrection of Our Lord Jesus Christ.*

To the three traditional postulations, made *instantanter, instantius* and *instantissime* on behalf of Cardinal Camillo Laurenti, Prefect of the Sacred Congregation of Rites, by Agosto Milani, Advocate of the Sacred Consistory, answer was given in the name of His Holiness by Antonio Bacci, Secretary of Letters to Princes. The first postulation and answer were followed by the chanting of the Litany of the Saints, the second by the hymn of the Holy Ghost; *Veni Creator Spiritus*—the intonation and prayer being sung by the Holy Father himself, the third by the solemn pronouncement of the Degree of Canonization by the mitred Pontiff seated in Cathedra. The Decree, which was heard by the whole assembly standing, with heads uncovered, was as follows:—

For the honour of the Holy and Undivided Trinity, for the exaltation of the Catholic Faith and the increase of the Christian Religion, by the authority of our Lord Jesus Christ, of the Blessed Apostles Peter and Paul, and by Our own authority, after mature deliberation and reiterated prayer for divine assistance, with the advice of Our Venerable Brethren the Cardinals of the Holy Roman Church as well as of the Patriarchs, Archbishops and Bishops present in the City of Rome, We decree and define to be Saints and inscribe on the catalogue of the Saints, the Blessed Andrew Bobola Martyr, John Leonardi and Salvator de Horta, ordering that their memory be devoutly celebrated each year on their heavenly birthday, namely, that of Andrew Bobola on May the sixteenth amongst the Holy Martyrs, that of John Leonardi on October the ninth, that of Salvator de Horta on March the eighteenth, both amongst Confessors who were not Pontiffs. In the Name of the Father and of the Son and of the Holy Ghost. Amen."

*Homily of the Holy Father in the Solemn Mass.*

*Venerable Brethren, Beloved Children.*

"This is the day which the Lord hath made: let us exult and rejoice in it." To-day Christ our Lord conquered death and opened the portals of eternity for us; to-day the militant Church shares with more abundant effusion of gladness the joys of the Church triumphant, for three of its citizens who followed in the footsteps of the Divine Redeemer are being consecrated by unerring decree as possessors of holiness and perpetual blessedness.

In these denizens of heaven we see realized that word of exhortation pronounced by Our predecessor of holy memory Leo the Great: "Whither the glory of the Head has gone before us, thither the hope of the body also is called." We are indeed all invited and pressed to come to that place where our Master Christ has called us by word and example, namely, to our country above, a prize to be happily won by those who resolutely set their faces to go *per aspera ad astra*. And if in this earthly pilgrimage difficulties of all kinds must be fought and conquered, since it is true that "the kingdom of heaven suffers violence" and "no one is crowned except the one who has fought properly," at least the splendid examples of those who are to-day invested with the splendours of sanctity stimulate our hope, invite us on, and help our progress, saying, as it were: "Come, let us go up to the Mountain of the Lord."

How opportune therefore it is to recall even briefly the virtues and praises of those heroes, that our souls may be kindled to imitate their deeds as far as possible. It is to the study of Christian humility, to contempt of earthly things, to voluntary chastisement of the body that Salvator de Horta encourages us. He is an example of one who subjected all the movements of the senses to the higher powers of the soul, subjected the soul itself to the divine law, and so reproduced the image of Jesus Christ in his way of living that he efficaciously brought back many from devious paths, alluring numerous multitudes by the splendour of his sanctity and by the actual miracles to a better way of life in keeping with the precepts of the Church. It often happened that men of every rank flocked to him from all quarters, and on seeing the shining light of holiness on his face, on hearing his burning words, on witnessing his ardent love of God and neighbour were, so to speak, forced to follow in his holy footsteps.

The lesson which that "catcher of souls," Andrew Bobola of the Society of Jesus teaches us is that of active effort in the propagation of the kingdom of God. The same indomitable Martyr urges the slack

people of our day to rouse up the spirit of fortitude within them, and be prompt to undergo any labour in the cause of God and His Church, according to that saying: It belongs to a Christian to do and to bear great things (*magna facere ac perpeti christianum est*). Captured by the Cossacks at Janow because he refuted the errors of the schismatics and preached the Catholic faith with wonderful result, he was first scourged, and then crowned with a sharp crown like our Lord Jesus Christ, then overwhelmed with blows, and wounded almost to death with a curved sword. Next his right eye was torn out, the skin pulled from various parts of his body and his wounds cruelly singed and rubbed with bristly cloth. Nor is that all. His ears and nose and lips were cut off; his tongue was torn out by the back of his head, and finally an awl droven through his heart. After such a martyrdom, the valiant soldier at three o'clock in the afternoon received the sword-thrust which ended that great drama of cruelty and fortitude. At that hour he obtained the glory of the martyr's crown.

Not less significant proofs of virtue have been left us by John Leonardi, Founder of the Clerks Regular of the Mother of God. His virtues are, one should say, more accessible to us. Not all of us have the opportunity and the duty according to the circumstances in which our individual lives run, to imitate the strenuous fortitude of Andrew Bobola to the point of sacrificing life itself, but we can all emulate in John Leonardi that candid integrity, that love of holy prayer and penance, that earnest spirit of Apostolate which characterised him. With such virtue, not only did he himself attain the heights of Christian perfection, but he also brought back others, some of whom had gone far astray, to the right road; he brought tempest-tossed souls to the haven of security; and he inflamed many, especially of the clergy, with piety and ardour for God, so that, leaving everything, they desired nothing better than to become heralds of the Gospel, in order to give all nations lying in the shadow of death the light and grace of Jesus Christ.

In these three the all-provident God seems to have given us a pledge of His special favour. Certainly in the midst of the trials which disturb so many nations, they hold forth to the Church the hope of better times. We are confident that Andrew Bobola, the glory of Poland, will implore by his prayers the unity of the Christian East and West, for it was on the confines of East and West that he won the crown of martyrdom. St. Salvator will obtain for Catholic Spain with the

restoration of peace and concord a new flowering of works of Christian life. St. John Leonardi will impetrate for the Sacred Missions, which he himself so indefatigably patronised and promoted, still more abundant growth.

May each of them look with special favour on his own dear country. May they obtain by their patronage that—with the subsidence of the floods of errors which subvert and destroy the deepest foundations of civil life, and strive to turn peoples back to ancient barbarism—these same nations may prove in this our age bulwarks of the Catholic religion and civilization. May they also look down with favour on the whole Church and by their united prayers secure for her from God the grace that, under His guidance, she may emerge victoriously from present storms, obtain new triumphs, and happily bring back all nations to the one fold of Jesus Christ. Amen.

#### *MOTU PROPRIO*

*on the jurisdiction of the Sacred Congregation for the Oriental Church.*

The following is the legislative portion of the Apostolic Letters given by the Holy Father *motu proprio*, under date of March 25, Feast of the Annunciation of the B.V.M. 1938:

I. The Sacred Congregation for the Oriental Church, presided over by the Roman Pontiff himself, has full and exclusive jurisdiction in the following regions: Egypt and the Sinaitic Peninsula, Erythraea and the northern part of Aethiopia, southern Albania, Bulgaria, Cyprus, Greece, the Dodecanesus, Iran, Iraq, Lebanon, Palestine, Syria, Transjordan, the Asiatic Republic of the Turks, and Turkish Thrace.

II. Hence in the aforesaid regions, not only for the faithful of Oriental Rite, but also for the faithful of Latin Rite and their Hierarchy, and in regard to all works, institutes and pious societies, the same Sacred Congregation holds all faculties which the other Congregations hold in regard to the faithful of Latin Rite outside those territories. The jurisdiction of the Holy Office, however, remains untouched, as well as the affairs hitherto reserved to the Sacred Congregation of the Sacraments, the Sacred Congregation of Rites, the Sacred Congregation of Seminaries and Universities, and the Sacred Penitentiary.

III. In regard to faithful of Oriental Rite living outside those territories, the competence of the Sacred Congregation of the Oriental Church remains firm in every way. Hence all affairs of whatever kind

are reserved to it, which refer to Oriental persons, discipline or rite, even though they be mixed, that is to say, touching Latins also, by reason either of the matter or the person. For such faithful the Sacred Oriental Congregation holds all faculties which belong to the other Congregations for the faithful of the Latin Rite, excepting always the right of the Holy Office and the causes hitherto reserved to the Sacred Congregations of Seminaries and Universities and the Sacred Penitentiary, These remain integral and untouched by the present Decree.

IV. This Sacred Congregation settles controversies in a disciplinary way. Those which it shall consider as requiring judicial procedure, it shall hand over to the tribunal which the Congregation itself shall designate.

V. The regions of the Christian Orient mentioned above shall pass gradually under the jurisdiction of the Sacred Congregation for the Oriental Church, at the times, namely, which We designate hereunder :

(a) June the first, 1938, shall mark the passing of Palestine, Transjordania, Egypt, the Sinaitic peninsula and Cyprus under the exclusive jurisdiction of this Sacred Congregation.

(b) On January the first, 1939, Greece, the Dodecanesus, southern Albania, Bulgaria, the Asiatic Republic of the Turks, Turkish Thrace shall follow.

(c) On June the first, 1939, shall come the turn of Syria, Lebanon, Iraq and Iran.

VI. From the date of promulgation of the present *Motu Proprio* till the day when each region shall come under the exclusive jurisdiction of the Congregation for the Oriental Church, no work and no institute can be founded, nor any change be introduced in the condition of things, unless the consent of the Sacred Congregation for the Oriental Church be previously given.

VII. When those regions of the Christian Orient shall come under the exclusive jurisdiction of the Sacred Congregation of the Oriental Church, the documents which regard the said regions, kept in the Archives of the Sacred Congregation de Propaganda Fide, are to be handed over to the Sacred Oriental Congregation, as far as this can be done, and with the mutual consent of those in charge of both Offices.

VIII. The Sacred Congregation of Propaganda shall transmit to the Sacred Oriental Congregation all sums of money destined for the works and institutions of those regions which come under the exclusive jurisdiction of the said Sacred Oriental Congregation. If, however, distinct capital sums do not exist, the Sacred Congregation of Propaganda shall fix such payments from its own funds as equal the whole sum of subsidies, both ordinary and extraordinary, which the same Sacred Congregation was accustomed to send yearly to those regions for their particular works and institutions. The extraordinary subsidies are to be calculated from the mean quantity of money sent yearly to those regions during the past triennium, 1935, 1936, 1937.

IX. The Pontifical Work of the Propagation of the Faith shall pay such a sum yearly to the Sacred Congregation for the Oriental Church as compares with and bears an unchanged proportion to the whole sum of subsidies, both ordinary and extraordinary, given during the last triennium, as above, for the benefit of Orientals and Latins in the said regions, and also the sum of the yield accumulated by the aforesaid Pontifical Work during the same triennium.

X. The Pontifical Work of St. Peter the Apostle for the Native Clergy shall transmit yearly to the Sacred Congregation for the Oriental Church a sum equalling two hundredth parts of all the proceeds of the same Pontifical Work.

XI. The Substitute of the Sacred Congregation or the Oriental Church juridically has a part in the Superior General Council of the Pontifical Works of the Propagation of the Faith and of St. Peter the Apostle for the Native Clergy.

All that has been ordained by Us herein We will and order to remain firm and valid in perpetuity, everything to the contrary, even if it be worthy of special mention, notwithstanding.

Given in Rome, at St. Peters, on the 25th day of the month of March, feast of the Annunciation of the B.V.M., in the year 1938, the seventeenth of Our Pontificate.

PIUS XI, POPE.

SUPREME SACRED CONGREGATION OF THE HOLY  
OFFICE.

DECREE.

whereby a book edited by G. Menchius is condemned, namely, the work entitled "*Der Katholizismus. Sein Stirb und Werde.*"

Wednesday, January 19, 1938.

In a general Assembly of the Supreme Sacred Congregation of the Holy Office, the Most Eminent and Reverend Cardinals entrusted with the safeguarding of faith and morals, condemned and ordered to be inserted in the Index of Prohibited Books the work entitled:

*Der Katholizismus. Sein Stirb und Werde* Von katholischen Theologen und Laien. Herausgegeben von Gustav Menchius.

On the following Thursday, the twentieth of the same month and year, Our Most Holy Lord Pius XI by divine Providence Pope, in the usual audience granted to his Lordship the Most Reverend Assessor of the Holy Office, approved and confirmed the resolution of their Eminences, and ordered it to be published.

Given at Rome, from the Palace of the Holy Office, January 22, 1938.

L. VENTURI, Notary of the S.S.C.H.O.

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SACRED APOSTOLIC PENITENTIARY.

I.

In an audience given to the Cardinal Major Penitentiary on Dec. 11, 1937, his Holiness Pope Pius XI approved the new collection of prayers and pious works enriched with Indulgences, compiled by the Sacred Penitentiary, and printed by the Vatican Typography. The Holy Father, abrogating all general concessions of Indulgences not contained in this collection, ordered that it alone be henceforth regarded as authentic.

II.

In an audience given to the same Cardinal Major Penitentiary on January 11, 1938, the Holy Father fixed anew the conditions required for the valid erection of the sacred stations of the Way of the Cross. Abrogating all conditions hitherto in force, his Holiness decreed that for the valid erection of the stations of the Way of the Cross, it is sufficient that the priest asked to erect them have the necessary faculty as laid

down by the Decree "Consilium suum persequens" (March 12, 1933). It is however becoming, especially in view of ecclesiastical discipline, that each time, unless there is question of exempt places, the permission be asked of the local Ordinary where the faculty is exercised—such permission to be at least reasonably presumed, when the Ordinary cannot easily be approached. Besides, his Holiness ordained that all erections of Ways of the Cross hitherto invalidly made, through any cause, remain healed in virtue of this present decree.

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### PONTIFICAL COMMISSION FOR THE AUTHENTIC INTERPRETATION OF THE CANONS OF THE CODE.

#### *Responses to Doubts Proposed.*

The Eminent Fathers of the Pontifical Commission for the authentic interpretation of the Canons of the Code, ordered answer to be given to two queries proposed to them, as hereunder :

#### I. *On the Communication of privileges between religious orders.*

*Query:* Whether the words of Canon 613 §1: *exclusa in posterum qualibet communicatione* are to be so understood that the privileges lawfully acquired by religious bodies before the Code of Canon Law, and pacifically possessed, have also been withdrawn?

*Answer:* No.

#### II. *On excusation from penalties latae sententiae.*

*Query:* Whether grave fear exempts from penalties latae sententiae, if the crime, although intrinsically evil and gravely culpable, does not involve contempt of the faith or of ecclesiastical authority, nor public damage to souls according to Canon 2229, §3, n. 3.

*Answer:* Yes.

Given at Rome, from the Vatican City, December 30, 1937.

J. CARD. SERAFINI, *President.*

J. Bruno, *Secretary.*



# John Bede Polding

## Summary:

Dr. Ullathorne remains. Reply to Judge Burton. Signs of progress. Sisters of Charity. Dr. Polding visits southern districts. Foundation of St. Patrick's: Ullathorne's account; *Chronicle's* account. The Bishop decides to visit Europe. Founds branch of Catholic Institute and Society for the Propagation of the Faith. Visitation at Wollombi and Maitland. Sets foundation stone of Wollongong Church. Ordains four deacons. Opens churches at Windsor and Currajong.

## XVII.

It was a happy thing for the Catholics in the colony that Dr. Ullathorne delayed his going, for they had need of his forceful mind and facile pen in the very near future. The scurrilous *Religion and Education in New South Wales* which Burton wrote arrived in Sydney about the middle of the year 1840. Others would, doubtless, have answered it if Dr. Ullathorne had not been at hand; indeed, Mr. Duncan took the matter up in the *Chronicle* as soon as the book arrived. But the touch of genius was needed—and the Vicar-General was able to supply the need; and his health and spirits improved as he fought a battle worthy of his talents. His *Reply to Judge Burton* was a masterpiece of its kind, and neutralised the schemes of the Judge who composed it and the party that sponsored it.

Later in the year a crowded public meeting of Catholics assembled to set up a branch of the Catholic Institute and the Society for the Propagation of the Faith at which Father Francis Murphy outlined the proposal in the first motion of the evening:—

That the numerous attacks made, through the means of misrepresentation, and in other unjustifiable ways, upon the Catholic community of New South Wales by organised societies, by officials of the government, and others, rendered it expedient that we should establish a Branch of the Catholic Institute of Great Britain and her Colonies, for the purposes of self defence.

As soon as that resolution had received the approval of the meeting, Mr. Duncan rose to render the Catholic tribute to Dr. Ullathorne for his latest defence of Catholics and Catholic faith.

“ . . . . . he conceived they had a duty to perform that ought to take precedence (over the business of the meeting)—a duty of gratitude that was necessary to be performed in order to prove their worthiness to take their place, by means of the British

Catholic Institute, among the Catholics of the world. It was true, as the Rev. Mr. Murphy had remarked, that the Catholic Church of New South Wales had been attacked in all quarters. They had been assailed by Diocesan Committees, reviled in the productions of Tract Societies, insulted by the abominable and ridiculous fabrications of a catch-penny Protestant Magazine, and attacked by public and private individuals of all ranks in society . . . . . If, however, they had been so vigorously attacked, it was but justice to acknowledge that they had been defended with an equal zeal and ability. And he conceived that it was a duty incumbent on that meeting, before proceeding with any other business, to record their approving sense of the manner in which their cause had been defended from the aspersions which had been cast upon it. If a judge of the land, sworn to hold the balance of justice with an even hand, had dared to throw his religious prejudices into the scale, and thereby virtually to deal out injustice to the Catholic community, that community had yet to boast of a gentleman who was capable not only of adjusting the balance in the hand of the sectarian judge, but of repelling the attacks of the combined power which he manifestly represented, and he rather thought of carrying the war even into the camp of the enemy . . . . the work of Dr. Ullathorne was a complete answer to the aspersions upon the Catholic community contained in the octavo of Mr. Justice Burton. . . . . He would move:—

That the thanks of this meeting are eminently due, and are hereby presented to the Very Rev. the Vicar-General, for his able, eloquent, and satisfactory reply to Mr. Justice Burton, Judge of the Supreme Court, in vindication of the Catholics of this colony; a reply which has added another to the many titles he had previously acquired to our respect, confidence and gratitude.”

Later in the evening, the Vicar-General made a brief reference to his state of health before making the principal speech of the occasion:—

“ . . . it was with no small reluctance that he rose to take upon him the expected task; for, enfeebled as he then was with bodily indisposition, that zeal which in despite of it brought him there, and which, burning strongly in favour of the proposition, would, he had only to hope, enable him to contend against the depressing weakness of his frame.”<sup>1</sup>

The rather lengthy digression was necessary to show how wise was the Bishop in striving to retain the services of Dr. Ullathorne, even though he himself suffered keenly from his friend's nervous state.

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<sup>1</sup>*Australasian Chronicle*, Sept. 12, 1840.

To offset the depressing effect of the bigotry that existed, there is a tale of achievement in brief paragraphs of the *Chronicle*. Fathers Platt, Cavenagh and Ryan arrived in April—the first a Franciscan, and the others from the Archdiocese of Tuam. Father Brennan on his transfer from the Yass-Burrawa division was presented with a chalice and address from all classes of the community, and was able to comment on the “considerate and kindly feeling which exists . . . between the members of every religious denomination in the Yass and Burrawa districts”; Wollongong was searching for a master and mistress for the new school and announced that “the salary for both is £100 per annum.” The plans for churches at Goulburn and Yass had been prepared and despatched, but had been lost in transit; the Maitland correspondent reported that “The Catholic Church at East Maitland is nearly finished. The Rev. Mr. Mahony deserves great credit for his industry and attention since his arrival here.” Auctioneers of the time were beginning to realise that Catholic patronage was worth courting, and Mr. Lyons, announcing a sale at Stonequarry (Picton) advertises that “three reserves of land have been offered for the erection of Episcopalian, Roman Catholic and Presbyterian places of worship”; and Mr. Stubbs entices buyers to Jamberoo with the bait “There are two places of worship within a mile for Protestant and Catholic, and the proprietor of the adjoining farm has also bestowed two acres of ground to each persuasion, for a chapel and school. . . .” Windsor Church was nearly complete. Two Sisters of Charity were clothed, and the reporter’s words are worth preserving:—

“Few incidents are so much calculated to impress the mind with the beauties of religion as a spectacle which took place at Parramatta yesterday, of two young and beautiful females voluntarily renouncing the fleeting pleasures of the world for the more lasting joys which are the fruits of a life dedicated solely to the service of religion and works of charity. On the occasion to which we allude two young ladies of respectable families, the Misses Gibbons and O’Brien, were clothed with the white veil of the sisters of charity. . . .”

All these events were recorded during May, 1940, and they were surely inspiring to the Catholic body and an encouragement to the Bishop and his faithful clergy.

We know very little of the Bishop’s activities for May, June and July, but in August, he was again on visitation in the southern districts.

A letter in the *Chronicle* affords a glimpse of his work :

Mr. Editor.—Our right reverend and revered Bishop has just completed a visitation of this part of his very extensive diocese: his Lordship reached Berrima on Saturday evening of the 8th instant, and though it was not generally known that he was in the neighbourhood a large number of persons assembled on the following day; the holy Sacrifice was offered up by the Bishop in his usual edifying manner and he preached an excellent sermon, which was listened to with marked attention. On Monday the 10th his Lordship passed into Goulburn, visiting on his way the unhappy persons sentenced to work in irons at the Stockade near Goulburn, with whom he remained for upwards of an hour. Having marked out the exact site for a church in the rapidly increasing town of Goulburn, the Bishop proceeded on Wednesday to Bungonia, being accompanied by the Rev. Mr. McGrath: here he was met by a considerable number of persons, and divine service was performed on Thursday; some arrangements were also made regarding the erection of a church and the more regular attendance of a clergyman. The Bishop returned to Goulburn, where he remained on Friday and Saturday. His Lordship did not forget to visit the prisoners in the lockup, nor the sick in the hospital, to all of whom he spoke words of advice and of hope. On Sunday, the 16th, he celebrated first Mass in Goulburn, and after the second Mass, he delivered an impressive and most instructive sermon, at which were observed most respectable individuals of other persuasions. Duty of a pressing nature requiring the Bishop's presence in Sydney, and as he had made an appointment to meet his people in Berrima at twelve o'clock on Monday, he was compelled to leave Goulburn on Sunday afternoon. As in coming up he did not forget the poor souls in irons at the Stockade, Towrang, so in returning he did not forget to call on them; he read the litanies and other pious prayers for them, after which he exhorted them to bear their crosses with patience and resignation, to refrain from cursing, fighting and sinful associations. . . . Here was to be seen the successor of the Augustines, the Dunstons, and the Wyckhams, with his head bare, in a miserable shed, open at the sides and ends, and exposed to a cold high wind, giving religious consolation and instruction to some of his fellow creatures, who have few hopes at this side of the grave. . . .<sup>2</sup>

What may be considered the highlight of Catholic enthusiasm during the year 1840 was laying the foundation stone of St. Patrick's Church. A meeting was advertised in May, and took place on June

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<sup>2</sup>*Australasian Chronicle*, Aug. 22, 1840.

1st. The Bishop told the meeting he "had long wished for the erection of a church in that quarter of the town . . . a district in which the exertion of the harmonising influence of religion was more required than in any other . . . he was not without hope that the very commencement of such a temple would tend to improve the moral condition of the people." The idea of a national monument to the apostle of Ireland caught the people's imagination, and in the course of a few minutes the sum of £1012 was subscribed, and a *Society of St. Patrick* was formed "to collect in the most effectual manner the funds necessary for the erection of the new church."

The Bishop hoped to begin and finish the work during the next year, but the movement was so active that in a little over two months he was able to lay the foundation stone on a site given by Mr. Davis. The Catholics responded nobly to the call that had gone out for moral and financial support. Dr. Ullathorne leaves us some notes:—

"It happened that at this time a scheme was being agitated for establishing a general system of elementary education on conditions which no Catholic could have accepted; in consequence of which, the Bishop and myself had an interview with the Governor, Sir George Gipps, on the subject. After considerable discussion, the Governor brought the interview abruptly to a conclusion by saying: 'In short, I must adhere to the strongest party, and I don't think you are the strongest.' After that we determined to make a public demonstration, for we knew that, if not the strongest by numbers, we were by our union. We took the opportunity of laying the foundation of St. Patrick's Church (which was fixed for 25th August, 1840). . . . As the time approached a warm national feeling had been raised among the Irish-Catholic population, and they resolved to make an exhibition of national emblems. Hitherto national distinctions had been instinctively avoided in the Colony; all prided themselves in being Australians. The rumors afloat about this exhibition of nationality alarmed the governing authorities; they were afraid of its ending in reprisals, and of its becoming the beginning of national parties. The Governor sent for the chief police-magistrate, and expressed to him his apprehensions. The magistrate came to me, and conjured me to prevent the religious procession from being turned into a national demonstration. 'Suppose,' he said, 'that Orange flags are lifted up, what will be the state of Sydney? Hitherto we have all gone on so peacefully together.' I asked the opinion of the Attorney and Solicitor-General, both Irish Catholics, and our leading men among the laity. They thought that, however innocently intended,

things were going too far. I felt compelled to take the matter in hand, and made full representations to the Bishop. His Lordship felt reluctant to oppose the ardent feelings of the people. I retired to another room, and wrote him a letter, stating that I had now done all I could in the way of representation both to himself and to the clergy, and felt myself free from further responsibility; but that, as the whole object of the procession was to conduct his Lordship to the foundation stone, and not to make a national demonstration, I felt that the representations of the authorities ought to be attended to. He then sent for me, and asked what I recommended, as he did not see his way. To this I replied that, without compromising him, if he would leave it to me, I thought I could find a way through the difficulty. And it was left to my judgment.

“This was the eve of the day appointed for the ceremony. A meeting of the general committee was then being held, and I got Mr. Therry, the Solicitor-General, and some other gentlemen to accompany me to the assembly. It was densely crowded, and excited speeches were going on. In a speech of an hour’s length I gradually worked the assembly round until I came to the point; and then the chief leader of the popular voice arose, and called upon the assembly to comply with my advice, and for the sake of peace to withhold from the procession those marked national emblems, however much they had cost; peace was better. Thus the point was gained. Mr. Therry, who had been one of O’Connell’s leaders in the great meetings for Emancipation, was much struck with the whole affair, and with the way in which that vehement excitement in one direction was turned, by degrees, into another. When I informed the Bishop of the result, he expressed great satisfaction, and declared it set his mind at peace.”<sup>3</sup>

It is interesting to read the commentary in the *Chronicle* just after the procession was over, and to set it side by side with the Ullathorne description written many years after.

“Our worthy contemporary of the *Herald* is an adept at reporting processions. We remember that on the occasion of the laying of the foundation of the Protestant Church (called, we believe) of St. Lawrence, he reported that a grand procession had taken place, formed of such great men as the ‘High Sheriff,’ the ‘Civil Officers’ (all Protestants of course), ‘the Lord Bishop of the Diocese’ and God knows what all; which procession had no earthly

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<sup>3</sup>Ullathorne: *Autobiography*, pp. 167—172.

existence, except on one side of a handbill previously circulated. In the same manner, our contemporary had doubtless heard that the Society of St. Patrick had prepared green scarves for the procession of Tuesday; and, notwithstanding that they had at once laid them aside at the request of the Lord Bishop (who had been informed by some over-timid persons of the old school that offence might possibly be taken; as green, though a national, had been sometimes considered a party colour) the *Herald* cries out 'Ribbonism,' and appeals to the Attorney-General, to Acts of Parliament, and to 'Protestant feeling and dislike,' against the harmless walk between the two buildings. For our own part, we were convinced from the first, that, as a dozen respectable Protestants could not be found to object to the harmless national mode of honouring St. Patrick, so no sacrifice of the society would conciliate the few rabid bigots who carp at everything they can lay hold of; and we trust this will be a lesson to the Catholics of the Colony in future to pursue the even tenor of their course, giving no rational ground of offence to their separated brethren, but sacrificing nothing to conciliate those few bigots who call to mind with delight our former prostration, and to whom unnecessary conciliation is but as pearls thrown to swine."<sup>4</sup>

The actual ceremony is memorable, for it was the opportunity for the Catholic manifestation of unity and civic importance. The proceedings began with High Mass in the Cathedral church. Father Murphy was celebrant, Father O'Reilly, of Bathurst, was Deacon, Father Rigney, from Wollongong, sub-deacon, Father Gregory was master of ceremonies, while six other priests were there in surplice and stole. The Bishop assisted at the Throne, with the Vicar-General at his side. It was the latter who preached the occasional discourse, and some of the historical facts he preserves for us are well worth quoting, for they were spoken to people who had lived through the period under review, some of the elders were witnesses of the facts detailed; the younger generation had been suckled on the memories; while the donor of the site was the owner of the house, the saintly William Davis. The text was a precis of the first four chapters of the first book of Esdras, and from that, the preacher continued:

“ . . . When he looked round, and then looked back and considered the spot on which they now stood at the performance of a ceremony like that of to-day, some twenty years past, when

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<sup>4</sup>*Australasian Chronicle*, Aug. 27, 1840.

the governor of this territory met the venerable missionary whose labours were first spread over this country; when he called to mind the erroneous predictions which at that time affected to foresee that so large a temple could never in the history of the colony be filled; when he considered that the church they were now about commencing, however rapidly completed, would still be unable, even with this besides, to contain the multitude of faithful worshippers; and when he considered how the religious spirit had, in an equal degree with their numbers, been enlarged and brought nearer unto perfect good, he was filled and overflowed with gratitude. When he called to mind the trial and persecution from which the faithful had just emerged on laying the foundation of that first temple, and the perfect enlargement of liberty they now enjoyed . . . he called to mind the course of Divine Providence over his Church. . . . It is recorded of that great Saint, the Apostle of Ireland . . . that that humble and devout saint, when he first laid the foundations of the faith amongst the people who have ever since so faithfully preserved it, and brought it with them to these lands, that he built a church of mud and clay—the humble means at his disposal in Connaught. And now from his seat of bliss, he contemplates the children of his spiritual children raising beautiful churches of stone, with their sacrifices and devotions, and with a grateful remembrance of him who first brought them the precious inspirations of their faith and charity. The site to which they were about to proceed was already hallowed. It was of all places the most fitting for the foundation of this temple to the honour of God, and the memory of Ireland's Apostle. The monument of our devotion is to rise upon the most remarkable scene of our trials. It is the church, as it were, emerging from the catacomb, and covering its dark and solemn opening; for it was there, some twenty-two years ago, that the Venerable Arch-deacon O'Flinn, when the festival of Easter came, the authorities being in search of him but not the laws, there secretly celebrated the divine mysteries to a few of the faithful—trembling for fear of his discovery. It was there the most holy Eucharist remained so long, with no human, but with its own divine, omnipotent protection; and was the centre of the devotion of the people deprived of clerical aid. It was there the chaplains of the French discovery ships performed the divine service for the comfort and strengthening of the bereaved people; and there, also, that the first clergy recognised and established by the temporal power resided, and first performed their spiritual functions. Providence has watched and guarded the spot, and filled its possessor with blessings, and marked, and received it, as his own. . . .”



The Chronicle tells that the procession left St. Mary's at half-past eleven. Six hundred children moved in front. The boys' banner was borne by an aboriginal of the Yass tribe, and represented Constantine overpowered by the heavenly vision of the Cross. The white silk banner of the girls was painted with the scene of Christ blessing children. The committee and the Society of St. Patrick, the Catholic people and the clergy came next in order, and the Bishop's carriage, attended by a cavalcade, brought up the rear.

"By the time the Bishop, received and preceded by the clergy, had, with some difficulty, owing to the pressure of so dense a mass of people, reached the stone, the assembled multitude had stretched its closely compacted masses in every direction, covering roofs and every quoin of vantage, and reaching unbroken the highest points of Church-hill, where a fringe of carriages completed the outline of this breathing mass of life."

Dr. Ullathorne's words add details that matter to this description :

"The Catholic population was in a state of exalted enthusiasm, in looking forward to it. . . . Such a procession had never been seen in Australia. The whole population filled the streets, and as we reached the place of the new church, on one of the highest points in Sydney, by every descent you might have walked on the heads of the people, among whom voices were heard saying, 'we can't do this; we must consent to come second.' . . . This was a revelation to the Colony of our strength, and our reply to the Governor's remark. It must be remembered that, in those days, we had to meet the long-cherished traditions of Protestant supremacy, and to *assert* that equality before the law, which the law itself had given us."<sup>5</sup>

Strangely enough, Ullathorne's memory plays one of its tricks here. He gives us this picture :

The foundation stone was suspended in the air, visible to the multitude. At the Bishop's request I was mounted upon it, and thence I gave the touching history of the house which had now disappeared, which had been the centre of Catholic devotion." . . .<sup>6</sup>

The eye witness, writing in the *Chronicle* two days after the event, shows the cottage as still standing, and does not more than mention the Vicar-General's presence. He says :

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<sup>5</sup>Ullathorne: *Autobiography*, p. 168.

<sup>6</sup>Ullathorne: *Autobiography*, p. 168.

“The Bishop ascended the huge blocks of stone, and addressed the people. . . . ‘Amidst the objects of vivid interest which at this moment, and from this place, press on my thoughts, almost too closely for utterance, there is one, lowly and unassuming, on which the eye of faith rests and becomes riveted in its gaze. See that cottage. There, twenty years ago, was our religion cradled and concealed—there its mysteries worshipped: there was the brightness of the majesty of God centred, whilst desolation and gloom curtained the precincts; for religion was as an orphan, and the minister frowned upon and made to eat the bread of sorrow—a proscribed man. In that cottage did that minister, the meek and saintly arch-priest, retire for rest, and to refresh his wearied soul in the presence of the Most Holy. There we may imagine that, like the fugitive Jacob, he was blessed with a vision of futurity.

. . . . May we not go on further, and imagine how that good man, torn from his people and sent forth as an outcast, looked with tearful eyes towards this spot, for there was his treasure, and in fervent hope exclaimed, ‘Usquequo, Domine, usquequo?’—How long, O Lord, how long shall thy people be without an altar, without the sacrifice! Were he still among the living, so soon as the tidings of this joyful day might reach his expecting ear, would he not fly to the scene of his past labours; and when he entered the portals which connect our inland sea (for such in its magnificence is our harbour), and saw the walls of the temple we are about to erect, and its tower and its spire, tears of joy would flow for that the Lord had visited his people, and was dwelling amongst them. . . .”

Just before the laying of the stone, his Lordship was presented with a trowel of silver in the name of the Committee of St. Patrick’s Society. Presenting this compliment to the Bishop, Mr. McGuigan expressed the hope that his Lordship would live to found many churches with it. The Bishop replied:

“I receive with much gratification this token of respect and attachment from the president, committee, and members of the Society of St. Patrick. A circumstance that adds to the value of the gift is the sense of delicate propriety which has placed it in the hands of a native of Australia for the purpose of presentation; for deeply as all my people are in my affections, I cannot but consider myself as called upon to cherish with peculiar parental love the native born of Australia. May Almighty God hear your pious wishes, and may you live long to witness the progress of religion, and to praise his holy name in the temples to which you have alluded.”

The *Chronicle* concludes its account with the return to the Cathedral:

“The whole of Church-hill and George street formed a living and moving mass of human beings, great numbers having come in from the country for the occasion; and the windows were filled with spectators, chiefly females. When the clerical part of the procession was rounding from George street into King street the first banner was seen winding round St. James’s Church, at the upper part of the street; and the whole ascent, a striking coup d’oeil, was filled with the compact multitude. . . . The greatest respect was shown, the greatest good order prevailed, and we are happy to say that not a single accident occurred. It had been the intention of the society to wear decorations bearing allusion to their patron saint and the land of which he was the apostle; but it having been represented that this might be misinterpreted, and their inoffensive intentions misconstrued, at an intimation of the Bishop to this effect, although the individuals of the society had expended large sums in these preparations, they were cheerfully put aside the moment the possibility was intimated that any single person might be hurt or take offence at what was so innocently intended.”

In the midst of the rejoicing, Dr. Polding received disquieting news which made him change his plans hurriedly. The information was not made public, and the quick decision to visit England wears an air of mystery until we read a letter written nearly a year later. Dr. Polding then writes to Under-Secretary, Vernon Smith:

“With very great reluctance I was compelled to come to England and . . . I hastened my departure in consequence of a letter from Sir George Gipps in August last, in which His Excellency informed me that he could not guarantee a provision for outfit and passage for Clergymen after the close of 1841. Our number of priests is inadequate to the wants of the Colony. Of the 89 mentioned by Sir George Gipps in his despatch 3rd December, 1839, only thirteen Catholic Clergymen have arrived in the Colony under the provisions of the Church Act.

Port Macquarie and vast tracts of country have yet to be supplied. Moreover the labours of the Clergy are at present of that character, that, unless further assistance be obtained, it is to be feared that many in a few years will be rendered incapable of duty. Already the health of several has given way owing to the intense and increasing fatigue they have to undergo.

Another motive which compelled me to come, was the necessity I felt of obtaining assistance for the instruction of the Aborigines. On this subject, I am particularly anxious to be honored with an interview with Lord John Russell. . . .”<sup>7</sup>

That resolution had been conveyed to Father Heptonstall, Dr. Polding’s agent in London, in June, 1940; and it was also sent to the Protestant bishop in Sydney at about the same time as to Dr. Polding. From the reply to the protest issued by the Anglicans, we have the mind of Governor Gipps:

“Whilst I trust Your Lordship will believe I entertain equally with the Lord Bishop of Australia, a desire that the means of imparting religious instruction may be furnished as extensively as possible to the People of this Colony, I regret that I must still upon financial grounds, adhere to the recommendation contained in my Despatch of 3rd December, 1839.”<sup>8</sup>

The Governor’s reasons mattered little to Bishop Polding. He needed priests; Government had promised payment for passage and equipment, but had now specified a time-limit; the response to his vicarious appeal for volunteers neither satisfied his desire nor exhausted the liberality of the authorities; he saw only one solution of the difficulty—go, get missionaries himself.

Dr. Ullathorne puts it this way:

“After various plans had been considered, Bishop Polding decided to go himself to Rome, and obtain what further assistance he could of men from England and Ireland.”<sup>9</sup>

The Bishop’s intentions did not become public until October; but he arranged his engagements to fit the limited time. As we have seen, the southern districts had had his attention during August, but in September, since the *Chronicle* does not detail any special works, we may fairly guess he was engaged in making the remote preparations for his departure. The outside activities, however, did not slow up; and the paper is able to tell that the Wollongong new Church was nearing completion, tenders were called for the mason work on St. Patrick’s; building was about commencing at Brisbane Water; and a meeting had been held preliminary to building a church at Hartley.

<sup>7</sup>*Hist. Records of Australia.* Series 1. Vol. XXI, p. 421.

<sup>8</sup>H.R.A. Vol. XX, p. 604.

<sup>9</sup>Ullathorne: *Autobiography*, p. 173.

The city, though, was the axis of Catholic action; and a more demonstrative part was planned for the Catholic body in founding the Catholic Institute to act in unison with the parent Institute of Great Britain. We have already read the principal motion of that meeting; but the Bishop's opening address furnishes the key to the new development:

"He deemed it proper to state that the establishment of a branch of the Institute in the colony seemed to be imperiously required—required by reason of the incessant attacks made in every way upon their religious tenets and liberty. Patience and forbearance, it was hoped, would have lulled the parties by whom they were attacked into peace. The hope was vain—attack had been followed by attack—calumny had been heaped upon calumny—till, at length, the increased pressure had elicited the elasticity of resistance, and the determination which had brought them together that evening. . . ."<sup>10</sup>

In addition, on that occasion the Bishop initiated the Society for the Propagation of the Faith . . . . "to organise an union with that association whose efforts and transactions fill the world; which appears to be the lever in the hands of Almighty Power to raise the depressed heathen to the moral dignity of man, to the elevated state of the christian."

October was the busy month before his departure from Australia; and as the letters from the local correspondents are so graphic, it is as well to let them tell the tale themselves. The first is from Wollombi:

On the morning of 30th September the Catholics of this place were highly gratified by a visit from his lordship the Bishop for the first time. He came accompanied by Rev. Mr. Lynch and the Messrs. Wiseman, and was received at the intended site of the church by a respectable congregation; after his lordship had performed divine service, and delivered an explanatory discourse on the ceremony of consecration, he proceeded to lay the first stone of the church of St. Michael the Archangel; after the conclusion of the ceremony he again addressed the assembly, and dwelt particularly on the many evils of intemperance, and the dreadful responsibility of drunken examples. To the main portion of his hearers he pointed out the march of sobriety in their native country, where at the call of their clergy they had flocked by millions to the banners of temperance, and he exhorted those who had been guilty of

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<sup>10</sup>*Australasian Chronicle*, Sept. 12, 1840.

excesses heretofore to date their reformation from the memorable act of the laying of the first stone of the Church of St. Michael. Finally, he exhorted them to love one another, and, no matter of what religion, to maintain that bond of charity by which men are known to be christians. I am sorry that I cannot do anything like justice to this heartfelt appeal, which drew tears from the eyes of many. Our worthy pastor, the Rev. Mr. Lynch, I am proud to say, particularly recommended this district to his lordship's notice, and stated that within the whole range of his duties there was no place he had more reason to be pleased with than the district of the Wollombi. His lordship, after a conference with the inhabitants on the plan of their Church, and patiently hearing their various remarks, gave his apostolical benediction, and took his farewell amidst the prayers and best wishes of the people. He remained for the night at the residence of Mr. J. M. Davis, and next morning took his departure for Black Creek. . . ."<sup>11</sup>

The East Maitland Xenophon thinks in parasangs as he continues the *Anabasis* :

On Saturday, the 3rd instant, his Lordship the Bishop arrived at East Maitland at eight o'clock p.m., and on the following day, at eleven o'clock in the forenoon, performed divine service at the Catholic Church there to a crowded congregation. There were a great number of Protestants in attendance, who appeared to be, and expressed themselves, highly gratified at the discourse which his lordship delivered on the occasion. The Bishop was much pleased with the account given him by the Rev. Mr. Mahony of the general conduct and religious demeanour of his flock, upwards of forty of whom received communion on the same day from his Lordship. In the evening the Bishop proceeded to Raymond Terrace, and on the following morning celebrated divine service. There was a sort of canopy or tent erected in the township for the accommodation of his lordship, but those who seized the opportunity thus presented of assisting at the sacrifice were obliged to remain uncovered, although it rained nearly all the time of the ceremony. It may not be out of place to remark that a certain individual resident there, with the most unbecoming bigotry, endeavoured to throw some obstacles in the way, when a Mr. Dee . . . came forward in the handsomest manner at once, and offered, without any previous notice, to clear a store of his. . . . A Mr. Croker, a Protestant gentleman who has a large number of assigned servants, expressed his desire, on that and any future occasion, to afford his Lordship and the Rev. Mr. Mahony every facility in giving his men religious instruction. . . . A subscrip-

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<sup>11</sup>*Australasian Chronicle*, Oct. 8, 1840.

tion was entered into for the erection of a Catholic Church, for which a handsome sum was subscribed; among the subscribers were some Protestant gentlemen. His Lordship then proceeded to Hinton, where a large number of persons were waiting to receive him, whom he addressed at length. . . . The Bishop then proceeded to Cooley Camp, accompanied by many persons, and addressed the multitude for a considerable time. . . . From thence his Lordship proceeded to Glenham, the seat of Mr. C. H. Chambers, where the party arrived about ten o'clock at night, after travelling over ranges of mountains and on the following morning, the 5th, his Lordship performed divine service to about sixty persons, and afterwards laid out the site for the new church there; the land has been generously given by the lady of C. H. Chambers, Esq., who has also subscribed liberally towards its erection. We understand that a few masters in this neighbourhood refused to allow their assigned servants to attend. . . . His Lordship then proceeded to Dungog, a distance of about 25 miles, where the party arrived about nine o'clock, and were entertained at the hospitable mansion of D. F. Mackay, Esq. . . . On the next morning divine service was performed by his Lordship, in the presence of about seventy of the inhabitants. . . . A subscription was then entered into for the erection of a church, which is about to be proceeded with, the materials having been already provided. His Lordship and party then prepared to return, and arrived at Maitland, a distance of forty miles, about half-past ten o'clock at night. We may here state that the Bishop was not prepared to expect the attendance of the large numbers who crowded round him; and it is astonishing, considering the short notice that the several congregations had, with what alacrity they mustered, and the numbers they presented. The Bishop was pleased to express his satisfaction at the cleanliness, general appearance and good conduct of the inhabitants . . . and expressed the highest esteem for the manner in which the Rev. Mr. Mahony (to whom the reformation is to be attributed) had exerted himself in behalf of the spiritual welfare of a people who a few years ago were, in a moral view, in a most deplorable position."<sup>12</sup>

The writer from West Maitland adds some observations, and continues the story:

"This district has had a visit from our good Bishop, and as a refreshing shower, which moistens the parched earth, and cherishes the growing plants, so was his coming into this part of the vineyard entrusted to his pastoral care. Words proceeding from a heart sensibly alive to the best interests of those whom he ad-

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<sup>12</sup>*Australasian Chronicle*, Oct. 15, 1840.

dressed melted the most obdurate, and the good felt within some new impelling motive to greater fervour in the ways of God. On the 29th September his Lordship, after a fatiguing journey overland from Sydney, arrived at the Wollombi—there, amid the heartfelt welcomes of the people of this neighbourhood, he forgot his hardships. . . . On Friday, the 2nd of October, his Lordship proceeded from Maitland to Black Creek. As he passed through the many who ranged themselves on either side to receive his blessing, he appeared much affected by their simple piety. His discourse, whilst it brought conviction, pierced the heart. Their pastor induced his Lordship to dwell upon the many evils of intemperance. The gulf of misery into which the drunkard throws himself, and those depending on his care, appeared frightful when exposed by his glowing words, and tender invitation brought back those whom the chains of long indulged passions, and the dread of repute, kept in bondage. In dedicating the church at Black Creek to the greater glory of God under the patronage of Ireland's apostle, he carried the Irish in spirit back to their native land . . . in solemnly blessing the cemetery, he spoke of the last dread hour, and conjured them never to view either their church or this their last home without asking the all-important question, 'What will it profit me to gain the whole world, and lose my soul?'

The Rev. Mr. Lynch presented some few, whose faults proceeded from generosity of heart, and all pledged themselves to abide by his Lordship's directions. . . . Mr. Edmund Doyle freely offered the site. The Bishop, in the presence of the people, accepted it on the part of the church, and prayed that God would even here bestow some of that reward which awaits such an oblation. . . . The Bishop then proceeded over the mountains to the Paterson, arriving about sunset. On Saturday morning he celebrated Mass, and dedicated the church there erected, under the patronage of the Guardian Angels. His Lordship expressed himself well pleased with the building, and invoked the ministering spirits to guard and defend it. He proved from the inspired volume the anxious solicitude which the holy angels have for our spiritual welfare, and exhorted the inhabitants of this portion of his charge never to offend by deliberate transgressions these chosen favourites of heaven, who continually watch over us, 'Lest we dash our feet against a stone.' The cemetery was set apart by benediction for the use of the faithful departed. Messrs. Kealey and Clarke presented three acres of ground, and the Bishop devoutly besought God to bestow on them an hundredfold, in return for this generous oblation to Him to whom we owe all that we possess. . . . His Lordship then returned to Maitland, having travelled from the Wollombi, about one hundred and five miles.



On Thursday, the 8th instant, the day appointed for laying the foundation stone of the Church of St. John the Baptist, the temporary chapel at an early hour was crowded by a respectable congregation. . . . At ten o'clock, the procession moved on towards the site, situate on Campbell's Hill, commanding a view of the surrounding picturesque scenery, where a place was prepared for the celebration of mass capable of containing six hundred persons. . . . About twelve o'clock the Bishop commenced the ceremonies by administering confirmation to more than fifty persons, say seventy. His discourse on this sacrament was touching in the extreme; tears flowed from the aged—those rendered somewhat callous by the severe pressure of adversity—and the tender young . . . offered their unsullied souls to the divine spirit, who was coming to fill them with the 'fire of His holy love.' At the close of the mass nearly the same number received the holy communion. After the celebration of the divine mysteries the procession moved round the foundation stone, where his Lordship addressed the many assembled. . . . A handsome sum was then laid on the stone; both Protestants and Catholics tendered their offerings. Mr. Hannon presented the ground, truly valuable and beautifully situated; and, as the good Bishop thanked him for his munificent donation, he appeared sensibly affected. . . . His Lordship celebrated mass on Friday morning in the temporary chapel, West Maitland, and then departed for Newcastle, accompanied by the Catholic clergymen. His visit will be long remembered; as its first fruit, not a single person was seen drunk on Thursday, though several hundreds were congregated together."<sup>13</sup>

Dr. Polding returned thence to Sydney; but on Monday morning he was again in the saddle bound for Wollongong. The scribe from the Illawarra so lights up the darkness of the buried years that we can pay him a graceful tribute after a century of forgottenness by letting him re-tell his inspiring story.

"The ceremony of laying the foundation stone of St. Francis Xavier's Church, at Wollongong, took place on the 13th instant, as had been previously arranged by his Lordship, the Bishop, and

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<sup>13</sup>*Australasian Chronicle*, Oct. 17, 1840.

notified to the public some weeks before. From the day on which the people of Illawarra first received intimation of his Lordship's intention to preside in person at the usual ceremonies, active preparations were made for the occasion in all parts of the district. Those who lived at a distance secured the use of such vehicles as were requisite to convey themselves and their families to Wollongong, while the inhabitants of that town were making arrangements to accommodate as many as possible of their country friends, aware that the inns and houses of public entertainment would not be sufficient to receive all who were expected to be present.

As the day approached this earnestness increased. The zeal for God's house spread wider and wider. Those whose souls had formerly glowed while they witnessed, in another land, the erection of temples to the name of God, now anticipated a ceremony to them full of recollections the most endearing. Others there were who, unacquainted with these solemnities of religion, quickly caught the flame; and even the little children might be observed anticipating the pleasure they hoped to enjoy. Their procession dresses, which they were taught to regard as rewards for past docility, and encouragement to new virtues, filled them by day and by night, with dreams of processions—they talked, they thought of nothing else.

The day before the 13th was one of unusual interest to Wollongong. The streets were crowded with strangers; numbers were preparing the Bishop's path around the site of the church; some were taking down one end of the old chapel, and were weaving a bower of green branches, to enlarge the space; others provided wild tulips and a great variety of flowers to form a vast crown for the bower. Here were men erecting the cross on the site of the future altar; there were others constructing temporary seats for the expected crowds. All these, preparatory works which could not be performed sooner on account of the intervention of Sunday, were completed on Monday to the satisfaction of every person. Such was the assiduity with which the people came forward to assist, that, beyond all expectations, nothing remained to be done at the time of the Bishop's arrival.

At seven o'clock on Monday evening his Lordship reached Wollongong on horseback, accompanied by six clergymen. He appeared in excellent spirits notwithstanding his long journey, and he congratulated the spirited inhabitants of Wollongong on the progress their town had made since his last visit in the number and excellence of its buildings. The morning of the 13th rose upon Wollongong lovely and mild—a beautiful image of dawning religion shedding her beams on a land where lately darkness reigned supreme. Cheerful as the morning itself was many a heart and many a countenance in Wollongong. Long before the hour appointed for the procession the square was thronged with persons of every age and station from all parts of Illawarra. Before his Lordship's cottage stood his attached people of Wollongong, Dapto, Jamberoo, and Shoalhaven, awaiting his Lordship's signal to proceed. At one o'clock that signal was given, by the band playing 'Adeste fideles,' and, at the first note, the procession moved. . . . Already had the first banner waved upon the chapel ground ere his Lordship moved—already had most of the chapel seats been occupied by persons anxious to catch every sentence from the preacher's lips. . . ."<sup>14</sup>

It is only a guess—but a justifiable one—that Father Rigney himself, the pastor of the Illawarra, wrote that joyous account; but it is from another correspondent that we learn the excellent organisation which Father Rigney had built up for the occasion, and the Bishop's generous tribute of gratitude to God for 'the zeal of the universally-respected pastor and the piety of the people.'

On the following day Dr. Polding visited Dapto, where high Mass was sung by Father Rigney. In the course of the evening, the party returned to Wollongong, and the Bishop left for Sydney next morning.

On Sunday, 18th, the Bishop conferred the Diaconate on four of the students of his seminary, Messrs. Kenny, Dunphy, Magennis and Grant; and on Wednesday, 21st, he blessed the new church at Windsor with ceremony that lasted from eleven o'clock until two. "The good

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<sup>14</sup>*Australasian Chronicle*, Oct. 29, 1840.

people of Windsor, especially the native portion, were in no small admiration at a scene so unexpected, so old, yet to them so new." On Thursday, he went from Windsor to Currajong to open the new church of St. Gregory, and as soon as the ceremony was ended, the pastor, Dean Brady,

"presented seventeen candidates for Confirmation. . . . Solemn high Mass was then celebrated by the Bishop. . . . Mass finished, his Lordship imparted the solemn pontifical benediction. He, then, in a short but impressive discourse, demonstrated the importance of public worship. . . . At three o'clock, p.m., his Lordship was invited to partake of simple repast, consisting of tea and coffee; the band playing several animated military pieces during the frugal meal, received while sitting on the sward of this natural terrace. . . . In the evening the procession was again formed, and moved round the site appropriated for the interment of the dead. . . . His Lordship delivered a most pathetic discourse on the uncertainty of life. . . . He then left to return to Windsor, where he arrived at half-past ten at night, exulting in the moral improvement of that part of his flock entrusted to his fatherly care. After dinner, his Lordship passed a well-merited eulogy on the rev. pastor of the congregation, commending him for his zealous exertions, and encouraging the assembled clergy to labour to extend the progress of moral improvement as universally as possible."<sup>15</sup>

These gleanings from eye-witnesses show us Dr. Polding in a picture that no biographer would dare paint for fear of being charged with exaggeration. The works he accomplished seem beyond the endurance of any man; yet, they are told us by persons from the different districts; admirers, certainly—and why not?—but not flatterers. They were pleased, because the Bishop was pleased with them. A gem in the crown comes from the pen of one Protestant gentleman writing to another:

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<sup>16</sup>*Australasian Chronicle*, Oct. 27, 1840.

“I have had the honour of an interview with Bishop Polding ; his Lordship’s manners are highly prepossessing, uniting the dignity which becomes the prelate with the humility of the true christian ; he is not only revered, but beloved by his flock.”

J. J. McGOVERN.

# Miracle Plays and the Modern Apostolate

## *Summary:*

Modern movement in the direction of a revival of religious drama—A modern drama analogous to the mediaeval miracle play could be a powerful apostolic weapon.

The genesis of the mediaeval miracle plays: After the fall of the Roman and Greek theatres Europe without a drama—9th to 11th centuries, development of liturgy of the Church.

How an Easter liturgical play arose from a Gregorian melody—Other Easter and Christmas ceremonies develop into liturgical plays.

Liturgical drama expands in subject matter during the 13th century—Why the plays could no longer remain in the churches.

The secularization of the plays, 13th-14th centuries—The Church's wise attitude to them, before and after their removal into the open.

Full development: The Cosmic Drama—the mediaevals could have a Cosmic Drama because they believed in the Christian account of the Cosmos.

What of Miracle Plays for to-day?—We must consider the mediaeval as contrasted with the modern attitude to miracles—This different philosophic attitude explains the beautiful simplicity of the Faith revealed in the mediaeval Miracle Plays—Modern Miracle Plays could be invaluable in helping to reaccustom men to the ideas of the Faith—But they would need to be presented with a view to the different philosophic attitude and conditions of our day.

Catholic Europe in the fourteenth century possessed a drama that fully belonged to the people. The mediaeval Miracle Plays were acted by the various Guilds. They were presented on huge waggons—movable stages which went all round the city and so gave every single citizen an opportunity of witnessing the dramas. The plays were performed in the form of a cycle, in which was enacted the whole vast theme of God's historical dealings with man—beginning from the Creation and Fall and passing on through the prophecies and expectation of the Old Testament to the Incarnation, birth, life, death and Resurrection of the Redeemer and ending only with the Final Judgment.

In our day we see the stirrings of an attempt to revive the miracle play. That prominent French Catholic, Henri Ghéon, has written many miracle plays and has declared that his express intention is to "reaccustom the century to the 'merveilleux chrétien' as to a reality; to work to render the faith more concrete, more familiar, and more intimately blended with our everyday life. . ." Ghéon's dream is that every parish celebrate the feast of its patron by "un beau miracle" to be given, after the liturgical service, in the hall or yard of the church.

Is such a dream possible of fulfilment? Could the drama thus be made a modern weapon of the apostolate—to be used first of all for really catholicising our Catholic people and then ultimately for converting those outside the fold? I think that a drama analogous to the

mediaeval miracle play most certainly could become one of the most powerful apostolic weapons conceivable—and that for a profoundly philosophic reason. Indeed, merely to mention what one would much like to detail, splendid work has already been done in this direction by the Ladies of the Grail. Significant, too, was the startling success of the play “Credo,” at the New Zealand Congress. But we certainly could not *exactly* reproduce the mediaeval miracle play. However, before we go any further, let us glance at the nature and genesis of these old plays.

The barbarians who invaded the Roman Empire in the 5th and 6th centuries had no love for dramatic performances. Christianity, notably through great leaders such as St. Augustine and St. Chrysostom, had long been thundering against the plays of the pagan world. We will not wonder why, when we find Diomedes in the 5th century compelled in his “*Ars Grammatica*” to define acting (*mimus*) as “*sermonis cujuslibet imitatio et motus sine reverentia, vel factorum et dictorum turpium cum lascivia imitatio.*” And the most cynical modern may be shocked to learn that a certain Emperor “*In inimicis adulteriis ea quae solent simulato fieri effici ad verum jussit,*” or to learn that sometimes a brigand would actually be crucified as a part of the performance. Christianity, helped by the indifference of the barbarians, at last succeeded in smashing these stages of a decadent civilization.

#### RISE OF LITURGICAL DRAMA.

So, roughly from the 7th to the 13th centuries Europe was to all intents and purposes without a drama. But from the 9th century to the 11th the liturgy of the Church—especially of the Mass—was becoming more and more elaborated, until in the 11th century it reached a culmination of magnificence, the magnificence provided by “splendid churches, costly vestments, protracted offices, magnificent processions.” We who know the High Mass and Easter Ceremonies of the Church—to-day indeed to a great extent, denudations of those early century ceremonies—can well believe that the dramatic instincts of the people would have found expression and no little satisfaction in the sacred actions centering around the altar. As a fact, it was from this liturgy of the Church that evolved not only the miracle play but the whole mediaeval cyclic drama and indeed modern drama itself.

The whole process of evolution can be followed step by step and can be traced back to one definite and surprisingly small circumstance.

You know how even to-day our Gregorian chant loves to go awandering on a single vowel or syllable—say, the last “a” of an “alleluia.” Well, in the 9th century there were many of these decorative melodies in the sung parts of the Mass. They were inserted not only in the middle of, e.g., the Introit, but even at the beginning. And in this 9th century was taken what we might call the first distinct step in the development of the drama from the liturgy—clerics began to write additional words to fit the melodies. These additions were called tropes.

### *QUEM QUAERITIS.*

Thus, as you know, the Easter Sunday Introit begins “Resurrexi et adhuc tecum sum. . .” There was a long introductory melody to this—playing, I suppose on the first syllable of “Resurrexi.” Words were written to fit this melody. The particular resulting trope is probably well known to us and is of prime importance in the development of the drama :

“Quem quaeritis in sepulchro, O Christicolae?  
Jesum Nazarenum crucifixum, O coelicolae.  
Ite, nuntiate quia surrexit de sepulchro.”

As regards the evolution of the mediaeval drama this was the most significant of all the tropes. You might say that from it the liturgical drama was born. Notice the significant fact that it is in the form of a dialogue.

Very soon, in the 10th century, this trope became detached from its position at the beginning of Mass and came to form part of the Easter morning Matins service. A simple ceremony was enacted to give atmosphere to the singing of the trope—and so already we have an embryo play. Four brethren, vested, one in the alb, the others in copes, proceeded to an imitation sepulchre in the Church, much as the ministers nowadays proceed on Good Friday morn to the Altar of Repose. At the sepulchre, the minister in the alb, representing the angel at the tomb and the three in the copes representing the holy women who have come with spices to anoint the body of the Lord (they carry thuribles), sing their appropriate parts in the *Quem Quaeritis*. At the end of the little ceremony or inchoate play the *Te Deum* is sung by all (for the *Te Deum* generally ends the Matins) and “all the bells chime out together.” The significance of all this is that the *Quem Quaeritis*, which when it was an Introit trope was sung as a dialogue chant by alternating half-choirs, has now been joined up with mimetic action.

By the 13th century this ceremony has developed considerably in



dramatic interest. For two new dramatic motives have been added. Two more choristers have been introduced to represent Peter and John visiting the sepulchre. And secondly (though this was not done so frequently), still a third cleric plays the part of the risen Christ Himself. And Christ's appearance to Mary Magdalen is added as a third episode to the Angel's salutation to the Holy Women and the visit of Peter and John to the sepulchre.

Distinct from the *Quem Quaeritis* ceremony or liturgical play, as we may henceforth call it, was that of the *Peregrini* which enacted in simple fashion and with dialogue largely scriptural Christ's appearance to the two disciples on the way to Emmaus. The *Peregrini* was generally played on the Easter Monday when the Emmaus Gospel is read. One MS. at Tours (12th or 13th century) merges with the Easter Sunday *Quem Quaeritis* not only the *Peregrini* but also the ceremony of the Elevation of the Cross. This was a ceremony which consisted in bring back to the High Altar early on Easter Sunday morning from the Sepulchre or sort of side altar the Cross which had been buried there on Good Friday. Already, then, we have a long representation touching upon the Passion, and going on through the Resurrection to one of Christ's manifestations of Himself—we may say the kernel of the future cycle plays.

#### CHRISTMAS LITURGICAL DRAMAS.

Besides the Easter Ceremonies there were, equally as important in the study of the drama in embryo, the ceremonies which by the 11th century had grown up around the Christmas crib. You have five clerics representing the shepherds approaching the crib, an altar boy representing an angel singing to them the "Gloria in Excelsis." Then two priests meet them with the question, "Quem quaeritis in praesepe, Pastores, dicite?"

For me, the advent of these two last figures represents the next big and startling step in the evolution of the drama from the liturgy. Up to this all the characters have been severely scriptural—the dialogue they employ has been more or less scriptural. But here is a sudden and astonishing innovation. It does not lie in the get-up of these two priests who meet the shepherds, for they are, of course, in the ordinary liturgical vestments; it does not lie in anything that they say, but it lies in what they are supposed to represent. For me, the bland statement of the manuscripts that these two clerics are "quasi obstetrices," as it were midwives, comes like a clap of thunder. It is no less startling than if

Mrs. Sarah Gamp and Betsy Prigg themselves should come tearing up the aisle of the church, with waving umbrellas and insistent demands that they be allowed to take their part in the play. These two "quasi obstetrices" have a very considerable significance. For they are personages who are very definitely not scriptural, though they are the additions of a faith whose realism and homeliness are almost shocking—a faith which solidifies its object into something concrete and simple and ever so humanly appealing. Indeed those "quasi obstetrices" seem to the modern reader of the manuscript to come crashing in to the liturgical play like a triumphant chord introducing all the broad humanism of the mediaeval cyclic drama.

During the Christmas season, there were of course, the feasts of the Epiphany and the Holy Innocents, and liturgical plays—always of course in Latin—grew up embodying the Magi and Herod and the Innocents. These separate plays became fused into dramas of quite considerable length. They also first consisted of almost static representation with antiphons and scriptural language, but gradually tended to become increasingly dramatic and metrical. There was still another liturgical play belonging to the Christmas season, the most important of all by reason of the large number of actors it required and the consequent influence it exerted on the tendencies of the liturgical drama. A certain pseudo-Augustinian sermon "contra Judaeos" had always been read as a lesson for some part of the Christmas offices. This was a sermon involving all the prophecies of Christ—including Vergil's "jam nova progenies caelo demittitur alto." In the course of time it began to be chanted—then to be divided between several voices, and ended as a representation introducing, with delightfully lively Latin metres, all the prophets mentioned:

"Omnes gentes congaudentes,  
Dent cantum laetitiae;  
Deus homo fit de domo  
David natus hodie."

During the 13th century the liturgical drama was expanding greatly in subject matter. Three great motives were added to the Prophetæ—the Creation, the fall of Lucifer, and the fall of Adam. The Prophetæ, Shepherd and Magi plays were brought together. To the end of the Resurrection was added the Harrowing of Hell and plays of Anti-Christ and the Last Judgment. To the beginning of the Resurrection play was added a Passion Play—strangely the first Passion Play

is not recorded until 1200. Within this vast "cadre" or framework all sorts of new scenes could be added at will from Old and New Testaments and apocryphal works. But, as Chambers says, "beyond the limits of the fixed 'cadre' it was now impossible to go, for these were coincident with the span of time and eternity."

This, then, is the position by about the middle of the 13th century. We have devotional ceremonies in the churches, conducted by clerics in more or less liturgical vestments, with all words in the liturgical Latin. But these ceremonies have reached such a stage of dramatic development as to be quite frankly plays rather than ceremonies. Clearly the plays cannot remain much longer in the churches—not, at any rate, if the Church is to do its duty and insist that the object of going to church is to give worship to God and not to derive amusement for oneself. Already it is becoming a tradition that the cleric representing Herod is to manifest plenty of violence of speech and gesture—violence tending rather to amusement than to edification. Already Balaam is presenting a ludicrous spectacle on his recalcitrant ass, and is addressing that animal with lines that are as funny as they are little conducive to assist the prayers of the faithful:

"Quid moraris, asina  
obstinata bestia?  
iam scindent calcaria  
costas et praecordia."

#### TRANSITION.

When the plays had reached this stage of development they could no more remain in the churches than the full grown chicken could remain in the egg—for one thing they were far too big. And with regard to their appropriateness—it was as though some good mother bird were suddenly to discover that in its nest, among its own young, it was bringing up a young cuckoo, that seemed likely to grow big enough to wreck the home. The Church, like the wise and kind Mother she is, took the strange fledgling by the neck and put it outside.

This removal of the plays to the yards of the churches and the market places of the towns was in some ways a cause, in some ways a result of what may be called the secularization of the plays. Other chief factors in this secularization were (1) the introduction of laymen to take part in the plays, and, in consequence, (2) the introduction of the vernaculars of the various countries in place of the Church Latin; (3) the inevitable freedom from restraint in characterization, dramatic

incidents, etc., consequent on the removal of the plays from the precincts of the sanctuary. As a result, especially of the introduction of the vernaculars, the religious drama, from having been as cosmopolitan in character as the Church which gave it birth, became national. Up to this we have been talking about the drama of Europe as a whole—especially in France, Germany and England. As Chambers says “from the 14th century . . . it really requires separate treatment in each of the European countries.”

#### THE ATTITUDE OF THE CHURCH.

Of course, during this transitional period there were inevitably in many places difficulties and confusion which would not be done away with until the plays were cleared right out of the churches. The utterly sane attitude of representative churchmen is well illustrated by this beautifully reasonable passage from one Herrad of Landsberg in the 12th century: “The old Fathers of the Church, in order to strengthen the belief of the faithful and to attract the unbeliever by this manner of religious service, rightly instituted at the Feast of the Epiphany or the Octave, religious performances of such a kind as the star guiding the Magi to the new-born Christ, the cruelty of Herod, the dispatch of the soldiers, the lying-in of the Blessed Virgin, the Angel warning the Magi not to return to Herod, and other events of the Birth of Christ. But what nowadays happens in many churches? Not a customary ritual, not an act of reverence, but one of irreligion and extravagance conducted with all the license of youth. The priests having changed their clothes go forth as a troop of warriors; there is no distinction between priest and warrior to be marked. At an unfitting gathering of priests and laymen the church is desecrated by feasting and drinking, buffoonery, unbecoming jokes, play, the clang of weapons, the presence of shameless wenches, the vanities of the world, and all sorts of disorder. Rarely does such a gathering break up without quarrelling.”

But do not imagine that, once the plays had been put in their right place, the Church frowned upon them as a sort of narrow and hostile mother-in-law. Professor Chambers almost definitely denies the oft-repeated statement that Pope Innocent III forbade the clergy to participate in Miracle Plays. He points out, too, that “the alleged indulgence of Clement VI to the spectators of the Chester plays and the performance of a *Stella* (a Nativity play) given by the English Bishops in honour of their Continental colleagues at the Council of Constance in 1417 are two out of many proofs that the later mediaeval Church

found no difficulty in accommodating itself to the somewhat disconcerting by-product of its own liturgy." And he adds: "Such opposition to the religious drama as can be traced after the 13th century came not from the heads of the Church, but from its heretics"—surely a sufficiently striking tribute, from one who is himself "one of her heretics," to the broad understanding and genial urbanity of the Church of God—even the mediaeval Church of God!

### THE COSMIC DRAMA.

The genesis of the mediaeval miracle play therefore, is to be found in the Christian faith and worship and reverence of the people. The men of the ages of faith were able to present a cosmic drama because the only account of the cosmos that they dreamt of was a dramatic account—the account given by Christianity. And as a matter of fact the only account of the cosmos that can hope to be an adequate account must be a dramatic one. You do not tell the story of the universe merely by declaring that God made the world. The determinists narrow down the story to that one episode—and they leave the thousand contradictions presented by the spectacle of suffering and sorrow shrieking at poor bewildered man. The men of the middle ages gave a second essential episode when they included in their cosmic drama the fall of man, and made their Deus reiterate, as in the (Chester) play of Noah, that:

"This world is filled full of synne  
And that is now well seen."

But if your account of the cosmos is going to finish by telling us, as the pessimists would finish by telling us, that man is in the miserable situation of having gone wrong, then you might as well keep your account to yourself. The men of the middle ages had a further episode in their cosmic drama, an episode of hope and wonder—a story of Redemption. But the Redemption does not end all—for otherwise we would only be optimistic determinists instead of pessimistic ones. The men who played and enjoyed the miracle plays believed in the supreme reality and sacredness of human liberty—and so they concluded their cosmic cycle with a play of Anti-Christ and of a last and particular Judgment.

Yes, for some mysterious reason of the Divine Mind and Will, the whole vast action of God as we know it, as Christianity presents it to us, can only be apprehended by us as a drama. The opening scene is the scene of Creation; the primary situation is the Fall of Man; the crisis, the moment when Christ was on His Cross; and the resolution is His Resurrection and our Redemption.

That is why Christianity, the only system that does not try to simplify the story can alone give an account of man satisfying and big enough for his troubled mind.

#### MIRACLE PLAYS FOR THE MODERNS?

Is Ghéon's ideal possible of fulfilment in our modern times? Would it be possible or profitable to revive Miracle Plays in Australia? To-day men have no cosmic drama. They have no cosmic drama because they have no adequate account of the universe, which must be a dramatic account. Even our Catholic people, always living among a babel of beliefs, need to have the Christian account stressed for them through every possible medium. The atmosphere they breathe is an atmosphere in which the mediaevalists never dreamed a man would have to live, an atmosphere continually sapping the strength of a man's sense of sin and of a final judgment and his faith in the Redemption. Could we infuse life-giving oxygen into their spiritual lungs by familiarising them more and more through miracle plays and a miracle cycle with the objects of the Faith? Could we thus help to solidify their faith, which is ever in danger in our pagan atmosphere of becoming vaporous and hazy?

There is one most important feature of the Miracle Plays which we must not overlook. That is, the miracle. And in the consideration of the miracle, I think will be found the nature of the answer to our question.

We must recognize a large difference between the modern attitude to miracles and the mediaeval attitude. The modern man—even the modern Catholic—is only concerned with the question as to whether this or that particular miracle really happened or not. Pious delusions are utterly valueless to him—he wants realities. Like Dickens' Mr. Gradgrind all he wants is "facts, facts, facts." And if he should by any chance become convinced that a miracle has occurred he is filled with awe and wonder. But the mediaeval and Catholic attitude is rather different. The men of the middle ages, being much more soundly philosophical than people in general are to-day, were greatly concerned, not only with the things that are and have been, but also with the things that might be—they were greatly concerned with the possibility of things. If a miracle had taken place, that was a valuable and important fact. But it was not the thing that filled them with their fundamental awe and wonder. The thing that filled them with their fundamental awe and wonder was the much more universally significant fact that a mir-

acle *might* take place—that, from the philosophic point of view, a miracle was, though not probable, at any time of the day or night, both intrinsically and extrinsically possible—for they never forgot that God was in His heaven. And so, at the Birth of Christ it was quite to be expected that angels should sing the glad tidings to shepherds and that a miraculous star should shine in the sky to lead wise men to the place of His birth.

#### SIMPLICITY AND THE SUPERNATURAL.

It is just that philosophic attitude that explains the startling simplicity of the faith revealed in the Miracle Plays. The Miracle Plays seem to delight in taking the Christian story at those tremendous moments when God seems to have so emptied Himself of His Godliness as almost to have ceased to be God. The Nativity, the Crucifixion—these are the perilous places where the object of faith is as lowly and as simple as a stone—a stone which to many is a stumbling block for belief. The Nativity, even more than the Crucifixion. Because the Nativity can be an even greater scandal than the Cross. The moderns can often confess a certain divine sublimity in the story of the last sufferings of God. But many have found it harder to see the divine simplicity of the Stable of Bethlehem. So that an ancient like Marcion cried: “Preserve me from it all. Away with these pitiful swaddling bands and this manger, unworthy of the God whom I adore.” And the moderns refer, with airy unbelief, to the “Christmas legend.” But in these places, places such as the Nativity and the Crucifixion, the men of Catholic times besported themselves as men who are at home—for the air on which they thrived was the air of the supernatural.

And so the playwrights of the Nativity plays are not satisfied to represent the Divine Child lying in the manger. They love to insist that God was so outcast that it was the breath of the lowly beasts that warmed Him in the cold. Our Lady remarks to St. Joseph of the kine and the sheep in the stable:

“Ther Lord thai kenne, that wote I wele;  
They worshippe Hym with myght and mayne.  
The wedir is cold, as ye may feele;  
To halde Hym warm thei are full fayne  
With thare warm breth,  
And oondis\* on Hym, is nought to layne,  
To warm Hym with.”

\*breathe.

They are not satisfied with bringing shepherds to worship God-made-Man. They must insist that God was so completely and humbly Man that even the poor shepherds felt He was in need of all that they could give Him. So one gave the Holy Child his shepherd's pipe, another his mittens and—most sublime gift of all—another gave Him his hat.

And so, they will not leave us for a moment in doubt that the august Mother of God was really a simple mother and they make St. Joseph address her with a term of endearment that to them was very beautiful: "These words, turtle, they will be full true." And:

"Mary, my wife so dear!  
How do ye, dame, and what cheer  
Is with you this tide?"

And when Christ is at the very crisis of His work of redemption it is an ineffably tender and deeply human sentiment that they put into His mouth, as He bends down from the Cross to His Mother:

"O Mother mild, charge thou my cheer  
Cease from thy sorrow and sighing sere,  
It sits unto My heart full sore,  
The sorrow is sharp I suffer here,  
But the dole thou drees my Mother dear,  
Me martyrs mickle more."

It needed the devotion of the Middle Ages to make that daring suggestion that in the end, the greatest sorrow of the Redeemer was not the sins of the world but the sufferings of His Mother.

Now, I think we must frankly recognize that, if we are to bring back the Miracle Play, we would scarcely move the modern world by presenting the objects of faith in exactly the same way that the men of the 14th century loved to present them. I consider, however, that the popularizing of a modern equivalent of the Miracle Plays might play a tremendous part in re-accustoming men to the ideas of sin and Redemption and Judgment—in concretizing once more for them the truths and strong realities of the Faith—in re-establishing the theocentric view of the universe. But two important considerations must be laid down: our audience will have to be weaned gradually from the plays of *pure* amusement. It will be useless suddenly to thrust upon them too strongly didactic drama. And secondly, before we present our miracles we must present our philosophic attitude to the possibility of miracles. We must use a subtle and delicate hand, produce our plays according to the dramatic modes of our day, and strive first to convey through them philosophy rather than facts.



# Active Participation in the Sunday Mass

## LETTING DOWN THE NET.

### *Summary:*

Christ and the fishermen. Origin of Active participation in the Mass. Mary's part, in bringing men nearer to God. Congregational singing of the Mass is an Act of Worship, and is the noblest of Devotions. A practice flourishing in the earlier centuries. Nucleus easily formed in the School. The mind of Christ. Revival of a custom ever cherished by Holy Church.

“. . . but at Thy word, I will let down the net” (Luke V.6).

Who and where is the priest, working for souls, who has not at times, experienced a feeling such as came over Peter when he said, “Master, we have laboured all the night and we have taken nothing?” In spite of zealous labours, tact and tenacity—still some in the parish WILL NOT come to Mass on Sunday. The priest tries again, using other methods—“but at Thy word, I will let down the net,” said Peter. “And when they had done this they enclosed a very great multitude of fishes.” (Luke V.6.)

Are we not witnessing to-day a repetition of what happened on that day when the Divine Master spoke to Peter in person? The Vicar of Christ, Pius XI, invites the fishermen of souls to adopt a method of bringing the people nearer to Calvary and nearer to one another, expressing the desire of Holy Church, viz., that the congregation **ACTIVELY PARTICIPATE** in the offering of the Holy Sacrifice of the Mass: and in this invitation do we not discern the action of the Holy Spirit?

## CHRIST AND HIS MOTHER.

Nor need we be surprised if Lourdes appears to be the inspirational centre of the propaganda for increasing devotion to the Holy Sacrifice.

On Holy Thursday, Our Saviour instituted the Blessed Eucharist, and on the following day, from the Cross, He gave us His Mother to be our Mother. At Lourdes she is the medium by which He draws mankind nearer to Himself. Is it not at the time when He is being carried in procession along the line of stricken humanity gathered at Lourdes that miracles take place more often than even when the invalids are placed in the miraculous water? Since our Blessed Lady cooperated so intimately with her Divine Son in the work of our redemp-

tion, does it not seem to be according to the ways of God's sweet providence that the 72 hours' continuous celebration of the Holy Sacrifice at Lourdes in 1935 should be the origin of this tremendous movement bringing men back to a greater love and appreciation of the Mass?

#### LOURDES, ORIGIN OF TREMENDOUS MOVEMENT.

A few extracts from an article in "America," Nov. 6th, 1937, by Father Gerald Ellard, S.J., entitled "BRING THE FAITHFUL NEARER TO THE ALTAR" will bring home our meaning:—

"In 1935 Pope Pius XI addressed an apostolic letter to Mgr. Gerlier, Bishop of Tarbes and Lourdes, voicing his fatherly hopes that the unique triduum of Masses celebrated at Lourdes would prove no passing event, but would bear fruit in increasing devotion to the Holy Sacrifice. Immediately steps were taken to foster what is called the *MISSA RECITATA* (i.e., the answering or singing of the Mass by the Congregation) as the Mass of the millions. In April, 1937, representatives of the Hierarchy of 14 Religious Orders and Diocesan groups, met at Rome. It was their unanimous agreement that the necessity for an active campaign on behalf of *RETURN TO SUNDAY MASS* imposes itself as a matter of urgency in almost every country. . . . ."

"No less unanimous was the group in thinking that no new society should be founded to achieve this end, but that existing ones be asked to direct attention to this objective. . . . ."

"The next step, that of offering a specific programme to make Mass attractive, was approached in the frankest spirit. . . . Mass is neglected because the people think that the priest performs an independent, if not an alien act, away from them, in which action they have no real part."

"These Bishops and priests—diocesan and regular—could, and did affirm strongly that they had witnessed over a period of years the transforming effects of the congregational singing of the Mass, where introduced with tact and flexibility, with authoritative direction and with a worthy model such as Lourdes to follow."

The Bishop of Lourdes asks and hopes that stress will be laid on the Mass in all pilgrimages, and that the Mass be corporately offered and sung by all the pilgrims, as far as is possible.

#### THE HOLY FATHER EMPHATIC.

When the International Eucharistic Congress was being held in Rome in 1922, the Holy Father himself presided at the celebration of the Mass when the thronging thousands in St. Peter's **ACTIVELY, PARTICIPATED** in the offering of the Holy Sacrifice.

On the eve of Pentecost, Feb. 2nd, 1929, His Holiness Pius XI says—

“In order that the faithful share more effectively in the Divine Sacrifice . . . . it is indeed most necessary that the faithful should be present at the Sacred ceremonies not like mere outsiders or speechless bystanders . . . . They should feel and know that they are outwardly active, and that their activity is related to the great Act that the priest is performing in Christ’s name at the Altar.”

In 1931 His Holiness said “Social Prayer, . . . . that is what you need, you the workers, you the financiers.”

*ACTION*, (not words merely)—and *Psychological reactions*.

A great point is gained by giving the people something to *DO*: or something in which they can take part. How do our enemies achieve their ends? Father Martindale, S.J., puts it thus:—

“The Communist with right psychology, always provides his disciples with clear (though false) ideas, and with something (even bad) to *DO* . . . . It is enough, theologically, for the fulfilment of the obligation of hearing Mass, to be *THERE*—physically—but to content ourselves with that is very bad psychology.” It happens sometimes, when people are taken out from their usual environment—and out of themselves—that finding themselves *DOING* something they would never have dreamt of doing if left to themselves, they experience a thrill in taking part in what now seems to them worth while. That thrill may lead to amazing psychological reactions and to spontaneous outbursts of enthusiasm.

Father Martindale, S.J., writing in “The Month,” August, 1937, inter alia, says: “We can’t be satisfied with people’s going to Mass merely because they’ve got to. We would want them to go with an appetite; by force of interior conviction and desire; to be sorry when they can’t go; to seize the chance of going. And first, they have to know *PROPERLY* what Mass is. Anyway that it is an *ACT*. The decay of religion in England reveals itself not least by the shrinking from the word “sacrifice.” . . . . I doubt if most of our Catholics think of themselves, when at Mass, as offering Sacrifices to God. Still less as offering a Community Sacrifice, . . . . *DO* most of the faithful feel themselves as co-agents with the priest, or active at all? They risk thinking of him as doing something which they are *NOT* doing. . . . And if each of the faithful occupies himself with his separate private devotions,

the whole communal sense of the Sacrifice is lost, let alone co-operation with the priest."

It has been said, and perhaps, with a great deal of truth, that "if once our Catholic people grasp the notion that the singing of the Mass is itself one of the noblest of all devotions there will be no holding them back."

When our people sing in common, their song is an act of worship, not an adornment ADDED to worship, like the flowers upon the altar, but WORSHIP ITSELF.

And how truly attractive, as well as worthy, is not such an act of worship? A famous orchestral conductor, Walter Damrosch—(himself a Protestant)—once said that "Catholic worship is the most glorious thing in all the world. The opera is nothing compared to a High Mass. . . . . You have the most beautiful music in the world—the church's own music,—you have cast it away, and by so doing you have robbed your people of the privilege of community singing which is one thing that gives enthusiasm to the heart."

Is there good ground for hope that the Pope's ideas concerning communal singing of the Mass would bear good fruit amongst the people of Australia? Undoubtedly, and for several reasons.

(1) "Ab esse ad posse valet illatio." Long already is the list of places in various countries where the congregation actively participates in the offering of the Holy Sacrifice on Sundays. The practice is spreading in Europe and America. If there is active participation in the offering of the Holy Sacrifice abroad, why not here?

(2) It is noteworthy that when an appeal is made in Australia in any good cause the response is always generous.

(3) A solid foundation is already being made in many of the Catholic schools where the teachers—God bless them—have trained the children to sing the Mass right through.

In some cases a class being suddenly called on can, without the assistance of an accompanist, sing the "Gloria," "Credo," or any other part of the Mass perfectly. What an excellent nucleus for the congregational singing of the Mass! In the years to come these children as they grow up would be the mainstay of the movement which the Pope has at heart.

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Granting, then, the good will of our people, why deprive them of the privilege of taking an active and more intimate part in the Holy

Sacrifice, especially as the signs seem clear enough that God wills them to do so? This point deserves a moment's examination. It calls for an effort to try and find out the mind of Christ regarding the hearing of Mass. Let us begin a brief enquiry by putting a question.

#### THE MIND OF CHRIST.

Is active participation in the Mass merely a modern idea? Far from it. The practice is as old as the Church. In the liturgy of the first centuries, as soon as the catechumens and penitents were dismissed, the Faithful began their part of the service by saying prayers aloud together with uplifted hands. These prayers were an important element of the old liturgy, and an integral part of the service. It is interesting to note the following rubric, found in the liturgy of St. James, one of the oldest of the liturgies: "Priest; Peace be with all. People: and with the spirit. Choir; Alleluia."

Those, surely, who lived nearest to the time of Christ knew His mind best. A practice, therefore, dating from the earliest times, especially one so intimately linked up with the Holy Sacrifice itself, seems to be, clearly, of divine origin.

"It is the constant belief of the early Fathers of the Church that the general arrangement—in outline—of the liturgy was a tradition from Christ and the Apostles, and Clement attributes the order of the service to rules made by Our Lord. So also Justin tells us that on Easter Day Our Lord appeared to the Apostles, and 'taught them all these things.'"

(cf. ADRIAN FORTESQUE; THE MASS).

The LIBER PONTIFICALIS informs us that Pope Sixtus I (119-129) ordered that the people should sing the hymn, coming after the Preface, "Sanctus, Sanctus, Dominus Deus Sabaoth." Pope Sergius I (687-701) ordered that the people should sing the "Agnus Dei," also.

In the middle ages it was the custom that the Creed be sung, not by the choir (*schola cantorum*), but by the people.

The dialogue at the beginning of the Preface was common to all liturgies of the Western as well as the Eastern Church. The people always answered the "Dominus vobiscum," "Sursum Corda," "Gratias agamus Domino Deo nostro."

Evidently, then, active participation in the Mass is nothing new. The tremendous movement now being fostered, due perhaps to a mighty breathing of the Holy Spirit, is but a revival of an age-long practice ever cherished by Holy Church.

SACERDOS.

# The Mass Stipend

## Some Recent Studies (4)

### Summary:

Mass Stipend considered by many to involve a bilateral, onerous contract—Innominate contract, *Do ut facias*—*Locatio operarum*—Theories of Laymann and Lessius—Criticism of Laymann and Lessius—Theory proposed by Fr. G. Arendt, S.J.—Author would distinguish this theory from older one rejected by Suarez and Lugo—Criticism of Fr. Arendt's theory—Fuller treatment of theory of Innominate contract—The cleric's right to support—Virtue of justice—General obligation of strict justice binds faithful to support clergy—Defining the obligations of clergy and faithful—Difficulties solved—Conclusion.

Theologians of the Scholastic age were accustomed to vindicate the cleric's right to receive from the faithful the means of support, by invoking the words of Jesus Christ to His apostles: "The labourer is worthy of his hire."<sup>1</sup> They claimed, too, that this "*titulus sustentationis*" was derived from the law of nature itself. The earlier Canonists, both Decretists and Decretalists, likewise treated the question of clerical support in its general application.<sup>2</sup>

Jurists and theologians of a later age acknowledged a particular problem in the case of the Mass stipend, owing to the obligation of strict justice incumbent on either party. In order to assign a reason for such an obligation while yet excluding all suspicion of simoniacal exchange, they began to formulate various theories as to the nature of the contract which arises between the priest and the donor of a stipend.

### INNOMINATE CONTRACT, DO UT FACIAS.

Many scholars have interpreted the contract as an instance of the innominate contract of classical law, *Do ut facias*, or *Facio ut des*, i.e., *Do tibi stipendium in sustentationem ut missam celebres et applices*, or, *Celebro et applico missam in tuum favorem dummodo mihi tradas stipendium in sustentationem vitae*.<sup>3</sup> Claiming that the priest has a right to the means of support anterior to the rights begotten of this particular contract, these authors would exclude all semblance of an

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<sup>1</sup>Matt. 10, 10. Cf. Luc. 10, 7, 1 Cor. 9, 14.

<sup>2</sup>The development of this question is treated at length by Pro. V. Del Giudice, *Stipendia Missarum* (1922).

<sup>3</sup>Suarez, *De Sacramentis*. Dist. 86; Lugo, *De Euch.*, D. 21; Gasparri, *De SS. Euch.*, c. 4. Amongst modern scholars cf. also Cappello, *De Sac.*, I, n. 68; Vermeersch, *Theol. Mor.* II., n. 280; Génicot-Salsmann II, n. 286; Aertnys-Damen, I, n. 450.

exchange between the spiritual fruits of the Mass and the pecuniary offering. The contract is lawful because the temporal value which a person must give to the priest in virtue of the pact is already due in justice.<sup>4</sup>

#### CONTRACT OF LOCATIO OPERARUM.

Some have considered that the stipend is given simply in exchange for the labour of the priest, who applies Mass for a specified intention. The contract, as envisaged by them, would be a case of *locatio operarum*; the priest's labour would be considered to merit remuneration in the same way as other forms of human activity. The priest's right to support, then, would be derived immediately from his labour or activity; it would not be, as the partisans of the Innominate Contract hold, a right existing anterior to this particular pact.

It must be noted that the labour under consideration is that which is *intrinsic* to the celebration and application of Mass. It is of such a kind that without it the sacred action, productive of spiritual fruits, could not be performed. Examples of labour intrinsic to the sacrificial activity of the priest would be the pronouncing of certain words, the bodily movements necessary for offering the sacrifice, the internal attention or the circumspect external attitude which are essential for a worthy celebration of Mass. On the other hand, labour extrinsic to the sacrifice is such that without it Mass could still be celebrated in accordance with the requirements of church ritual, e.g., the added inconvenience occasioned by celebrating Mass at a later hour or after travelling a considerable distance.<sup>5</sup> Current legislation acknowledges a right to material recompense on account of this extrinsic labour, independently of the stipend which might be offered for the application of Mass.<sup>6</sup>

Proponents of this theory argue that every bodily labour merits its due recompense. Accordingly the priest's activity in spiritual ministrations merits its reward in strict justice. The references of Sacred Scripture, applicable in this context, are said to confirm this view. The expressions, "*merces*," "*cibus*," and the comparison of a priest's recom-

<sup>4</sup>Cf. Vermeersch, l.c. "Praesupposito justo titulo sustentationis et generali obligatione iustitiae alendi sacerdotem, conventio ista licita est; de re debita ex iustitia licite fit pactio.

<sup>5</sup>Bonacina, De Simonia. Q. 6, n. 3.

<sup>6</sup>Cn. 825, 2.

pense with the soldier's stipend are thought to imply that the priest receives a "pretium" of his labour.

Difficulties might be raised against this opinion. The labour intrinsic to the offering of Mass is so intimately joined with the sacred action that one cannot exist without the other.<sup>7</sup> If one be an object of exchange with some temporal price, the other must necessarily be measured in the same comparison.<sup>8</sup> Moreover, if the mind of the faithful be considered, it will be readily understood that they ascribe no value whatever to this priestly labour, except in view of the spiritual graces produced by it. Finally, regarding the expressions of Sacred Scripture, it might be urged that they aptly describe the priest's strict right to means of support as explained in the theory of the Innominate Contract, without implying any necessity for admitting the exchange involved in a "locatio operae."

#### THEORIES OF LAYMANN AND LESSIUS.

The great Jesuit theologian, Laymann, endeavoured to develop this theory by distinguishing a twofold aspect of the priest's labour. It might be considered under the general aspect of labour expended in the service of another. It might also be considered under the aspect of its specific character and usefulness in this particular case, namely, as productive of spiritual graces. In the first consideration labour is viewed rather in relation to the agent who labours (*operans*); in the second case it is considered more particularly with reference to the work achieved (*opus*). Viewed under the latter aspect labour cannot be the object of an exchange without the spiritual action entering into the comparison. However, viewed under the former aspect, labour merits a recompense in strict justice, "non ut pretium operis sed in sustentationem vitae." The priest's recompense, therefore, is not to be classed as a "pretium" in the strict sense, since it is not in proportion to the utility derived from his activity. In a broad sense it might be termed a "pretium" insofar as it is something due in strict justice.<sup>9</sup>

Lessius also proposed to distinguish two aspects of the priest's

<sup>7</sup>This is confirmed by an examination of the notion of Sacrament. S.Th. 3<sup>a</sup>, Q. 60, a. 2. Signum rei sacrae in quantum est sanctificans homines.

<sup>8</sup>Suarez, In 3am. S.Th., Disp. 86, Sect. 1, n. 6; Bonacina, De Sim., l.c.; Castropalou, De Simonia, Disp. 3, Punct. II, n. 1, 2.

<sup>9</sup>Theol. Mor. Lib. 4. Tr. 10, c. 8, n. 41 sqq. Duplici modo labor sacerdotis considerandus est, alio modo in ordine ad opus spirituale secundum propriam et specificam ejus rationem utilitatemque, alio modo in ordine ad operantem, secundum genericam rationem operis aut servitii in alterius gratiam praestiti.



labour. The distinction does not seem to differ substantially from that proposed by Laymann. Labour intrinsic to a priest's ministry, he writes, cannot be sold. For a thing can be sold only insofar as it is capable of being transferred to the ownership of a buyer. Now *labour* of any kind can pass to the ownership of another only in the sense that the *action* produced by that labour becomes the other's property. The *action*, though, becomes another's property insofar as it affords him some *advantage* (*commodum*). In this case, the only advantage to be derived is spiritual and supernatural. Accordingly the action productive of this advantage and the labour from which the action proceeds are incapable of being sold, if simoniacal exchange is to be avoided. However, labour of any kind can be viewed under another aspect so that another estimate of its value might be made. It might be considered in itself (*secundum se*), not as affording some advantage (*commodum*) to another, but as implying a disadvantage (*incommodum*) for him who labours. Under this latter aspect labour entitles one to a reward which is not to be considered as a "pretium operis."<sup>10</sup>

#### CRITICISM OF THEORIES PROPOSED BY LAYMANN AND LESSIUS.

Neither distinction seems to have removed the fundamental difficulty which arises if any conception of an exchange between the priestly ministration and recompense is maintained. The general objective intended to be achieved by labour, namely, to render service to another, is realised only in the specific usefulness which it affords the beneficiary in each particular concrete instance. Laymann's distinction therefore seems to be merely a distinction of reason. In reality a price paid for the priest's labour viewed under the more general aspect is, of necessity, a price paid for the spiritual and supernatural utility derived from it.

In the same way it might be argued against Lessius that one and the same reality both causes inconvenience (*incommodum*) to him who labours and affords advantage (*commodum*) to him in whose service the labour was performed. Moreover, although labour is sometimes valued at a higher price on account of the inconvenience involved, it is never estimated solely by this consideration, but always with some reference to the utility derived from it.

#### THEORY OF FR. G. ARENDT.

Fr. Arendt states as his purpose to complete and perfect the theory

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<sup>10</sup>Lessius, *De Jure et Justitia*, Lib. 2, Cap. 1, n. 54.

proposed by Laymann.<sup>11</sup> An obligation of strict justice is explained, he writes, only by some exchange of two realities (*ex ratione aequalitatis rei ad rem*). In the case of the Mass stipend, the object of the exchange on the part of the priest is not his labour, viewed under any aspect whatsoever. Indeed it could not be the priest's ministration considered *objectively*; it must be some *subjective* element in the priest's activity. At the same time it is not enough to say with the partisans of the theory of the Innominate Contract that the donor's *intention* is to give the stipend not as the price of spiritual favours, but as a contribution to the priest's support. Unless it be admitted that some other reality enters into the exchange on the side of the priest, an insistence on the mutual obligation of strict justice necessarily implies that his labour in spirituals is exchanged for the stipend. The mere intention of the parties concerned could not change this condition of affairs which arises, of necessity, from the objective nature of the case.

Fr. Arendt would identify such an element, real but subjective, in the priest's ministration. The priest, he argues, is a free agent, master of his own activity. To preserve this liberty of action by assuming no obligations is a condition in itself "*pretio aestimabile*." It is a condition which might be made equivalent to some temporal value, without any account being taken of the particular obligation, which is but the means whereby the condition of freedom is given up. Admittedly, this condition of liberty is a spiritual good, but not *supernatural*; for it is a great, *natural* faculty of man that he is able to determine freely his mode of action. Thus he concludes that the mutual obligation of strict justice incumbent on the priest and the donor of the stipend arises from an exchange of two realities, the priest's liberty which is forfeited by assuming an obligation to apply Mass for a specified intention and the stipend.

The value of this liberty of a human agent is estimated in particular instances with reference to the object of the obligation which is assumed. Sometimes, however, an estimate of its value is made in consideration of attendant circumstances. In the case under consideration no account might be taken of the object of the obligation assumed, namely, to apply the Mass as directed. It remains that the value set upon the priest's forfeiting his liberty must be estimated in proportion to the right to receive the means of support which already belongs to

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<sup>11</sup> *De Laesione Justitiae Commutativae in Missae Manualis Stipendio alteri celebranti Diminuto* (1914), n. 41.

him, a right involving an obligation in *distributive* justice for the faithful. For supposing that the priest has been lawfully designated to administer supernatural benefits in the Church, adequate means of support are due to him in distributive justice, not precisely on account of the supernatural ministry which he exercises, but on account of the natural necessity of living.

This exchange of two realities from which mutual obligations of commutative justice arise might be effected in a more general fashion by a quasi-contract between the Church and her minister, or more specifically, as in the present instance, by a private pact for the application of certain fruits of the Mass in view of a stipend.

#### THEORY NOT TO BE UNDERSTOOD AS A CERTAIN SOLUTION REJECTED BY SUAREZ, LUGO AND OTHERS.

Fr. Arendt hastens to forestall a possible objection that his explanation is merely a repetition in a new form of the theory rejected by Suarez, Lugo and other scholars.<sup>12</sup> In an effort to exclude all suspicion of simony, some authors had suggested that the stipend is given to the priest, not for the application of Mass, but for the obligation to apply Mass, which he assumes.

Suarez, rejecting this solution, argues that the distinction is not valid. The priest's obligation cannot be bartered without the object of that obligation, the ministration in spirituals, becoming involved in the exchange, either as the object of the exchange on the side of the priest (*res vendita*) or as the motive for the transaction (*ratio venditionis*). Lugo advances a similar argument, claiming, by analogy with other obligations, that the value ascribed to the obligation assumed by the priest could be estimated only in relation to its object. He rejects the theory on other grounds, too, claiming, for example, that in the application of such a doctrine any case of simony could be excused. He also formulates an objection in consideration of the obligation of restitution which, it is agreed, is incumbent on the priest who fails to fulfil his obligation.

Fr. Arendt agrees that this theory cannot be maintained, if it be understood that the only value ascribed to the obligation would be determined with reference to its object. It is in this mind, he writes, that Suarez understood the doctrine. In his own explanation, he points out,

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<sup>12</sup>Suarez, *De Relig.*, L. 4, *De Sim.*, C. 21, n. 16; C. Lugo, *De Euch.*, *Disp.* 21, n. 7 sqq.

the value of the obligation is considered quite independently of its object. The estimate is made only in relation to the subjective element of inconvenience (*incommodum*) which burdens the priest who forfeits his liberty. He compares the case of the priest with that of a man who sells a ring, the treasured legacy of a revered parent. The owner might exact a price much in excess of the intrinsic value of the ring, in consideration of the veneration in which he holds it on account of its former associations. This sentimental value which attaches to the ring is something real though subjective, spiritual though not supernatural; it enters into the exchange just as the natural good of liberty which the priest foregoes.

#### CRITICISM OF FR. ARENDT'S THEORY.

Although it is claimed to be the only acceptable solution of the problem, this theory does not seem to remove the radical difficulty, to overcome which the theories of Laymann and Lessius have been pronounced inadequate.<sup>13</sup>

The priest's part in the exchange is to forfeit his liberty of action, a possession of the natural order, estimable in terms of a temporal price independently of the object in regard to which it might be forfeited. This is a fundamental postulate in the theory. Now liberty is defined as the capacity or faculty of acting or not acting, of acting in this or that manner. A person, therefore, forfeits his liberty insofar as he binds himself to act in a certain, definite manner. The assuming of an obligation seems to be *identified* with the loss of liberty in regard to that particular action which forms the object of the obligation. The distinction between loss of liberty and assumption of an obligation is a distinction of reason. In reality the two notions are identified.

The priest who binds himself to apply Mass according to the donor's intention, in the same instant and in virtue of the same action has deprived himself of liberty to apply Mass at will on some particular occasion. Being deprived of his liberty of action and assuming condition of servitude represents one and the same reality on the part of the priest.

The conclusion is that in spite of the distinction which he ingeniously introduces, Fr. Arendt's theory is not really distinguishable from that rejected by Suarez and Lugo. Accordingly there would devolve on him the task of solving the difficulties proposed by those authors.

<sup>13</sup>"Haec . . . esse videtur sola explicatio hujus salebrosi problematis."

As has been noted he would admit the validity of those difficulties unless some real, subjective element, such as he postulates be distinguishable in the priest's activity. The value set upon the priest's loss of liberty is, of necessity, a value set upon the obligation which he assumes, and so, in turn, necessarily represents an estimate of the spiritual ministration itself in terms of a temporal price.

In endeavouring to safeguard his own theory from one of Lugo's objections, Fr. Arendt denies that loss of liberty is sustained at all when an obligation is assumed. A person is actually deprived of liberty when he fulfils the obligation assumed. Arguing on the lines already followed it might be objected now more directly that loss of liberty and the actual ministration are identified, so that a price set on the one is also an estimate of the other. The argument of Lugo, already alluded to, might be stated briefly. If the stipend is given not on account of the application of Mass but for the obligation to apply Mass, then it follows that a priest who fails to fulfil his obligation is not bound to restore the stipend. For he has done all that was required of him, while the donor has received all that to which he became entitled. The priest sins, of course, in failing to fulfil his obligation to apply Mass, but no obligation of restitution can be imposed.

The writer seeks to safeguard his own theory from this objection. "If the priest," he proceeds, "does not fulfil the obligation which he has assumed, it is false to say that he is not bound to restitution, for the reason that he was bound merely to assume the obligation—which he did—not however to apply Mass in actual fact. For, in my theory, the obligation is considered as a means to the end to be obtained, namely, the application of Mass. The value of that means represented by the amount of the stipend, is estimated not in relation to that end, but in consideration of the subjective element of liberty which is forfeited, the condition of servitude in which the priest finds himself as a result of the obligation assumed. Now if a priest does not fulfil his obligation, then he has assumed an obligation in virtue of his *spoken word* (*verbis*); in *reality* (*re*), though, he has not deprived himself of liberty of action. Accordingly he has not really fulfilled the obligation which he assumed in his contract and so is bound to restitution."<sup>14</sup>

In the author's own conception of human activity, then, the loss of liberty on the part of a free agent is realised not in the assuming of

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<sup>14</sup>O.C., n. 50.

an obligation, but in its fulfilment. Without disputing any further the psychological question, and granting the author's standpoint, it might be argued again from the notion of free will that deprival of freedom and the action of the agent are identified in reality.

The general conclusion then is that the subjective element of liberty of which a free agent is deprived is not something really distinct from the action and capable of separate estimation. In reality it must be identified either with the assuming of an obligation or with the action by which that obligation is fulfilled.

Another difficulty might be raised. By applying this theory in practice, any kind of simony of the divine law could be excused. It could be claimed always that a price was being paid not for some spiritual favour but as an equivalent value of the liberty which a minister would forfeit in binding himself to dispense that favour. There would remain only simony of the ecclesiastical law, in those cases, namely, in which positive legislation might forbid pacts. This conclusion is in fact accepted by the writer.<sup>15</sup> However it seems quite inconsistent with legal sources, doctrine and practice.

#### THE INNOMINATE CONTRACT, DO UT FACIAS.

The modern writers whose theories have been discussed, Fr. De la Taille, Prof. Del Giudice and Fr. Arendt agree in rejecting the theory of the Innominate Contract.<sup>16</sup> A fundamental difficulty proposed by all three authors has reference to the nature of the obligation of commutative justice which arises from a bilateral, onerous contract. If the obligation of strict justice be maintained, they argue, then of necessity, from the very nature of the case, an exchange of two realities, one spiritual, the other temporal, is implied. That the intention of the parties concerned is that the stipend be given not for the service rendered but for the minister who has a right to be supported, is not sufficient to dispense with this essential characteristic of commutative justice. One must either admit an exchange of two realities from which a mutual obligation of strict justice is derived or abandon the notion of bilateral oner-

<sup>15</sup>Nihil vetat igitur, spectata sola juris divini simonia, quominus modo explicato possit suscipi sustentationis adjumentum ex cessione proprietatis cujuscumque rei sacrae, vel ex exercitio cujuscumque ministerii . . . . alia quaestio est de simonia, juris mere ecclesiastici. . . .

<sup>16</sup>The theories of Fr. De la Taille and Prof. Del Giudice have been discussed in preceding issues of the *A.C.R.*—July, Oct., 1937; Jan., 1938.

ous contract and seek another source for the obligation which is admitted to be incumbent on priest and donor.<sup>17</sup>

Defenders of the Innominate Contract reply that this contract does not create the obligation of justice. It serves merely to define the limits of an obligation already incumbent on the faithful to support their pastors. Since this obligation is already binding in justice the effect of a pact is merely to determine in concrete cases the exact limits of a somewhat indefinite obligation.<sup>18</sup> It does not involve simoniacal exchange. Such an exchange implies a comparison of the value of two objects. In this case the stipend is not involved in a comparison with the application of Mass. It is considered, rather, as something already due to the priest, who ministers to the faithful in spirituals and, from the nature of the case, might claim support from them in temporals.<sup>19</sup>

#### THE CLERIC'S RIGHT TO SUPPORT.

The matter of fundamental importance is to determine the character of the cleric's right to support in general, independently of particular contracts. Rejecting the view propounded by Suarez and others that the obligation of the faithful is binding in strict justice,<sup>20</sup> Fr. De la Taille considers it to be an obligation of piety which becomes binding in legal justice through the enactments of positive law.<sup>21</sup> Fr. Arendt considers the obligation to support clerics as *per se* one of distributive justice. It is merely an application of the more general onus incumbent on ecclesiastical superiors to assign duties and distribute recompense, observing due proportion.<sup>22</sup>

#### THE VIRTUE OF JUSTICE.<sup>23</sup>

It will be useful to define the notion of commutative justice. Jus-

<sup>17</sup>Arendt, o.c., n. 41, n. 21; Del Giudice, *Stipendia Missarum*, p. 183; De la Taille, *Gregorianum*, a. 1923, p. 360.

<sup>18</sup>Suarez, *De Sim.*, C. 46, n. 10. *Per pactum non additur nova obligatio sed explicatur et declaratur quod inest.* Cf. Schmalzgreuber, *Lib. v, Tit. iii. n. 8 sqq.* Cf. Vermeersch as already quoted.<sup>4</sup>

<sup>19</sup>Suarez *De Rel. Tr. 3. Lib. 4, C. 46. Pecunia non datur ratione rei sed ratione subjecti, i.e., non datur tanquam pretium commensurandum vel commensurable ministerio vel labori operantis sed conditioni personae indigentis congrua sustentatione.*

<sup>20</sup>Amongst modern authors cf Genicot-Salsmann, *Theol. Mor. II, n. 220, "Laboranti in spiritualibus . . . sustentatio debetur, et quidem, ut omnes DD. tenent, ex justitia."*

<sup>21</sup>*l.c.*, p. 362.

<sup>22</sup>*o.c.*, n. 46.

<sup>23</sup>*S.Th., 2a 2ae. Q. 57 sqq.; Lessius. De Jure et Justitia Lib. 2, C. 1; Lugo, De Justitia I, Disp. I; Castrapalou, De Justitia et Jure, Trac. 31; Crolley, Disputationes de Just. et Jure, I, Disp. 3-8.*

tice is defined as "perpetua et constans voluntas jus suum unicuique tradendi." This virtue regulates the relations of a man with his fellow creatures. Now these relations might be considered either in regard to individuals or in regard to the community of which a man is a member.<sup>24</sup> Viewed under the latter aspect justice is termed "*Generalis*." The name does not imply that general justice is not distinguished from other virtues. It is a distinct virtue, having its own proper object, the common good. It is termed "general" though in respect of its efficacy. For it promotes the exercise of all the other virtues with a view to advancing the common good.<sup>25</sup> It is this virtue which binds rulers to care for the welfare of their subjects. This office they fulfil principally by enacting wise and just laws. Accordingly this species of justice is termed also *legal* justice. Subjects, in turn, are bound in legal justice to obey the laws promulgated by the rulers.

Viewed under the former aspect, insofar as it regulates human relations towards individuals, justice is either *distributive* or *commutative*, according as the "terminus a quo" of those relations is the community as such or another individual.<sup>26</sup>

It is plain that obligations of legal and commutative justice proceed from different sources. Legal justice binds a person by reason of his membership of some society. Commutative justice is binding, irrespective of membership of any society. It is based upon the right of ownership and so binds all individuals, whether members of the one society or not. Indeed it binds the society itself insofar as it acts as a private person. Legal justice has for its immediate object to advance the common good, while commutative justice is concerned with private rights. An obligation of commutative justice, then, must arise from some action which violates the right of ownership or from a bilateral, onerous contract involving some kind of an exchange.

Accordingly, by reason of positive ecclesiastical law the faithful would be bound to support the clergy only in virtue of legal justice. By the reception of baptism a person assumes the obligations of membership of the church.<sup>27</sup> Thus he is bound in legal justice to promote the common good of the church, especially by observing its laws. If the faithful have incumbent on them an obligation of commutative justice,

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<sup>24</sup>S.Th. 1.c. Q. 48. a6.

<sup>25</sup>S.Th. 1.c., a.5.

<sup>26</sup>S.Th. Q. 58, a.7; Q. 61, a.1.

<sup>27</sup>Cn. 87.



also, it must be in virtue of some pact, actual or virtual, which they make with the clergy.

### CLERGY AND FAITHFUL.

Considering the nature of a society it would seem that such a virtual pact exists. Any society must requisition the services of certain officials to exercise its legislative, judicial, executive and administrative functions. In assuming office these officials implicitly bind themselves to discharge certain duties and acquire a corresponding right to means of support. In civil society such officials are those whose services are required to exercise the machinery of state administration; in the ecclesiastical society, these officials are usually clerics. The right of these officials to receive means of support is one of *strict justice*, even when the nature of the duties discharged is such as to render them incapable of being exchanged for a price in a contract of "locatio conductio." Many duties performed by clerics are, indeed, of such a kind. Clerics must have material support as an absolutely necessary condition to the fulfilment of their office. They are impeded from procuring such means by the very fact of exercising this office. There must, therefore, be a strict obligation to provide means of support on those in whose service the clerical office is exercised. It must be noted that the clerical office cannot be dispensed with at will but must be maintained if the church is to continue to exist; to be a member of the church, then, is to acknowledge implicitly the necessity of providing for all that is essential to maintain this office. It must be noted, too, that clerics might not assume their office at will, but must be appointed by the lawful ecclesiastical authority.

It would seem then that the faithful, in becoming members of the ecclesiastical society, implicitly enter into a pact with the clerical body, undertaking to share the burden of providing material support. So too a cleric, in assuming clerical status, binds himself implicitly to administer to the faithful the supernatural graces entrusted to the Church, in the manner indicated to him by lawful authority. A mutual obligation of strict justice, the terms of which are as yet undefined, binds clergy and faithful in virtue of this quasi-contract. It is to be noted that, in view of the present day conditions prevailing in the Church, this right of support might be claimed in practice principally by priests. |

It is not enough then to postulate an obligation of charity or piety for the faithful. Neither is it sufficient to class the obligation as one of distributive justice. In defining the exact limits of these radical

obligations of strict justice, the higher authorities are bound in virtue of distributive justice to procure an equitable distribution of burdens and recompense.

#### DEFINING THE OBLIGATIONS OF CLERGY AND FAITHFUL.

The terms of this quasi-contract are, therefore, undefined. It remains for competent authority to determine by positive enactment the extent of the obligations binding individual clerics and faithful. To each cleric must be assigned certain duties, to each must be allocated certain revenues, proportioned not precisely to the offices which he performs but to his personal needs. Similarly the rights of individual faithful to require of clerics spiritual ministrations and, correspondingly, their specific obligations to contribute to clerical support must be determined in practice. The competent superior might also allow individual clerics and faithful to determine the terms of their respective obligations in some cases, by private compact. This course has been adopted by the legislator in the case of the Mass stipend.

The terms of the pact are partially defined by the law which requires that clerics be promoted to major orders only if they be in enjoyment of some canonical title.<sup>28</sup> A more specific defining of rights and obligations is effected by the laws relative to benefices or ecclesiastical offices, and to taxes, such as stole fees. On taking possession of a benefice to which he has been lawfully appointed, a cleric becomes the administrator of a juridical entity, bound to discharge the spiritual duties incumbent upon it and entitled to enjoy the revenues attached to it.<sup>29</sup> This juridical institution represents one phase of the legislator's plan to define the duties of each cleric and allocate to him suitable recompense. A similar principle is involved in the establishment of other ecclesiastical offices.<sup>30</sup> Similarly Stole fees are, in effect, taxes to be paid on the occasion of certain, specified ministrations.<sup>31</sup> In accordance with general principles they are presumed to be exacted in virtue of legal justice.<sup>32</sup> However, supposing the radical obligation of commutative justice on account of the virtual pact between clergy and faithful, these taxes could be exacted in virtue of commutative justice. In

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<sup>28</sup>Cn. 979-982.

<sup>29</sup>Cn. 1409.

<sup>30</sup>Cn. 145.

<sup>31</sup>Cn. 463, Cn. 1507, 1.

<sup>32</sup>Lugo, o.c., Disp. 36, n. 86; Lessius, o.c., L.2, C.33, n. 57.

fact, from the terms of the Code many authors think that such is the case.<sup>33</sup>

The offering of Mass is so characteristic of priestly power that it is fitting that the faithful should elect to request individual priests of their own choosing to procure for them an intimate participation in the fruits of the Sacrifice. So it is that the Church has left the relative obligations of priest and faithful to be determined in this instance by private compact. Ecclesiastical law merely regulates the procedure with a view to preventing possible abuses.

#### DIFFICULTIES ADVANCED AGAINST THE INNOMINATE CONTRACT.

If the general obligation to support the clergy and the definition of the terms of that obligation be explained in this way, it is but logical to declare that the ultimate source of the mutual obligation present in the case of a stipend is not the private contract initiated, but the "titulus sustentationis" already belonging to the priest in strict justice. A logical explanation is also provided for the difficulty advanced by some, that the Innominate Contract would make it possible to excuse any case of simony.<sup>34</sup> For according to the foregoing principles, the claim to a "titulus sustentationis" is valid in concrete cases only when its presence has been acknowledged by the competent authority. Remuneration exacted on the occasion of some spiritual ministration in a case in which the "titulus sustentationis" has not been duly acknowledged, e.g., in administering the sacrament of Penance, must of necessity be accepted as the price of such spiritual ministration. A simoniacal exchange is involved, for no other title than that arising from a contract of hire or sale can be invoked.

Further difficulties advanced by Fr. De la Taille might be resolved in the light of the same principles. In many cases, he argues, no title to means of support can be claimed for the priest in question. For it often happens that he is not the "pastor proprius" of the person who requests the application of Mass. Accordingly he can make no claim on this person for support.<sup>35</sup> In reply it might be pointed out that this view would

<sup>33</sup>Cn. 463, 1. *Jus est parochi ad praestationes quas ei tribuit vel legitima consuetudo vel legitima taxatio ad normam Cn. 1507, 1.* It might be asked whether the term "jus" implies a right in strict justice. Vermeersch, II, n. 281. "Quae tamen ex justitia debent hodie non videtur negari posse, attento Cn. 463, 1, et Cn. 1410 quo etiam dotem beneficii constituere possunt." Cf. Cappello, Summa J.C. II, n. 521; Blat. Comm. II, n. 510.

<sup>34</sup>Arendt l.c.; De la Taille, l.c.

<sup>35</sup>Gregorianum l.c. Cf. Nouvelle Revue Théologique, Apr. 1927.

entitle only those clerics entrusted with the care of souls to exact support. Really the effect of the private contract is to constitute the priest as something equivalent to the "pastor proprius" of the person concerned in regard to this specific ministration, just in the same way as a parish priest, duly installed in office, becomes his "pastor proprius" for parochial functions, e.g., assisting at marriages. In both cases a fundamental obligation has been specified as to the details of concrete cases in the manner considered most suitable to the respective cases.

The same writer objects that no title to support can be claimed when a priest is amply provided for. But again it must be insisted that the existence of a valid title is dependent upon the positive disposition of lawful authority. It is for the legislator to specify concrete instances in which a cleric might rightly claim his title, irrespective of his own particular circumstances.

#### CONCLUSION.

The theory of the Innominate Contract seems to offer the most satisfactory solution of the juridical problem involved in the practice of Mass stipends. It has the advantage of being derived from fundamental principles which are applicable in any question involving clerical support. Moreover it provides a simple, straightforward explanation which seems to express in juridical terms the ordinary mentality of priests and people. It matters little that the solution was advanced in a comparatively recent age of ecclesiastical scholarship. It is an unwarranted conclusion drawn by Fr. De la Taille that the onerous contract is simply an invention of canonists to explain an obligation of justice, the true source of which they failed to understand. The practice of stipends is the outcome of centuries of development in ecclesiastical usage. Accordingly it is but natural that a completely satisfactory solution of the more abstruse juridical questions involved is not found in the writings of scholars of an earlier age.

Furthermore, this explanation is eminently in accordance with the mind of the Code of Canon Law. The Code defines a pious foundation as, "temporal goods, given to a legal ecclesiastical person in any matter with the perpetual obligation or an obligation of many years, to say annually some Masses, or perform other specified functions, or do some works of piety or charity with the revenue of the donated goods." The

same canon proceeds to declare that "the foundation when legitimately accepted, has the nature of a bilateral contract, *do ut facias*."<sup>36</sup> From analogy it would seem an obvious conclusion that the Mass stipend is considered to involve the same type of contract. Finally, the laws of the Code relative to lost stipends, reduction and condonation of Masses and the transference of stipends seem to envisage a bilateral, onerous contract as arising between priest and donor of a stipend.<sup>37</sup>

JAMES CARROLL.

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<sup>36</sup>Cn. 1544.

<sup>37</sup>Cn. 829, 839. These considerations have been elaborated in the treatment of the theories proposed by Fr. De la Taille and Prof. Del Giudice.

# Moral Theology and Canon Law

## CHRISTIAN BURIAL—WHEN TO BE REFUSED.

Dear Rev. Sir,

Be kind enough to give a detailed list of all the cases in which christian burial is to be refused. Priests are often perplexed in this matter, and doubtful what to do when asked to bury nominal Catholics of the type of those who have been married outside the Church, divorcés, persons divorced and remarried. Then there are the cases of suicide and of those members of the underworld who die a violent death. And what about those suspected of being secret members of the Masonic sect, not to mention the many who have not been going to the Sacraments even at Paschal Time and die without receiving them? I am sure I have not exhausted the list of embarrassing cases that priests meet, and I'm equally sure you will deserve the gratitude of more than one of them if you treat the subject exhaustively.

PAROCHUS.

### REPLY.

We fear we are unable entirely to satisfy our correspondent. In a sense he asks us to do the impossible. It would be rash for us or for anyone else to attempt to exhaust this subject in the sense that we claimed to give an all-inclusive list of the cases in which christian burial is to be refused. There are of course many cases in which one can say definitely that this painful sanction has to be applied, but, since circumstances alter cases, it will not infrequently happen that in somewhat similar cases, the opposite procedure will be obligatory, or one will remain doubtful as to the proper course to adopt. However, we shall do what we can to meet the desire of our querist as far as it is reasonable.

It may be well to mention at the outset what refusal of christian burial entails. It entails, first of all, the omission of those specific acts in which christian burial, as defined by the law (Can. 1204), consists, namely, "the transfer of the body to the church, the obsequies performed over the same in the church, and the depositing of it in the place lawfully appointed for the burial of the faithful departed." It entails, moreover, "the prohibition to have any funeral Mass, even anniversary, for the deceased, or other public funeral services" (Can. 1241). Evidently, then, refusal of christian burial is a very serious penalty, and in fact in our Catholic community it is regarded as such and from a three-

fold point of view: (1) from the point of view of the departed soul which is deprived of the last suffrages of the Church; (2) from the point of view of the deceased's family which usually is very painfully affected, and (3) from the point of view of society before which the memory of the deceased remains tarnished—all this without mentioning (4) the unpleasantness, sometimes also very painful, which the carrying out of his duty may have for a pastor.

The conclusion that immediately results from this first consideration is the following: There should be no question of refusing christian burial to any Catholic unless it be absolutely certain that he has rendered himself unworthy of it and this in the sense in which the law considers him unworthy. This conclusion, which is little more than the expression of the natural law, would stand even had we no ruling of the positive law to enforce it. But, lest there should be the least doubt on the point, the Church emphatically declares (Can. 1239) that "all baptized persons are to be given christian burial unless they be positively deprived of it by law." And this rule is only a practical application of a more general law (Can. 87) to the effect that "by baptism a man becomes a person in the Church of Christ, endowed with all the rights, and bound by all the duties of christians, unless, where rights are concerned, some obstacle impedes the bond of union, or a censure be inflicted by the Church." Both by the natural and positive laws then christian burial is something to which every Catholic has *per se* a right. And its refusal is a penalty of such gravity that the legislator reserves to himself the exclusive right to determine when it may be, and then when it must be, inflicted. "All baptized persons are to be given christian burial unless they be positively deprived of it by law." This is as it should be because an indiscreet application of so great a penalty could easily give rise to very unpleasant consequences indeed. Therefore, whenever a question arises, a parish priest cannot be satisfied with probabilities, however strong, of unworthiness. The certainty of right to christian burial cannot be ruled out of court by anything but an equal certainty that his unworthiness in the sight of the law has deprived an individual of the exercise of his right.

In order the more practically to drive home the above truth, we would like to place in bold relief a very important proviso mentioned in the law. When we come to consider the matter in detail, we shall see that the Code gives us an official list of six categories of persons who are to be deprived of the last honours of the Church, and the point to which

we want to draw particular attention here is this, that the legislator premises the entire list with this restriction—"unless they show some signs of repentance before death." It is worth while tarrying somewhat over this restriction. Not so long ago, moral theologians were wont to insist not a little on the necessity of requiring from public sinners something in the nature of a public recantation or reparation of the scandal they had given before the honours of christian burial could be accorded them. Nowadays, we have not to depend particularly on moral theologians for guidance in this matter. Instead, we have the Code of Canon Law, the one official guide of which we need take notice. And if we take a broad view of the *ensemble* of present canonical legislation on the subject of refusal of christian burial, we will doubtless be forced to conclude that the tendency of the Church in this matter is in the direction of leniency and moderation. On the one hand, She has reduced the number of cases where this severe penalty is to be applied, and, on the other, even in the cases that remain, She requires that there be present the element of publicity or notoriety of the crime—an element which is also destined to make refusal of burial yet more rare. This tendency to leniency is very intelligible when we consider that, even if an unworthy person does receive the last honours due to the faithful, this does not involve *per se* any great harm—certainly no harm comparable with the intrinsic evil involved in the administration of the Sacraments to the unworthy. Now, we seem to see another indication of this tendency to leniency in the proviso or restriction to which we have called particular attention. Six categories of unworthy Catholics are to be refused christian burial "unless they show *some signs of repentance* before death." *Some signs of repentance* is a very mild form of expression indeed—hardly in keeping with the tendency, at one time general enough, to make rather severe demands at a critical juncture. *In extremis* one must go to the limit and be satisfied with the bare necessary, and the law says that the bare necessary, in the matter of granting christian burial to public sinners, is that before death they show *aliqua poenitentiae signa*, in other words, that they manifest some real, however simple, formal regret for their conduct. Now this involves much less than public recantation or reparation of scandal. Of course, since *ex hypothesi* their sin has been public, the regret must also be public, but this does not imply that it must be broadcast from the death-bed. It is sufficient that it be externated in the presence of others who in due time can manifest it in such manner as to justify the christian



burial in the eyes of the faithful who otherwise might be scandalized. We do not think we are misinterpreting the mind of the Church, then, either when we say that Her tendency in this matter is towards leniency, or when we point to the expression *some signs of repentance* as an indication of this tendency, or finally when we maintain that this proviso of *some signs of repentance* is complied with when any sign whatever of regret, serious of course and witnessed by others, is manifested, even though nothing positive be done publicly to recant or repair the scandal given. That a priest may ask for a public recantation when there is every hope that it will be forthcoming—well and good; but in our opinion one would be doing very wrong in insisting on such a public act as a *conditio sine qua non* for christian burial when the law merely demands *aliqua poenitentiae signa*. We may conclude therefore that, whatever may have been the previous unworthiness of a public sinner, he is not to be deprived of christian burial if before death he gave some signs of repentance.

So far we have been saying merely in what *some signs of repentance* do not consist. As to defining in what they do consist—this is another matter, incapable indeed of being expressed in any definite statement since the external signs of repentance can be so many and so varied such as expression of regret, prayers, kissing a crucifix, asking for a priest, etc. In each specific case, it will be for the priest to estimate the value of the sign given and this both from the point of view of objective reality and also, indeed particularly, from the apologetic point of view before the Catholic community. If he remains doubtful either from the one aspect or from the other, he will avail himself of the remedy to be adopted in all other cases of doubt in this connection—a remedy which we shall consider later.

With these important considerations before our minds, we can now proceed to an examination of the official list of those to whom the Church refuses the honours of christian burial. It goes without saying that amongst these must be numbered in the first place all who have not been baptized—pagans, Mahomedans, Jews, and the unbaptized children even of Catholic parents. Catechumens, however, that is those who are under instruction preparatory to reception into the Church, and who without any fault of their own die before receiving baptism, are to be considered as christians and as such to be given christian burial (Can. 1239, 11). From amongst the baptized the following are to be excluded by the ruling of Can. 1240, namely:—

(1) Notorious apostates from the christian faith, and persons notoriously affiliated to a heretical or schismatical sect or to the Masonic sect or to societies akin to the Masonic;

(2) Persons under the censure of excommunication or interdict—but only when the sentence, condemnatory or declaratory as the case may be, has been pronounced;

(3) Those who deliberately commit suicide;

(4) Those killed in a duel or who die as the result of a wound inflicted in a duel;

(5) Those who ordered their bodies to be cremated;

(6) Other public and notorious sinners.

With the exception of the last mentioned (6) category, very little need be added by way of comment on the others. Of course it is understood that in every case the conditions mentioned above must be verified, *i.e.*, the crime certain, and no signs of repentance given. In addition we may add these few remarks concerning each class:

(1) The particular point to be remembered concerning the first category is that the apostasy or the affiliation with heretical, schismatical or other sects must be not only certain but even *notorious*. A crime can be notorious in two ways—by notoriety of law and by notoriety of fact. It is made notorious in the first way either by a public confession of guilt made in court or by a judgment of a court from which there is no appeal. It is notorious in fact when the evidence thereof is so plain and certain that it cannot be concealed, and no subterfuge can explain it away (Can. 2197). It follows therefore that if a man falls away from the faith but keeps his unbelief to himself, he cannot be refused christian burial, and this even though the priest have confidential information of the facts. The same would be true of a man who is secretly a member of the Masonic sect.

(2) Persons under the censure of excommunication or interdict. Concerning these, it has to be remembered principally that refusal is in order only after a sentence, condemnatory or declaratory as the case may be, has been pronounced on the culprit. Hence should it come to the knowledge of a parish priest *e.gr.* that a certain person died as the result of, or subsequent to, criminal abortion, he would have to allow christian burial because, even in the supposition that the censure were contracted, no sentence ordinarily is pronounced in such cases. Of course there is a possibility that the facts may become public and the case may then fall within the last (6) category.

(3) Those who deliberately take their own lives. The application of the sanction again presupposes (a) certainty that suicide was committed, (b) that the deceased was of sound mind and fully responsible, and (c) that no sign of repentance was given before death. Frequently doubt will arise concerning the second element, namely, responsibility, and if a reliable physician certifies that the person committed suicide while of unsound mind there need be no qualms about christian burial. In fact if there be prudent doubt on any of the three elements, the Church would permit at least a private funeral. Leniency in this matter will not easily give rise to scandal as many people look on suicide as an almost sure sign of mental disorder.

(4) Those killed in a duel or who die from a wound inflicted in a duel. No comment necessary at least as far as the conditions of society in which we live are concerned.

(5) Those who ordered the cremation of their bodies. It is hardly necessary to remark that, even in the case of repentance before death, no religious function can ever be tolerated at the crematorium. But if a man left it in his Will that he was to be cremated, and if he repented of this before death, but because of his inability to alter the Will the cremation were effected, a private Requiem could be said. It is understood, of course, that if there were danger of scandal, the facts should be made public.

(6) Other Public and Manifest Sinners. This is the one category of the six which, because of its indefiniteness, presents some difficulty of interpretation. A crime is public when it has been already divulged or soon will be (Can. 2197). It is manifest when it is so patent that it cannot be questioned or called in doubt by anyone. Such is the crime that renders a person unworthy of christian burial under this section. Canonists give as examples of such public and manifest sinners persons living in open concubinage, those married outside the Church, remarried divorcés, persons leading a notorious meretricious life, those who die in the act of public sin like robbers and burglars. However these do not exhaust the series. The very fact that the legislator uses the vague expression that he does, and leaves it to others to decide the matter in practice, indicates that no exhaustive list of public sins can be catalogued for the simple reason that a good deal depends on circumstances of time and place. What is a canonically public sin in one place or time may not be so in others. To understand this, we must realize that the expression, *public and manifest sinners*, can be taken in two senses—

the literal and the canonical. In the literal sense, a public sinner is any one who in the presence of others violates a fundamental law of nature or a positive law of God or of His Church. In this sense, public sinners are numberless—all those who daily, and known to others, sin against the moral law of justice, charity, temperance, Sunday observance, etc. In the canonical sense, on the contrary, one is a public sinner only when he is guilty of one of those particularly serious crimes which are recognised as such by the Church and liable to be punished with severe ecclesiastical penalties, one of which is refusal of christian burial. The public gravity of such a crime is measured not only from considerations intrinsic to the law that has been violated, but also, and particularly, from the repercussions this violation has on society, in other words from the harm it does to the commonweal. A sin, public in the literal sense, will always remain public in this sense. But a sin might at one epoch or in one place be a public sin in the canonical sense and figure in the official catalogue of such sins, but later on or in another place it might disappear from the list and, perhaps, be replaced by another previously not regarded as public. The reason for this will be found in the variation in the degree of harm produced by such sins in different circumstances. This being so, the question naturally arises: To whom does it belong to decide when a certain sin is to be regarded as public? Local custom and public opinion are very important factors in arriving at a decision in this matter. And if public opinion is not decisive, then we may be faced with a case of doubt.

This affords us an opportunity to deal with the question of solution of doubts that may arise in all this sphere. This is the question of doubt to which we referred above, and it covers not only doubt concerning the necessary publicity of which we have just now been speaking, but also any doubt concerning any essential element in any of the six categories of persons declared unworthy of christian burial. And the question is: If a doubt arises as to whether a certain individual has rendered himself guilty of a crime that ought to be punished with the refusal of christian burial, what procedure is to be adopted? To this question the law itself (Can. 1240, 11) supplies the reply: "Should a doubt arise concerning the foregoing (six) cases, let the Ordinary be consulted if time permits. And if the doubt continues, let christian burial be accorded but in such a way that scandal will be avoided." This simple rule outlines a practical line of conduct which priests may safely follow in the embarrassing cases of doubt they are likely to meet.

The above exposition of the law ought, we think, to meet the reasonable demands on us from our correspondent and from others interested in this question. In the query, specific mention is made of persons married outside the Church, remarried divorcés, suicides, those who pay the supreme penalty for crime, and of those who die a violent death in the act of public sin. We believe we have thrown sufficient light on all these. But there is another class of sinners mentioned by the querist concerning which one might still justly ask if we have given sufficient guidance. We refer to those Catholics who have been neglecting their obligations of Annual Confession and Paschal Communion. Are these to be refused the favour of christian burial? We are of opinion that this question may be answered in the same terms in which it was wont to be answered by the commentators of the pre-Code law on the privation of christian burial, the law, namely, of the Fourth Lateran Council. These commentators taught that this class of sinner is not to be deprived of christian burial unless three conditions be verified, namely, (1) that the precept be violated frequently, (2) that the sinner continue impenitent till death, and (3) that these two facts be publicly known. There does not seem to be any valid reason to depart from this interpretation, and consequently (Can. 6, n. 2) we can teach that it is only on this threefold condition that a Catholic, who has neglected his Paschal Duty, may be deprived of christian burial. And we would add that these conditions, particularly that concerning publicity, are not so easily verified to-day as of old, since nowadays, especially in large cities, one knows so little of the habits of his neighbour.

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HEAVY DEBT ON CHURCH—MAY ALTAR BE  
CONSECRATED?

Dear Rev. Sir,

I. There is a debt of £4000 on St. Mark's Church. Whilst this debt remains, may the altar be consecrated?

II. The Superioress of religious houses should be changed every three years, or, with the Bishop's consent, every six years. Does this law apply also to small branch houses where there are only four or five sisters in the community?

DUBIUS.

REPLY.

I. We think that not only the altar but the church itself of St.

Mark's, if the parish priest and the Ordinary so desire, may be consecrated. There is a very widespread belief amongst the clergy to the effect that a church cannot be consecrated so long as there is a debt on it. We tried to trace the origin of this opinion, and have failed. Certainly there is no foundation for it in the Code. The only canon that could possibly bear on the point is 1165 which rules that "if it be prudently foreseen that a church will be converted to profane uses, the Ordinary should not consecrate or bless it." Of course one can easily enough imagine that in a country, where the Catholic faith is the object of persecution or hostility, a heavy mortgage or debt on a church might involve the risk of its being seized and converted to profane uses. But in the community in which we live one can say with moral certainty that no such risk ordinarily exists. Hence our above opinion.

II. It is more than likely that a negative reply to the second question is in order as far as the branch houses, in which our correspondent is interested, are concerned. He can definitely decide the matter from what we write hereunder.

In the *Acta Apostolicae Sedis*, 1924, p. 95, we find a decision which bears on this matter. The S. Congregation of Religious was asked "if the Superiors of *strictly so called filial* houses who are merely delegates of the Superior of the mother house come under the designation of Local Superiors in the sense in which this term is used in the Code of Canon Law?" Explanatory of this question, it was remarked that the question concerned "*strictly filial* houses, *i.e.*, houses which do not constitute a properly so called distinct community of their own, and which do not possess property, but are quasi-members of a greater house on which they entirely depend, and are under the direction of a Superior who is a delegate at will of the Superior who governs the whole community and resides in the mother house." To the question, the S. Congregation replied: *In the negative*, with a reservation which does not concern us.

Therefore, the answer to our correspondent's question all depends on whether or not the branch houses he has in mind are strictly so called filial houses. If they are, the law, requiring a change of superiors every three or at most every six years does not apply to them. And he can know that they are such filial houses if certain negative and positive indications are verified in them—*negative* if they do not constitute a proper distinct community nor possess property in their own name;

*positive* if they are quasi-members of the mother house on which they entirely depend and are under the direction of a Superior who is merely a delegate at will of the Mother Superior who governs the whole community from the mother house. There are many such strictly filial houses in this country, and we think we are safe in presuming that the branch houses that are the subject of the present query come under this category.

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MATRIMONIAL DISPENSATIONS GIVEN BY CURATE IN URGENT CASE OF DANGER OF DEATH; REVALIDATION OF MARRIAGE WHEN NON-CATHOLIC PARTY IS WILLING TO RENEW CONSENT, BUT REFUSES TO ALLOW CATHOLIC EDUCATION OF CHILDREN; CATHOLIC WITNESSES AT PROTESTANT MARRIAGES AND PROTESTANT WITNESSES AT CATHOLIC MARRIAGES.

Dear Rev. Sir,

Kindly deal with these cases in your next issue of *The Australasian Catholic Record*:—

I. P.R. is a curate in a parish where there is a large State hospital. When visiting a Catholic woman in a public ward, he had the following experience. A patient in the next bed, Anna, called him and said: "Father, I have been so impressed by the constant prayers of that good woman you have been attending that I am filled with sorrow for my crime of leaving the Church, the true Church, at the time of my marriage. I feel I have not many hours to live, and I beg you, if it be at all possible, to reconcile me to God. I have five children—the youngest is six months old and the eldest twelve years. I was married in the Presbyterian Church, and my children are Presbyterians. I am now very sorry for it all, and if God gave me a chance I would live my life over again very differently. I know the laws of the Church, and I grieve at what my children are now. Is it possible for you to make things right? I told my husband yesterday that I am dying in despair, and he said he would do anything he could to give me peace. He is not bigoted. He often told me he was never baptized but he wished to adhere to the religion of his father, namely, Presbyterianism. His mother was my mother's aunt, and, like me, she married outside the Church, but she swore she would not have him baptized anywhere but in the Catholic Church. As her husband would not allow this, the child, my husband,

remained unbaptized." As she reached this point in her narrative, the husband entered. He said very bluntly: "I wish my wife to die in peace, but I want no interference with myself and my children. I am quite embarrassed at meeting you here, as my relatives have no time for your Church." Then the priest asked him if he were prepared to settle up the marriage from her point of view, as she wished to die a Catholic—at which words she said: "I would, I would." "Very well," he said, "but I want no fuss." At this, P.R. asked him to retire for a few minutes during which he heard the woman's confession. Then the consent was renewed, the Sacraments of Extreme Unction and Holy Viaticum administered, and soon after the woman died.

What is your criticism of P.R.'s mode of acting in the case?

II. Take the same case, and suppose that the husband absolutely refused to renew consent. If then P.R., believing he had faculties to deal with the case of a dying woman, said to her that she was now lawfully married and that her children were legitimate *coram Ecclesia*, what would you say?

III. A Catholic married a Protestant outside the Church since the *Ne temere* decree, and brought up the children Protestants. She now ardently desires to be reconciled to the Church, but her husband, though willing to renew consent *coram Ecclesia*, refuses to allow the children (the youngest three years of age) to be received into the Church? The woman however promises to do her utmost towards that end.

(a) Can a dispensation be granted for a revalidation?

(b) If not, can the Bishop grant a *Sanatio in radice*?

IV. May Catholics be witnesses at Protestant Marriages? And may Protestants be witnesses at Catholic marriages?

PATER REVERENDUS.

#### REPLY.

I. As it appears from the case, this marriage was invalid for more reasons than one. First of all, there was the diriment impediment of Consanguinity—Anna and her husband being related in the third degree of the collateral line. Then there was the diriment impediment of Disparity of Cult. And there was the defect of the necessary Form.

The person whose marriage had to be revalidated was *in periculo mortis*, and there was no time to spare. Canon 1044 gives a *parish priest* in such circumstances faculties to dispense not only from the ordinary requisite Form but also from any ecclesiastical impediment



whatever, with the exception of two, namely, Priesthood and Affinity in the direct line, *consummato matrimonio*. P.R., however, was not a parish priest. But at least he was a confessor, and in this capacity he had from the same Can. 1044 faculties equal to those of a parish priest, with this limitation, that he could exercise them only *qua* confessor in the act of sacramental confession. Moreover, it is possible, in fact it is likely, that, like most curates in Australia, he had delegated faculties to officiate validity at marriages within the confines of his own parish. If this be so, it is quite safe to hold that his faculties to grant matrimonial dispensations in favour of a person *in periculo mortis* are precisely the same as those of a parish priest. Consequently we need have no doubt but that P.R. was qualified to dispense not only from the law concerning the Form, but also from the two impediments of Consanguinity and Disparity of Cult. But this does not entirely dispose of the case.

Two further questions remain to be answered—Did P.R. grant a dispensation at all? And if he did, is there any reason, yet unconsidered, why his dispensation may be invalid? The first question can be answered only by P.R. himself. We are not told in the case that he attempted a dispensation at all, and in fact, from the way the case is worded, we are inclined to suspect that, in his embarrassment at suddenly meeting such a complicated case, he failed to advert to the impediments that existed and, consequently, to the need of dispensing from them. Should we be correct in this surmise, nothing more remains for us to say but that the marriage remained invalid, notwithstanding the renewal of consent and apart from another reason for doubting the validity of at least one of the dispensations, if given, a reason which we shall now consider.

In the supposition that P.R. adverted to, and attempted to grant, all the dispensations needed in the case, is there a reason to doubt the validity of any of these dispensations in the circumstances described by our querist? There is no reason for doubt concerning the dispensation from the usual matrimonial Form. The same is true with regard to the dispensation from Consanguinity. But what about the dispensation from the Disparity of Cult given in spite of the fact that the husband definitely refused to allow the catholic education of the children? Canon 1044 (completed by 1043), from which P.R. derived his faculties, ends thus: *Si dispensatio concedatur super cultus disparitate aut mixta religione, prestitis consuetis cautionibus*. Be it remembered that

the law here is contemplating the case of danger of death. The solution of the question all turns on this point: Does the Church, in the above quotation from Can. 1044, intend us to understand that the usual guarantees are a condition for the validity of a dispensation from Disparity of Cult and Mixed Religion, even in the case of danger of death? And the answer to this question is not easy, as will appear from the following quotations from commentators. Cardinal Gasparri<sup>1</sup> says: "Canon 1044 rules that the usual guarantees must be supplied before a dispensation can be given from the impediments of Disparity of Cult and Mixed Religion. Otherwise the dispensation is unlawful, and, in the case of Disparity of Cult, invalid, since a dispensation from these impediments is never to be granted by anyone (*nunquam et a nemine*) unless the conditions demanded by the Church are entirely satisfied, and the dispenser be morally certain that they will be fulfilled." In the mind of the great Cardinal, then, a dispensation granted in the circumstances we are contemplating would be invalid. Noldin<sup>2</sup> seems to be of the same opinion—"if the guarantees are not demanded, or are refused, the dispensation is invalid." Chelodi has similar teaching. Genicot,<sup>3</sup> on the contrary, inclines to the opinion that the dispensation would be valid—"The law concerning the guarantees binds, though in the case of marriage *in extremis* they are not usually of great importance. Hence it seems probable that in such straits a dispensation from Disparity of Cult can validly be given even though the non-Catholic party will not give the guarantees." Vermeersch<sup>4</sup> is of the same opinion—"If it appears that the guarantees cannot be obtained or prudently demanded, more probably one can in these extremities dispense and be satisfied with the observance of what the divine law requires." Cerato<sup>5</sup> puts forward the strongest defence of all for this opinion. He remarks that the only reason why P.R. would have faculties at all in the case is the danger of death and the need of consulting for the peace of conscience of the dying woman. Moreover, the need of guarantees in the case is expressed by the law in the form of the ablative absolute and not through those words *si, dummodo* or others that would indicate a condition *sine qua non* (Can. 39). Finally, he candidly confesses that, if a priest were unable to consult for the peace of conscience (of the dying woman)

<sup>1</sup>Vide *De Matrimonio*, n. 395.

<sup>2</sup>*De Matrimonio*. n. 606, 2.

<sup>3</sup>*De Matrimonio*, 523.

<sup>4</sup>*Theol. Moral. De Matr.*, n. 758.

<sup>5</sup>*De Matrimonio*, n. 35, 4, b.

by granting a dispensation, he would regard such legislation very severe indeed. Cappello<sup>6</sup>, in his previous editions, also admitted that the dispensation would be valid, but in the more recent edition<sup>7</sup> he expresses himself thus: "Some think the dispensation valid . . . because it does not seem likely that, in a case of danger of death, the Church would insist on the observance of an ecclesiastical law where such serious consequences may be involved for the faithful. *However, in view of the decree of January 14, 1932, the dispensation must be regarded as invalid.*"

In the face of this great diversity of opinion, what can we be expected to say? Not much of any weight. However, we would recall that the decree of 1932, which frightened Cappello into a change of mind, was a decree that disturbed considerably the Ordinaries of Australia too. Taken literally, it meant that they could never dispense from the impediments of Disparity of Cult and Mixed Religion for the reason that the guarantees are not enforceable at law in this country. However, they were assured that they need not interpret the decree in this sense. If, therefore (we say) that decree does not interfere with the usual faculties of our Ordinaries (though apparently it does), neither does it so affect the faculties of a priest dealing with a person in danger of death that it should cause a theologian to change his opinion. Consequently, taking everything into consideration, it is our humble opinion that in the circumstances described above P.R. could validly dispense, if not in virtue of the faculties he had from Can. 1044, then in virtue of faculties supplied by the Church *in dubio positivo et probabili juris*. (Can. 209).

II. We are asked to take the same case, and suppose that the husband absolutely refused to renew consent. In such a predicament, had P.R. faculties to revalidate the marriage? We dealt with this very case in a previous issue<sup>8</sup> of this periodical, and, as we have already exceeded our allotted space, we must refer our correspondent to that issue if he desires a full treatment of the question. Here we must be satisfied with saying that the only possible way of validating the marriage in the circumstances would be a *Sanatio in radice*, and P.R. had no faculties to apply this extraordinary remedy.

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<sup>6</sup>*De Matrimonio*, n. 232.

<sup>7</sup>*Ib.*, n. 231, f.

<sup>8</sup>*Aust. Catholic Record*, 1926, p. 230.

III. We dealt with this question too in a recent issue.<sup>9</sup> Our conclusion was that Australian Ordinaries have not faculties either to grant a dispensation for the revalidation or to apply a *Sanatio*.

IV. May Catholics be witnesses at Protestant marriages? Dealing with this question in a previous issue,<sup>10</sup> we recognised that there are those who permit the practice, but we gave reasons why we cannot see how it can be tolerated.

May Protestants be witnesses at Catholic marriages? It is evident that the validity of the marriage would not be affected even if both witnesses were Protestants or, for that matter, even Jews or pagans. On the point of view of liceity, we have a direction given by the Holy Office on August 19, 1891, in these terms: "Heretics should not be allowed, but the Ordinary may tolerate it for a grave cause, provided there be no scandal." Most of the recognized authors—Noldin, Cappello, Sabetti-Barrett, Aertnys-Damen, etc.—quote this decision as binding in conscience. The only one we know who holds a more lenient opinion is Genicot,<sup>11</sup> who quotes the decision, and then adds: "However this *particular* reply does not seem to establish a strict obligation to exclude them," the reason being that it was a *particular* reply, and not a general law.

JOHN J. NEVIN.

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<sup>9</sup>Ib, 1937, p. 234.

<sup>10</sup>Ib, 1926, 236.

<sup>11</sup>*Theol. Moral.* II, n, 470.

# Liturgy

## I.—INACCURATE ORDO RUBRICS—LEONINE PRAYERS— GOOD FRIDAY GENUFLECTION TO CROSS—POS- TURE OF SUB-DEACON WHILE HOLDING BOOK FOR BISHOP AT READING OF THE EPISTLE—RUBRICS FOR ROGATION DAYS.

Dear Rev. Sir,

1. The Ordo states on p. 8 that a *Missa votiva pro re gravi et publica simul causa* is forbidden on privileged vigils. Is such Mass forbidden on the vigil of the Epiphany?
2. Again the Ordo states on p. 12 that private votive Masses *de Beatis* are forbidden, *illis exceptis de quibus Officium concessum est*. Wapelhorst says: *de Beatis absque speciali indulto Apostolico celebrari nequeunt (Missae votivae), etsi Missa festiva concessa fuerit*. Can these two statements be reconciled?
3. By Decree June 2, 1916, if Communion is to be given after Mass, the Leonine prayers must be said before Communion is given. This decree, however, is not contained in Appendix II of the official collection of Decrees of S.R.C., published in 1927. Is the decree still in force?
4. When the Bishop enters the choir for Tenebrae on Good Friday, does he bow to the Cross or genuflect?
5. At a Pontifical Mass at the faldstool, the sub-deacon holds the Missal while the Bishop reads the gospel. Is the M.C. correct in insisting on the sub-deacon's kneeling?
6. (a) The Feast of our Lady Help of Christians, this year coincided with Tuesday of the Rogations—When the procession was held, what Mass followed? Should there be a commemoration of the Rogations in other Masses in the same church?  
(b) On Wednesday, 25th May, what commemorations should be made in the Rogation Mass which followed the procession?  
(c) May this procession be held after instead of before the Mass?

CURIOS.

### REPLY.

1. The Ordo should be corrected to read "*Vigiliis privilegiatis primae*

*classis,"* or more explicitly "*Vigiliis Nativitatis Domini et Pentecostes.*"

2. The two statements can be very easily reconciled by the insertion of "non" before "exceptis" in the quotation from the Ordo. There is no room for doubt in the matter. The Decrees are unmistakeable.
3. The omission of this section of the Decree of 2 June, 1916, seems to be deliberate and not a mere oversight, since another section of the same Decree is retained. Most probably the compilers were guided by the principles of selection given at the beginning of the first volume of the *Decreta Authentica*, namely, to expunge Decrees deemed redundant or unnecessary as treating of matter sufficiently provided for by other Decrees. The matter of the expunged part of this Decree is actually sufficiently regulated by other Decrees in the collection which still bind us.
4. All, without excepting even the Bishop, genuflect *in functione* to the Cross from the Adoration of the Cross on Good Friday to None on Holy Saturday, that is, to the beginning of the Holy Saturday ceremonies.
5. It is laid down that the sub-deacon, having sung the Epistle, should stand while he holds the Missal before the Bishop Celebrant, while the latter reads privately up to the end of the Gospel.
6. (a) The Mass following the Rogation procession on the Feast of our Lady Help of Christians should have been the Mass of the Feast. Not only in this Mass, but in all Masses, a commemoration of the Rogations should have been made.  
 (b) The Commemorations to be made in the Rogation Mass on Wednesday, 25th May, were as follows: 2 or. St. Gregory; 3 or. Oct. B.M.V.; 4 or. Vigil; 5 or. St. Urban I.P.M.  
 (c) The answer is No. There was a case 200 years ago, and the circumstances were monastic. We presume the difficulties of before and after were solved thereafter by dispensing with the procession.

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## II.—HOW TO HOLD THE CHALICE AT THE COMMUNION —CROSS OF THE STOLE ABOVE THE CHASUBLE— BAPTISMAL FONT IN TEMPORARY CHURCH.

Dear Rev. Sir,

The erstwhile peaceful atmosphere of our presbytery has been

much disturbed of late by argument on the following questions :

1. How should the Chalice be held at the Communion?

The rubric says: *infra nodum cuppae*.

O'Callaghan says: *under the knob of the cup*.

Fortescue says: *By the knob between the forefinger and the other fingers*.

De Herdt says (quoting Gavantus): *ad nodum qui est infra cuppam*.

Martinucci says: *tribus digitis liberis infra nodum*.

2. Should the stole show above the chasuble?
3. Is the church-school-hall, the temporary headquarters of the parish, entitled to a baptismal font? If there is no font, may or should the baptismal water be blessed on Holy Saturday with the short form? If so blessed, need it be renewed at Pentecost?

A distracted pastor turns to the *Record* for enlightenment—and peace!

#### TURBATUS ERGA PLURIMA.

#### REPLY.

1. It seems that the majority of writers on the rubrics take the phrase *infra nodum cuppae* to mean the same thing as the phrase used at Offertory and Consecration, *tenens nodum infra cuppam*. But if the *nodus infra cuppam* refers to another ring or boss immediately under the cup, the rubric seems to direct that the chalice is to be taken by the stem immediately under this *nodum cuppae*. But then, not every chalice has such a *nodus cuppae*, although most have a knob on the stem.

We have through curiosity looked up the *Ordo Missae* of John Burckard, which may be regarded as the forerunner of our *Ritus celebrandi*. In this document the same words are used at the Offertory, Consecration and Communion, namely, *nodum infra cuppam*. The fact that Burckard directs the chalice to be received with both hands at the Communion should make no difference to the point under investigation. We have not the means of finding out for certain whether any change of meaning is intended by the slight change of the wording. But if this slight change is due to the negligence of scribe or printer, what a dousing of icy water they should have had to rouse them from their drowsiness, and prevent them from sending the *litis horror* into the peaceful presbyteries of the future.

2. Now to the next dread pacifuge. The rubric says only that the stole is placed on the neck, *imponit medium ejus collo* and, of course, there is no Decree to say that it should not appear above the chasuble.

Meratus says that there is a variety of opinions. He alleges that some religious wear the stole so that its central cross shows above the chasuble. Others, the Theatines, for instance (he was one himself) always had the stole covered by the chasuble. To make doubly certain, some churches with a reputation for accuracy had a tape attached to the centre of the stole, so that it could be secured to the cincture, and be thus prevented from getting out of position and appearing above the chasuble. Martinucci counts it a fault to throw the stole loosely over the shoulders, instead of placing it on the neck, or so to place it on the neck that the cross appears above the chasuble. Some of us might be pardoned for failing to recognise any flagrant incongruity when the little cross of the stole does happen to appear above the chasuble.

*Sic lis adhuc manet ad patientiam augendam.*

3. We should think that if the School-hall is to serve as the parish church for a considerable time, say for five or ten years, proper provision should be made for the solemn administration of Baptism by erecting a font which thereafter should be treated with due reverence. The following decree is relevant to this question. "May or must the solemn blessing of the Baptismal Font on Holy Saturday be performed in the public oratory of the mission in which indeed Baptism is administered, but in which there is no Baptismal font properly so called near the door of the oratory. Answer: No. Must at least the baptismal water be blessed privately on Holy Saturday with the short form? Answer: No, unless the faculty is obtained from the Holy See.

Or may the water previously consecrated be still used? Answer: Yes, if there is no newly blessed water at hand.

When the new Holy Oils arrive must new baptismal water be blessed? Answer: Yes; or rather may the water previously consecrated with the old oils outside Holy Saturday continue to be used? Answer: No. (S.R.C. 3724.)

If there is a font it must be blessed on the eve of Pentecost. In the absence of the font there is no obligation to bless new baptismal water on that day.



We marvelled once to see the village nestling in peace on the slopes of the mountain from whose summit above went out smoke and flames and ominous rumblings; so may the presbytery of TURBATUS be established in peace even though there seethes beneath a very vortex of unsettled questions, of disputable rubrics, and may that holy house shelter a group of gentle clerics who are quite forgetful of the violent upheavals of the past and who with confident composure await what the future has in store.

### III. NEW OFFICIAL COLLECTION OF INDULGENCES.

Our readers will be pleased and grateful to learn that the Sacred Apostolic Penitentiary by command of the Pope has prepared a new and complete Collection of Indulgences. This announcement is made in the *Acta Apostolicae Sedis* issued 30 March, 1938.

On 11th Dec. 1937, His Holiness approved and confirmed the Collection, abrogated all general grants of Indulgences not contained therein and declared it to be the only authentic Collection. It is printed at the Vatican Press.

It is now forty years since the last complete Collection was published. A supplementary Collection was issued in 1929. The Holy Father himself has laid down principles and rules for the compilation of the new collection, so that we may look forward to something clear, simple and pleasant to consult. Although the printed Collection was approved last December we have not yet seen it listed for sale.

### IV. STATIONS OF THE CROSS.

Another pleasant piece of ecclesiastical news is that the conditions for the valid erection of the Stations of the Cross have been simplified and a general *sanatio* has been issued for all hitherto invalid erections. "It has been often brought to the notice of the Sacred Apostolic Penitentiary that owing to the multiplicity of conditions for the valid erection of the Stations of the Way of the Cross not seldom has the erection been invalid on account of some, mostly involuntary, omission. The Cardinal Major Penitentiary, wishing to apply a remedy to this state of things, laid the whole matter before the Pope. In an audience granted on 11th January, 1938, His Holiness, always looking to the spiritual good of pious souls, and greatly desiring that the faithful should not be deprived of the Indulgences attached to this pious exercise, which He Himself had granted anew by the decree "*Pium Viae Crucis exercitium*" on the 20th October 1931, abolishes all conditions

hitherto in force and in his goodness has condescended to decree that for the valid erection of the Stations of the Way of the Cross, it suffices that the priest, asked to do it, possesses the required faculty, according to the decree *Consilium suum persequens* of 12 March 1933. It is altogether becoming, nevertheless, especially in view of ecclesiastical discipline, that each time, except in exempt places, the leave of the local Ordinary should be obtained, or at least reasonably presumed when such Ordinary is not easily accessible.

Moreover, His Holiness rules that all erections of the Way of the Cross, hitherto invalid for whatever reason, are by force of this decree made valid." (12 March 1938).

Our readers might remember that the Decree *Consilium suum persequens* of 12 March 1933 was among other things to the effect that for the future the faculty for the erection of the Stations of the Cross must be obtained directly from Sacred Penitentiary and cannot be obtained from the heads of Religious Orders. That is now the law for the Church in general. But our Bishops being under Propaganda can empower their priests to erect the Stations of the Cross.

#### V. THE HOLY HOUR.

Dear Rev. Sir,

Of recent years there has crept into use what appears to me an abuse concerning the manner of conducting the devotion known as the Holy Hour. The devotion is conducted in various ways.

1. In some churches I have seen it conducted as follows. The Blessed Sacrament is exposed to the singing of the *O salutaris* and then the priest mounts the pulpit and says the Rosary, a hymn is sung, and then a sermon is preached, sometimes on the Blessed Sacrament, sometimes on subjects far removed from that sublime theme, another hymn is sung and the collection taken up (the Blessed Sacrament exposed throughout) and Benediction is given.
2. In other churches I have seen it conducted in a somewhat different manner. After exposition of the Blessed Sacrament a sermon is preached for from ten to fifteen minutes, on some aspect of the Blessed Eucharist. I have been told that this is not a sermon but a fervorino. Is there any distinction here? I fail to see it. At the end of this sermonette or fervorino some prayers are recited, a hymn sung, and the process repeated three times to make in all four quarters of an hour. Benediction follows.

3. In other churches the Holy Hour is conducted as an hour of prayer in which priest and people join in common or private prayer and in singing appropriate hymns.

The third manner of conducting the Holy Hour is that which, I am told, is customary in the churches of Rome. It would seem to me the only one which is in keeping with the rulings of the Church in this matter.

According to Fortescue (*The Ceremonies of the Roman Rite Described*) sermons during the exposition of the Blessed Sacrament are discouraged though permitted if they be on the Blessed Sacrament and provided the Blessed Sacrament be veiled during it.

In the light of the above matters the following questions arise.

1. Is Fortescue correct in this matter, or have there been later decrees of the S.R.C., than those he quotes?
2. Does the devotion of the Holy Hour enjoy any special privilege in this matter?
3. Does a fervorino, i.e. speaking for some ten to fifteen minutes on some aspect of the Blessed Sacrament, differ in any way from a sermon for the purposes of these decrees?

I would be grateful for your answers to these questions and your opinion on the matter as a whole.

VENEREMUR CERNUI ..

#### REPLY.

We think the letter of VENEREMUR CERNUI is about an important subject and therefore, should give our readers pause to ask themselves if a beautiful institution is not deteriorating. The deterioration is expressed in a phrase which is heard here and there, "Preaching the Holy Hour." The phrase to us is almost a contradiction in terms. For what is the Holy Hour? Let us recall its original. See St. Margaret Mary lying prostrate with face to the ground at midnight on Thursday night, uniting herself to the agonizing Christ, in the presence of the most holy Sacrament, the memorial of His Passion. The Holy Hour is in its origin, and should be now, the purest prayer. It is a little bit, as it were, of the Forty Hours and we know how that devotion is conducted. We see the mind of St. Charles Borromeo in the regulation he made for his diocese. He forbade anything that might distract from the silent adoration which at the time should be the absorbing occupation of the people.

Even the celebration of Mass was forbidden in a church where the Forty Hours was in progress.

Then we have the thirty-second paragraph of the Clementine Instruction, the document which regulates for Rome the Forty Hours. "During the Forty Hours it is strictly forbidden to preach, but if it is desired to give a short address after Vespers to rouse the devotion of the faithful towards the Blessed Sacrament leave and blessing must be asked from Us or our Vicar and that not only for the Forty Hours but also for any other Exposition, and the leave must be in writing." These authorities are not quoted as binding upon us for they are merely local. But they help us to form a standard of propriety. But how altogether reasonable is the attitude indicated! Our Eucharistic King is enthroned before the people to receive their devout adoration. What must be thought of him who frustrates this primary object by his speaking? What would be thought of the man who when introducing a distinguished visitor to a meeting, consumes all the available time of the meeting in his preliminary remarks and bars the audience from hearing, or meeting or speaking to the visitor? Yet on a recent important occasion, a Holy Hour consisted of three or four sermons with hymns between. I am sure many were in the mood for adoration but the speaker prevented them. "Let not Moses nor any of the prophets speak to me, but speak Thou rather, O Lord God, who art the inspirer and enlightener of all the prophets, for Thou alone without them canst perfectly instruct me; but they without Thee will avail me nothing." Words such as these express the feelings of those who come to adore and encounter an obstacle on the pulpit.

How, then, is the Holy Hour to be conducted? By Faith. Faith will devise methods, methods as various as are the inexhaustible perfections of Christ our Lord. The sermon you have prepared for the Holy Hour might be preached the Sunday before. If you speak at all at the Holy Hour let it be on your knees, let the words be addressed to our Lord almost exclusively, any words spoken to the people being only directive or explanatory of their prayer.

Some rubricists have declared themselves very adverse to the recitation of the Rosary before the Blessed Sacrament exposed. If we try to view the matter, unbiassed by any usage, we must certainly admit that there is some oddity in solemnly exposing the Blessed Sacrament and then saying decades of Hail Marys. A Roman authority says "This is our custom and many times have we recommended that the Blessed

Sacrament should be exposed not before but after the prayers to our Lady and the Saints. It is, therefore, much to be desired that a new decree in this sense should be issued by the S.C.R. so that a uniformity according to reason be everywhere established."

It is somewhat curious how some great authorities, at times highly placed ecclesiastics, to the amazement of loyal and obedient Catholics at a distance, can speak in some matters and act as if the supreme authority had not legislated thereon. The rubricist referred to above seems to forget the October Devotions and the papal command to carry these out before the Blessed Sacrament exposed. Similarly, in looking through the Benediction regulations, made for his diocese by a certain Cardinal in Italy, we failed to notice any reference to the October Devotions. It might be said that the Code of Canon Law shows the same neglect when treating of Exposition of the Blessed Sacrament. Some say in explanation that these devotions are merely ephemeral and will, according to the wish of many liturgists, soon disappear together with the Leonine prayers after Mass. They are remnants, say they, of the rulings of a Pope who, in this connection, left much to his successor to reform.

As to the collection. In the twenty-eight paragraph of the Clementine Instruction there is a prohibition of collections in church during Exposition; but, as was said before, the document does not bind outside Rome. Among questions submitted to the S.C.R. is this: Can the practice be continued which exists in Belgium of taking up collections in churches where the Blessed Sacrament is exposed? Answer: Yes; but near the door and without noise. To us it seems not very incongruous that during Exposition the people should quietly make their offering to God. We should not allow communist cavil or clerical banter to make us view the collection in any light other than that of a religious act.

Perhaps from the above, can be surmised our thoughts on the methods proposed by *VENEREMUR CERNUI*. The first and second methods have very little adoration in them and should, therefore, be rejected. The Roman is, in our judgment, the only reasonable one. It will be noticed that the Clementine Instruction while forbidding the formal sermon and admitting on conditions the *brevis concio*, the *fervorino*, says no word about veiling the Blessed Sacrament. Menghini in his commentary on the *Instructio* says that there is no general law (the *Instructio* being local) forbidding sermons during Exposition, but if

there is a sermon it must treat of the Blessed Sacrament and during it the monstrance must be veiled. The decree he quotes supports what he says about the veil but it does not support his restriction of the subject of the sermon. Here it is:

Num tolerari potest consuetudo exponendi Ssmum Sacramentum et coram Eo Missam celebrandi (occasione Novendialis) in qua fit post Evangelium praedicatio Verbi Dei et plerumque de Sanctis; et in qua populus frequens accedit ad Sacram Synaxim? Answer: Affirmative; apposito tamen velamine ante Sanctissimam Eucharistiam dum habetur concio. (S.C.R. 3728<sup>2</sup>). We must notice the date of the decree 10 May 1890, a period when confusion became worse confounded in matters liturgical.

We know of no special privileges for the Holy Hour, but we should think that all the legislation that goes to secure the adoration for the longer Expositions should apply here with a force so much the greater as the duration is shorter.

We take the fervorino to mean a sermon without its formality or length, mostly meant to stir the emotions. This *brevis concio* of the Instructio, we are told by Menghini, writing thirty years ago, has disappeared from Rome, and outside the Forty Hours, sermons during Exposition are very rare.

W. O'FLYNN.

## Notes

The Protestant fiction that the Church neglects the Bible and keeps it out of the hands of her children has long since been given the lie, and during the past forty years the defence of the Bible has been carried on almost exclusively by Catholic scholars. The destructive trend of German biblical criticism and its baneful influence, which was gradually becoming manifest even amongst Catholic scholars, moved Pope Leo XIII to declare the unequivocal mind of the Church on Sacred Scripture. In the early 'nineties a new and flourishing phase in the history of Catholic biblical study began, and for the scholars engaged in this movement Pope Leo's Encyclical *Providentissimus Deus*, issued the 18th November, 1893, was a charter and guide.

Foremost among the Catholic scholars who came into prominence at that time was Père Marie-Joseph Lagrange, of the Order of Preachers, who died 10th March last at St. Maximin, Var, France, the Dominican House of Theology for the Province of Toulouse.

Père Lagrange was born on the feast of St. Thomas Aquinas, 1855, at Bourg-en-Bresse, Ain. Having spent his early years in the legal profession, he entered the Dominican Order in 1879. He was professed on the 6th October, 1880, and was ordained priest four years later. His cultivated talents from the first pointed him out as a man of great promise. In 1890 he was sent to Jerusalem, and was thus placed in the way of following out what proved to be his life-work.

In 1882 Père Mathieu Lecomte, O.P., had gone to Palestine inspired with the idea of founding in Jerusalem a house to which the veterans of the Dominican Order might retire and spend the evening of their lives in recollection. A series of providential circumstances, however, and the express wish of the Sovereign Pontiff, Leo XIII, led the Fathers, assembled on the site of St. Stephen's martyrdom, to take up a line of work which the founder of the house never contemplated. For under Père Lagrange the Priory of St. Stephen in Jerusalem became the famous biblical school, in which a new epoch in biblical study was begun, and which to-day is renowned as a home of authoritative Catholic biblical scholarship. Besides founding the biblical school where he trained a group of experts who developed and extended his work, Père Lagrange in 1892 founded the *Revue Biblique*, a quarterly intended to keep biblical scholars in touch with the work being

done in Jerusalem by himself and his collaborators. Finally, that the fruits of their scientific and historical researches might be made permanent, Père Lagrange began to publish the *Etudes Bibliques*, a series of studies and commentaries on the Bible. Men trained by him and others who agreed with his views on biblical studies, contributed to this series. Père Lagrange himself contributed commentaries on the *Four Gospels* (1911-1927), on the *Book of Judges* (1903), on the Epistles to the *Romans* (1916) and to the *Galatians* (1919), *Le Messianisme chez les Juifs* (1909), *Le Judaïsme avant Jésus-Christ* (1931), and many other works. His little work *La Méthode Historique*, consisting of six conferences given in November, 1902, at the Catholic Institute of Toulouse was of prime importance in the development of Catholic biblical criticism.

Biblical studies were in a sad plight when Père Lagrange began his work. German higher critics and their French imitators had played havoc with traditional beliefs about the Bible. The historical value of many of the books of the Bible was denied, their authenticity challenged and their unity impugned. Each book of the Bible was subjected to the ordeal of internal criticism, which meant that, in accordance with subjective philosophy, the mind of the critic, with all its limitations, prejudices and antipathies, became the sole test of what to accept or reject in Sacred Scripture. The principle of development was regarded as the key to solve all problems and was applied indiscriminately. Looking back in the perspective of more than a quarter of a century we see that the epidemic of higher criticism was simply ludicrous. At the time, however, it constituted a veritable menace to Christianity.

When Père Lagrange took up the study of the Bible and entered the lists for its defence, it was not as a reactionary. He was too faithful a student of St. Thomas to imagine that modern critical methods were to be rejected completely. He saw that, symptomatic of a new phase in the advance of biblical learning, critical methods were capable of being employed soberly and with discretion in the service of Catholic truth. Père Lagrange and his collaborators did for biblical criticism what St. Thomas had formerly accomplished for the philosophy of Aristotle. Modern criticism used with discernment became a new means of justifying all that the Church holds about the Bible and its interpretation.

In an introductory note to the second impression of *La Méthode Historique*, Père Lagrange expressed his mind clearly on the relations



between Dogma and Biblical Criticism: "No Catholic exegetical scholar can claim exemption from the obligation of submitting to the dogmatic decisions of the Church. On the other hand, no authority can protect our exegetical works, as far as their scientific part goes, from the criticism of competent men, nor prevent this critical verdict from being used against the Church if their inadequacy is manifest. Otherwise what is given forth under the name of Catholic exegesis would do as much harm to the faith as would rash innovations, and would tend to create a state of mind unworthy of the intellectual honour of the Church. Side by side with the Dogmas of the Church which are the very life of our souls and the salvation of the world, which no hand can touch, even reverently, to change, exegetes—not the Church—had raised a structure of not a few pretended historical and literary dogmas . . . . It is essential that light should be thrown on this matter, and sane criticism heeded. Nevertheless the greatest care must be taken: criticism requires prudence and circumspection; but it is well that it should be known that we are at liberty to make use of the knowledge of our day. When Leo XIII created the Biblical Commission, and Pius X instituted the Doctorate of Sacred Scripture, they evidently intended that these studies should be pursued in the twofold spirit of respect for dogma and regard for soundly scientific work. All Catholics hold that such a combination is possible; the future will show that it has been realised." Time has indeed proved the wisdom of this prediction. Claiming freedom to use the best critical and exegetical methods, Père Lagrange led Catholic scholars in making a profound and truly scientific study of the Bible.

Père Lagrange's early education was an admirable preparation for the work to which his life was devoted. Prudence in weighing arguments and in estimating the value of evidence, sound judgment, and an instinct for sifting the truth from the errors which might disguise it, were the fruits of his legal education. His scholastic training in the Dominican Order developed his mind on a sound philosophical basis, and the theological synthesis of St. Thomas furnished him with a secure intellectual background. An excellent classical education prepared him for the study of biblical languages in which he became an expert. Like St. Thomas, Père Lagrange would welcome truth from any source, for he was perfectly secure in his conviction that it could never conflict with Catholic Dogma. He won world-wide respect as an exegete, and, more than any other Catholic scholar, led non-Catholic scholars, if not to accept his views, at least to respect them. To his

efforts chiefly is due the sober and reasonable view of Sacred Scripture that prevails to-day amongst exegetes, those outside the Church not excluded. Père Lagrange was a devoted admirer of Cardinal Newman, and nothing pleased him more than the declaration of Pius X in a letter to the Bishop of Limerick, that from Newman's works nothing that could cause even suspicion concerning his orthodoxy could be adduced.

Père Lagrange was a loyal friend. When M. Loisy tried to blacken the memory of Mgr. Batiffol, who had died in 1929, Père Lagrange, despite his advanced age, took up his pen to defend his deceased friend.

Père Lagrange was a priest who by a noble life and profound scholarship served well the Church of God during the trying period of the modernist menace. He was charitable even in his most severe criticisms, and was always willing to attribute the best intentions to an opponent. His personal piety impressed all who came in contact with him. Disappointments were not wanting in his life, and he did not always receive the encouragement his work so richly deserved. Sincere himself, he found it hard to believe others insincere. Pope Leo made him one of the first consultants of the Biblical Commission. The Universities of Louvain and Wratistlaw conferred honorary degrees on him; France decorated him with the Cross of the Legion of Honour; and the late King of the Belgians conferred on him the Order of Leopold.

In 1929 Père Lagrange published *L'Evangile de Jésus-Christ*, a work which is the fruit of his long and profound study of the New Testament. One might call this work Père Lagrange's Life of Christ. However he would not claim to have written a Life of Christ, for in the preface to this work he wrote: "The Gospels are the only Life of Jesus Christ that can be written. Nothing remains but to understand them as well as we can." This work, his masterpiece, was honoured by a letter conveying the Apostolic Blessing, and expressing the personal appreciation of the Holy Father for his work. He desired no higher approval on earth.

Two years ago the state of his health compelled Père Lagrange to terminate his forty-six years' sojourn in Jerusalem. He retired to St. Maximin where he continued his teaching and literary work. Here in his eighty-fifth year, he died surrounded by his Dominican brethren, six days after delivering his last lecture, the subject of which was the Passion of Our Divine Lord.

JEROME O'RORKE, O.P.

## Book Reviews

THE CANON LAW DIGEST. By T. Lincoln Bouscaren, S.J., LL.B., S.T.D., Milwaukee: The Bruce Publishing Company, (Copy from Pellegrini. Price: Vol. I—£1/10/-; Vol. II—18/-).

In our opinion, very few books indeed have appeared since the publication of the Code so helpful to the student of Canon Law as this Digest. It gives us in good English, and in most cases in full, all the documents that have been published in the *Acta Apostolicae Sedis* since 1917, affecting in any way the existing law. These include the Replies of the Commission for the Interpretation of the Code, the Encyclicals and Letters or Constitutions of the Supreme Pontiffs which bear on the Canons, the Replies, Decrees and Instructions of the Sacred Congregations, and many decisions of the Sacred Tribunals. These various documents are so distributed that they fit in with the numerical order of the canons which they concern so that, with the aid of three ingeniously arranged Indices, one can immediately put his finger on any document directly or indirectly throwing light on a particular canon. What an aid this is to the study of the law can be easily imagined, and, we may add, it is gratefully appreciated by those of us who by profession try to expound the Code either in the class-hall or in ecclesiastical magazines. No better companion to the Code is available—in fact for one who cannot well spare the time necessarily involved in searching for documents in the *Acta A. Sedis*, the Digest is indispensable.

The first volume contains the documents that appeared from 1917 to 1934. In pursuit of the promise made by the author in his Preface, to keep the Digest up to date, a second volume was published a few months ago, and it included all the documents from 1934 to 1936. Amongst these are two hundred representative marriage cases taken from the last seven volumes of the Sacred Roman Rota. There is also something yet more practical and important, namely, a good translation of the full text of the recent very important Instruction in Matrimonial Procedure. This document is in itself a veritable boon for all who are connected in any capacity with matrimonial courts. Previously, the personnel of the courts had some reason to complain of the difficulties they faced in making themselves familiar with the rather complicated legislation of the entire Fourth Book of the Code. Now, the matter has been considerably simplified by this present Instruction, in as much

as it picks out from the various chapters of the Book those portions which must be observed in matrimonial cases, so that any intelligent man can with a modicum of study make himself familiar with that portion of the legislation which concerns him. And Father Bouscaren has made the matter still easier in that he has supplied us with a good English translation in his Digest, a book which we heartily recommend to all who are interested in the study of Canon Law.

J.J.N.

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LATIN ON THE DIRECT METHOD. By W. H. D. Rouse, Litt.D., M.A., and R. B. Appleton, M.A. University of London Press, 1925. (7s. 6d.).

This is a *Manifeste* by the two leading English exponents of the Direct Method applied to the Classics. Dr. Rouse exposes the Method and discusses the work in the upper classes—fourth year and specialists. Mr. Appleton deals with the first three years' work, discipline, and the use of stories for reproduction. More than a quarter of the book consists of specimens of work done at the Perse Grammar School, Cambridge.

INITIUM (2nd Edition). By R. B. Appleton, M.A. Cambridge University Press, 1926. 2s. 6d.

TEACHER'S COMPANION TO *INITIUM*. By the same. C.U.P., 1915. 1s. 6d.

The *Companion* explains the use of *Initium* and the introductory lessons which precede the use in class of a text book. The Linguaphone Language Institute also issues a special *Latin Course* of ten lessons covering this introductory work. The records were made by Dr. Rouse and three of his pupils. (30s. set, with illustrated text.)

*Initium* is divided into four sections: 'Narratio,' Latin dialogues, stories and playlets with *exercitationes* and summaries *artis grammaticae*; 'Ars Grammatica,' which gathers together these summaries; 'Sententiae Anglicae' to be translated into Latin; and 'Quaestiunculae Grammaticae.' Personally, I should like to see the grammatical summaries omitted from 'Narratio,' which seems a little crowded. The print is very good; but more space between stories, exercises and the rest would make things more pleasing to the eye.

With the *Companion*, *Initium* covers the first year course—the accident and syntax of the simple sentence, the declensions, the indicative mood of the four conjugations and of the more important

irregular verbs, and a simple but fairly extensive vocabulary.

PONS TIRONUM. By R. B. Appleton, M.A. and W. H. S. Jones, Litt.D., M.A. George Bell & Sons. 1928 printing. 2s. 6d.

PUER ROMANUS. By the same. Clarendon Press. 1927 printing. 2s. 6d.

These are the principal second-year books. The more advanced, *Puer Romanus*, contains many extracts from standard authors, so that these may be begun in the third year.

Though in each case the get-up is very good, I should like larger print and more space between items. The appeal to the eye is very important: great masses of print discourage beginners.

When work begins on standard authors, the pupils use plain texts. For teachers, especially when they are beginning, one of the best manuals is the famous Jesuit edition, 'ad usum Serenissimi Delphini,' with full Latin notes and a running Latin paraphrase of the text.

LUDI PERSICI. By R. B. Appleton, M.A. Clarendon Press, 1921 Edition. 2s. 6d.

Eleven short Latin plays for classroom production. Used from about the middle of the second year onwards.

CHANTIES IN GREEK AND LATIN. By W. H. D. Rouse, Litt.D., M.A. Blackwell, 1930 Edition. 2s. 6d.

These "chanties" are used throughout the early years of the course. Greek and Latin words are set to well-known airs: *Monsieur de Malbrouck*, *Frère Jacques*; *John Peel*; *Turn again, Whittington*; *London's Burning*; *Ten Little Nigger Boys*; *The Vicar of Bray*; . . . they are all there. One is struck by the number of idioms taught "without tears" in the sixty-eight "chanties." Invaluable for teaching quantity.

(LATIN CHANTIES, words only, may be had for 9d.)

LATIN STORIES. By W. H. D. Rouse, Litt.D., M.A. Blackwell, 1935. 2s. 6d.

These are read or told to the class by the master, and have to be reproduced in the pupils' own words, either with the aid of notes or from memory. Besides five sets of stories—"Bestiae," "Stulti et Sapientes," "Farrago," "Cena Trimalchionis" (extracts with the Dickensianisms corrected), and "Sic Itur ad Astra" (Horace's adventures on the Apulian Hills). Dr. Rouse provides an Introduction on Method and very useful lists of Greek and Latin proverbs.

SCENES FROM SIXTH FORM LIFE. By W. H. D. Rouse, Litt.D., M.A. Blackwell, 1935. 2s. 6d.

This is a collection illustrating class procedure with Virgil, Livy, Cicero, Horace, Thucydides, Aeschylus and Sophocles. We see here what the Direct Method can do in Greek and Latin.

I have seen no English text books better than those by Dr. Rouse. They are a delight to the eye and to the hand and to the mind. Author and publisher deserve the highest praise for these truly excellent productions.

Though intended principally for Direct Method work, these books contain much to interest and serve teachers using the present method. The matter is fresh, novel, interesting, and far more useful for the beginner than that in the ordinary run of *First Books* and *Easy Stories*.

J.W.D.

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CONVERT-MAKING. By Conrad F. Rebesh, S.S.J. The Bruce Publishing Company, New York. Australian price, 9s. (Pellegrini & Co., Ltd.)

Splendid work is being done throughout the length and breadth of Australia in instructing prospective converts to the Faith. But we believe that even those who are most successful in their method of discharging this important priestly duty are likely to find help and stimulus in this book.

Father Rebesh, we are told, has had thirty-five years' experience of missionary work, and it is at once evident from his chapter on the qualifications necessary in the priest who is to undertake convert-making, that the author places his apostolic activity on the right plane. He tells us, in effect, that in the end the priest himself will be the main argument of credibility for the average convert. Especially does he call on the younger clergy to throw themselves into this apostolate, for they possess the vigour necessary for the arduous task. "This does not mean, however, that the older priests are to be ruled out," he adds very prudently, but simply that "the generals of an army are not found in the firing line; their lives are too valuable, and their brains are too essential to the success of the campaign." With such diplomatic resources at his command, it is no wonder that Father Rebesh has proved so successful with converts.

No doubt, a big obstacle to all missionary approach to those outside the Church is simply that they are indifferent to religion of any kind. The author points out the many ways of approach, or of contact, with the good, bad and indifferent; viz., social classes, social contacts, contacts through parishioners, professional contacts, the school, illus-

trated lectures, etc. It is pleasing to see that he insists so much on the work subsequent to conversion, of which he considers personal visits to the home most important.

Although the book is not one of instructions, an appendix provides an outline of twelve instructions used by the author for many years.

C.R.

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A HUMANE PSYCHOLOGY OF EDUCATION. By Rev. Jaime Castiello, S.J. Sheed and Ward, London (7/6); New York (\$2.50).

This very valuable book has in it one or two things less good. The title is the first: though it expresses well enough the subject-matter of the book, it gives an idea of a professional work, written by a specialist for specialists, and quite beyond the rest of men. That, *A Humane Psychology of Education* is not. Specialists will find in it much to ponder: yes, but it is for all educators—parents, priests, teachers. Then there are several misprints (in the American edition—1936; the English edition I have not yet seen) which will—I hope—be corrected in the next edition.

Much educational work at the present time is limited to method. It is for this reason that Father Castiello's book is so necessary. It lays down the principles to which all method must be referred. Method is very important; but method not based on right principles is dangerous.

What are these right principles? How are they to be applied? The only satisfactory answer to these fundamental questions is set forth by Father Castiello, who examines man and applies to education the results of his investigations. He studies what is in man, and shows how the principal study courses may be used and how they should be used to develop the whole man—which is the purpose of education.

Throughout we are faced with the "Art or Science?" problem, and it is encouraging to see art restored to its proper pre-eminence. A whole chapter is given to the Greek and Latin Classics: and rightly; for they are the finest means of education at our disposal.

All-pervading is the idea of personality-development: the educator is trying to build a whole man, not a machine with many parts performing many unco-ordinated operations. It follows that curricula should be planned to reach the whole man. This they will do most effectively through contact; for character builds character. Of all the contacts the pupil may establish, the most fruitful will be those with great men—

men met, men living in the works they have left as their memorials, men commemorated in others' works. But the Greatest, the Noblest of men is Christ, Whom each must strive to imitate so as to become alter Christus, since He wishes to be in all—Ego in eis, ut sint consummati in unum.

To the author's Reading Lists I should like to add Sir Arthur Quiller-Couch's *On the Art of Reading*; H.M. Report, *The Teaching of English in England* (1921); and Father Francis P. Donnelly's books on Art and Literature in Education.

J.W.D.

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SOVIET TEMPO by Violet Conolly. Sheed & Ward, London, 1937.  
Price 7/6.

Interest in Soviet Russia shows no signs of slackening, and this interesting volume once again reveals the familiar sad story. Miss Conolly has given us here a very vivid and objective account of an extensive tour of Russia. She brings to the task a wide knowledge of the Russian language and Soviet politics. These factors at once place her high among the many who have attempted to interpret contemporary Russia without the slightest knowledge of Russian and the history of the country. But, it must be confessed, there is little new to be discovered in this volume. E. M. Delafield and a host of others have covered the ground before. Miss Conolly was astounded, as all visitors to Russia are, except the dyed-in-the-wool Communists, at the lack of criticism among the people. Conditions to her bourgeois mind were appalling. The housing problem in Moscow, the show place of the Soviet, was so serious that criticism and drastic action would appear to be the order of the day. But at such moments a guide, bursting with Soviet achievement and class education, would intone the official refrain that everything is perfect, or would be in the near future. Miss Conolly cannot help admiring the enthusiasm of these Soviet officials, but she points out it is founded on dismal ignorance. One of the most amusing passages in the book is her attempt to place Mr. De Valera in a political category which would convey a meaning to the earnest Communist with his strict political divisions. Again, although perhaps with not the wit of Miss Delafield, we have descriptions of the blind stupidity of the Soviet bureaucrats and of the primitive, yet expensive, hotels. Miss Conolly points out, with justice, that much that the Soviet has done would be impossible in the countries of Western Europe, for the very



good reason that it has already been accomplished. She gives examples of the mining industry and the motor trade. The Soviet motor car is hailed as news, yet Ford has been turning out cars for the last thirty years with a speed and efficiency that is quite un-Russian. The theatre is a living art in the Soviet Union; was it a dead one in 1910? There are no classes in Russia, but Gide sadly affirmed there remain "*les pauvres*." Soviet youth is optimistic—what could you expect of a generation dazed by the monotonous blare of the Soviet press, schools and films? The most pathetic note in the book is sounded in a moving scene, that Miss Conolly paints so well, of a deserted Catholic Church in Odessa—without priests, the few diminishing Catholics gather like the Japanese Christians of old to recite their prayers. How long, O Lord, how long! T.V.

\* \* \* \*

POPE PIUS XI AND WORLD PEACE. AN AUTHENTIC BIOGRAPHY, by Lord Clonmore. London, 1937. Our copy from Angus & Robertson Ltd., Sydney. Price 14/6.

This volume is from the pen of a distinguished convert. Lord Clonmore has a fine style, and he has it in him to give us a Catholic "Inside Europe." The title gives a good indication of the book's contents. After some seventy pages devoted to the *curriculum vitae* of the Pope, the author devotes the remainder of the work to a most interesting discussion of the Pope's policy in Italy, Germany, France, England, Spain and the Americas. Hence the subtitle of the work, *An Authentic Biography*, seems rather out of place. Surely Lord Clonmore does not assert that the final word has been said by history concerning the Papal condemnation of the *Action Française*? All the material the author has used is in the hands of the readers of the various pamphlets inspired by the conflict. Some future Pastor will give the world the authentic story, and, by the way, due no doubt to a printer's error, the events in question are dated wrongly by some ten years! Cardinal Hinsley, in a most flattering preface, carefully explains that Lord Clonmore's political views are not necessarily his own. This is not only caution but wisdom, as the author has most definite preferences which unconsciously he appears to cloak with the apostolic robes. What a varied life, what vast interests have been the lot of this great man, Pope Pius XI! The Nuncio Ratti in Warsaw in 1920 now appears to belong to history. Lord Clonmore claims that the "miracle of Vistula" should be added to the credit of his hero, rather than to that of Pilsudski, or of the dis-

tinguished Frenchman, General Weygand, who, by the way, never claimed the honour. There are fine chapters on the Pope's action in the events leading up to the signing of the Lateran Treaty, and some passing difficulties with the young Fascist State. Lord Clonmore has unbounded admiration for Signor Mussolini, whom he clears of guilt in the Mateotti affair. For Herr Hitler, on the other hand, he has a contempt which is caused not only by the Nazi attacks on religion, but by the political system of the Third Reich. England and France add their quota of interest in good accounts of the Malines Conversations, and the influence of the Anglo-Catholics, the better relations of France with the Holy See, and the Maurras affair. The two chapters on Spain give us a vivid picture of the events leading up to General Franco's decisive action. The events in Mexico, and a fair analysis of the *Quadragesimo Anno* bring the book to a worthy conclusion. This volume should obtain a wide Catholic audience, and we hope that non-Catholics will be attracted by the generous, if strong, sentiments of the author. Putting the book aside, one will forget with difficulty the man who practised diplomatics in his scholarly youth and diplomacy in these stormy post war years—all for the glory of God and the good of mankind.

T.V.

#### BOOKS RECEIVED.

The following books have been received, and may be reviewed in future issues:—

Longmans, Green & Co. Ltd., London:

*The Faith in Practice*, by Fr. Philip Hughes. Price 5/- net.

*Morals Makyth Man*, by G. Vann, O.P. Price 7/6.

*I Remember Maynooth*, by Don Boyne. Price 5/-. (New and Enlarged Edition).

*Anglicanism in Transition*, by H. Johnson.

*Spain's Ordeal*, by Robert Sencourt.

The America Press, New York:

*Heart to Heart*, by Rev. D. O'Connell, S.J. A Cardinal Newman Prayer Book, compiled from his writings.

*Propaganda in the Press*. Pamphlet by Rev. J. Toomey, S.J.

*Fascism—in Government and in Society*, by Rev. J. Lafarge, S.J.

Heeder & Co., Freiburg, Germany:

*Patrologia*, a B. Steidle, O.S.B.

Pontif. Instit. Internat. "Angelicum," Romae:

*De Justitia*, a Petro Lumbreras, O.P.





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Queries relating to S. Scripture, Moral Theology, Canon Law, Liturgy, or any subject of professional interest, are cordially invited.

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Diocese of Port Augusta—Rev. W. Kain, Carrieton, S.A.

Diocese of Rockhampton—Rev. T. Byrne, Rockhampton, Q.

Diocese of Sale—Rev. J. Fitzpatrick, Cowwarr, Vic.

Diocese of Sandhurst—Very Rev. J. Ryan, P.P., Elmore, Vic.

Diocese of Toowoomba—Rev. J. Madden, D.D., Toowoomba, Q.

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**Nihil Obstat :**

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# Official Documents

SUPREME SACRED CONGREGATION OF THE HOLY  
OFFICE.

I.

DECREE

*whereby a book entitled: "Initiation au Nouveau Testament,"  
by O. Lemarié, is condemned.*

Wednesday, 15 June, 1938.

In a general assembly of the Supreme Sacred Congregation of the Holy Office, their Eminent Lordships, the Cardinals entrusted with the safeguarding of things belonging to faith and morals, with previous vote of the Reverend Consultors, condemned and ordered to be inserted in the Index of Prohibited Books, the work inscribed:

*O. Lemarié, Initiation au Nouveau Testament.*

And on the following Thursday, the sixteenth of the same month and year, our Most Holy Lord, Pius XI, by divine Providence Pope, in the usual audience granted to his Excellency the Most Reverend Assessor of the Holy Office, approved the above resolution, confirmed it, and ordered it to be published.

Given at Rome from the Palace of the Holy Office, June 17, 1938.

R. PANTANETTI, *Notary of the S.S.C. H.O.*

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II.

DECREE

*concerning the non-introduction of a special devotion to the Sacred  
Head of our Lord Jesus Christ.*

It has been asked of this Supreme Sacred Congregation of the Holy Office whether a special devotion to the Sacred Head of our Lord Jesus Christ may be introduced.

In a plenary meeting held on Wednesday, 15 June, 1938, their Eminent Lordships, the Cardinals entrusted with the safeguarding of things pertaining to faith and morals, after mature deliberation and previous vote of the Reverend Consultors, having also in view the Decree of May 26, 1937, on "not introducing new forms of devotion,"

decreed that a special devotion to the Sacred Head of our Lord Jesus Christ is not to be introduced.

And on the following Thursday, the sixteenth of the same month and year, our Most Holy Lord Pius XI, by divine Providence Pope, in the usual audience granted to his Excellency the Most Reverend Assessor of the Holy Office, deigned to approve and confirm this resolution of the Eminent Fathers, and ordered it to be published.

Given at Rome, from the Palace of the Holy Office, June 18, 1938.

R. PANTANETTI, *Notary of S.S.C. H.O.*

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## THE SACRED CONGREGATION OF THE SACRAMENTS. INSTRUCTION

*on the careful custody of the Most Holy Eucharist.*

1. Never did the Apostolic See omit to set before local Ordinaries the safeguards and cautions whereby the Most Holy Eucharist reserved in our churches, according to common law, or by indult, might be diligently guarded and kept safe from all profanation. The disciplinary precepts of canonical legislation, which in the course of time the Holy See took care to give, are now embodied in canon 1269 of the Code of Canon Law, as follows:—

(1) *The Most Holy Eucharist must be kept in an immovable tabernacle, placed in the middle of the altar.*

(2) *The tabernacle should be artistically constructed, solidly closed on all sides, becomingly adorned in accordance with the liturgical laws, used to contain no other object whatever, and should be so diligently guarded as to exclude all danger of sacrilegious profanation of any kind.*

(3) *For some grave cause approved by the local Ordinary, it is not forbidden to have the Most Holy Eucharist kept at night outside the altar, on a corporal however, in a safer but becoming place, with due regard to the prescription of Canon 1271.*

(4) *The key of the tabernacle, in which the Most Holy Sacrament is kept, should be guarded with the utmost diligence, its custody resting as a grave burden of conscience on the priest who has charge of the church or oratory.*

2. Since this sacred Congregation has the commission to watch over the discipline of the seven Sacraments (Can. 249), and has already issued an Instruction under date of May 26, 1929,<sup>1</sup> “*on some things to*

<sup>1</sup>*Acta Ap. Sedis*, vol. xxi, p. 631.

be avoided and observed in the celebration of the Sacrifice of the Mass and in the distribution and reservation of the Sacrament of the Most Holy Eucharist," it now considers it opportune to remind everybody who is concerned with the grave matter of keeping the Holy Eucharist, of the relative canonical prescriptions, adding brief explanations, and laying down other safeguards and means better adapted to the times in which we live, in view of the safest possible keeping of the Holy Eucharist, and its entire preservation from injury of any kind.

3. The faithful observance of certain canonical precepts of the Code of Canon Law is very conducive to the attainment of an end so noble and so desirable. First of all, be it remarked that two things are required *sub gravi*, in order that the Holy Eucharist may be reserved in a church: Firstly, that there be someone to take care of it; secondly, that a priest must regularly celebrate Mass once a week in the sacred place. (Can. 1265 §1). Now, even though the Apostolic See sometimes grants, on account of scarcity of priests, an indult for fortnightly Mass only, in view of renewing the sacred species, provided always that there be no danger of their corruption, it never on any account dispenses from the first law, but rather always insists that there be a person who shall attend day and night to the safe keeping of the Blessed Sacrament.<sup>2</sup>

Besides, there are three things to be kept in mind from the above Canon 1269.

(a) The Most Holy Eucharist must be kept in an immovable tabernacle (§1), which is thoroughly closed (§2); (b) the tabernacle must be guarded so diligently that all danger of profanation is excluded (§2); (c) the key of the tabernacle is to be most carefully kept by the priest (§4). On each of these points a few remarks must be made.

4. (a) *The tabernacle must be immovable and thoroughly closed.* From this precept, in itself grave, the Bishop cannot dispense, nor can century-old or immemorial custom derogate, except in the case mentioned in paragraph 3. This is the first measure for the safe-keeping of the Blessed Sacrament. Absolute and complete closure necessarily demands that the tabernacle be made of solid and strong material. According to the liturgical laws, the material may be wood or marble or metal,<sup>3</sup> but the last-mentioned material is the strongest of all. The

<sup>2</sup>Cfr. S.R.C. resp. diei 17 Februarii ad Episcopum Altonen. (decretum n. 3527).

<sup>3</sup>*Caeremoniale parochorum iuxta novissimas A.S. sanctiones concinnatum*, art. vii. De tabernaculo, etc., n. 9 ad. 4.

main point is that the tabernacle be constructed of solid material, having its parts closely compacted together, and furnished with a lock strongly fixed to the door, and so designed as to ensure a completely safe locking. The hinges of the door must also be strong and well set. In some places the Bishops have prescribed that the tabernacle be entirely of metal, a measure which ensures particularly safe custody of the Blessed Sacrament and, as his Eminence Cardinal P. Gasparri teaches,<sup>4</sup> must be absolutely observed, wherever it has been introduced. An excellent form of tabernacle is that which is a real strong iron safe, commonly known as *cassaforte* or *coffre-fort*, so that it cannot be pierced or broken by those instruments which are ordinarily used by thieves. It should be fixed by strong iron fastenings to the altar, adhering either to its lowest gradine or to the wall behind. These iron cases should be constructed either in the form of a ciborium, to be afterwards covered with marble and decorated with other ornaments, so that they exhibit the appearance of a work artistically finished, according to the terms of the second paragraph of the above-mentioned canon. Such tabernacles are called safes (Italian, *di sicurezza*). In order to remove all doubt regarding the observance of the liturgical laws in constructing these tabernacles, let attention be paid to the response of the S.C.R., given on April 1, 1908, in answer to a petition sent by a priest in the name of the Ordinaries of the ecclesiastical Province of Milwaukee in North America. This priest had offered for approval a new tabernacle, most solidly constructed, and so designed as to be in no way at variance with the rubrics of the Roman Ritual or the Decrees of the Sacred Congregation of Rites. The Sacred Congregation answered: "Let the response given by S.C.R. on a similar case, under date March 18, 1898, be communicated to the petitioner; namely, 'that the purpose of the inventor is laudable, and that the matter involved and the effectiveness of the device are subject to the judgments of the local Ordinaries themselves.'"

A like ruling was given in a response to the diocese of Superior regarding a new tabernacle for the B. Sacrament. In order to proceed more safely in approving a certain tabernacle, the Bishop reverently asked the S.C.R.: "Whether any objection might be urged in the name of the liturgical regulations against the particular form of semi-circular door, which was set on ball-bearings, and turned without

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<sup>4</sup>*De SSma Eucharistia*, II, 263, n. 994.

hinges; under this head was there any reason to prevent the Bishop from recommending the invention to his priests, or should the tabernacle be furnished with a door or doors set on hinges and turning on hinges?" The Sacred Congregation of Rites, having asked the vote of a Liturgical Commission, answered the proposed query on May 8, 1908, thus: "Per se there is no objection in the case, and for the rest the matter is within the competence of the Bishop."

Really the use of these very solid tabernacles is a very efficacious means for the safe keeping of the Most Holy Sacrament. This Sacred Congregation does not, however, impose the burden of acquiring such tabernacles on churches which have the ordinary ones, provided these are admittedly adequate for the secure custody of the Holy Eucharist; but it recommends them for churches which are henceforth to be built. It furthermore earnestly exhorts their Lordships the Bishops, in accordance with their zeal for the Blessed Sacrament, to watch and see that the ordinary tabernacles in use throughout their dioceses have the necessary solidity to preclude every danger of sacrilegious profanation. Tabernacles which do not guarantee the absence of that danger are to be removed with the utmost severity.

5. (b) *The tabernacle is to be so carefully guarded that the danger of any sort of sacrilegious profanation be excluded.* It is not sufficient that a custodian reside in the place, nor is it enough that the tabernacle be so strong that it can neither be pierced by a boring instrument, nor broken open by a chisel, and is so well provided with locks that it may not be opened even with skeleton keys: a third safeguard is required by law: careful custody. Now this watchfulness, which is to be continually maintained, embraces many cautions, both ordinary and extraordinary, according to the circumstances of places and times.

As regards the custodian, although it is desirable that he be a cleric, and moreover a priest, it is not prohibited that he be a layman, as long as a cleric is responsible for the key by which the place of reservation is closed. He must remain near this place day and night, so that he may quickly make his appearance, as often as need arises; in other words, he must be constantly on the watch. He must never leave the church during the time that it is open to the faithful, and has few or none visiting it. This is all the more necessary in city churches, where thieves, unknown as such to the faithful, prowl about in the guise of strangers or beggars, and are ready to seize the moment when vigilance is slackened, in order to perpetrate with deft quickness and, as it were,

in the twinkling of an eye, their sacrilegious thefts. Such as these visit sacred places, and take accurate observation, by way of doors, windows, lattices, entrances, especially less principal ones, in order to attempt the execution of their wicked purpose by night. If this is of rather rare occurrence in villages, where the presence of a strange and unknown person going round the church, and entering it is more easily noticed, and arouses suspicion in both priest and faithful, that circumstance does not free the parish priest or rector from the obligation of guarding the Blessed Eucharist, the method and mode of custody being left to his prudence, according to local conditions. He ought, for instance, to visit the church sometimes during the day, get trustworthy persons living in the neighbourhood to watch, assign the private Eucharistic visits of his parishioners to different hours of the day.

A careful watch should be kept over workmen and others who, on account of service, or other causes, frequent the church or sacristy, or the priest's or custodian's house in the vicinity of church or sacristy.

Nor is the watchful custody of the Blessed Sacrament, as prescribed by law, to cease at night when the church is closed. Special cautions are to be used for the night time. The ordinary cautions required by prudence, and constantly to be used for the custody of the Holy Eucharist, for the prevention of theft in regard to sacred vessels, pictures, alms, and church furniture are as follows:—(1) all the portals of the church, within the limits of necessity and possibility, should have strong door-leaves fastened with strong locks and bolts, these being of such kind that they can be opened only from the inside, the windows being guarded by bars or iron grilles; (2) when the church is being closed in the evening, there should be a careful look round, lest any evil-intentioned person may be left within; (3) the duty of shutting the church should be entrusted to persons above all suspicion, especially to persons not addicted to strong drink. To these precautions we may add another very commendable one, which is daily coming into wider use, and which is often very helpful in baffling the attempts of thieves. This is the placing of electric bells in suitable places—bells which will ring if the doors are opened, or when these or the tabernacle or altar or table are touched, thus suddenly arousing the attention of the priest or custodian. There are also special electrical devices which suddenly light up the church, and immediately warn the custodian of the presence of thieves. Such devices, in order to be efficacious, must be cleverly and ingeniously hidden, so as to escape all suspicion on the part of thieves.

They should also be inspected each day, so as to be kept in proper order.

A special extraordinary provision is mentioned in the third paragraph of the canon cited above. *For some grave cause to be approved by the Ordinary, it is not forbidden to keep the Blessed Sacrament at night outside of the altar, on a corporal however, in a safer but becoming place, with due regard to the requirements of canon 1271.* This place is ordinarily the sacristy, provided that it is a safer and becoming place, or a very solid box, well closed (*cassaforte*), if that is to be preferred, inserted in some part of the church wall. If neither church nor sacristy provide the desired security, the Eucharist may be kept in some other safe place, even of a private character. In such cases, the parish priest should see to it that the Blessed Sacrament is kept with reverence and honour, and that the faith of the faithful in the real presence is not lessened. In this reservation of the Most Holy Eucharist the Sacred Species are not merely to be covered with a corporal, but must always be put in a vase or pyx.<sup>5</sup> Moreover, when they are being brought from the tabernacle of the church, or vice-versa, the priest must wear surplice and stole, and be accompanied by a cleric, carrying a light, at least regularly.

The Rectors of churches must likewise take good care that pyxes or sacred vessels of great value are, as far as possible, not left in the tabernacles. That would only provoke and entice the greed of thieves. When such vessels are used on the occasion of certain solemnities, it is desirable that they be purified at the last Mass, and put in a safe place (not the sacristy). The particles which may be left over should be placed in an ordinary pyx. Let Rectors also abstain from decorating altars and sacred images (either sculptured or painted) with costly votive gifts, such as rings of gold and silver, chainlets, neck-laces, earrings, gems and such like. Images should not habitually bear such decorations when exposed for public veneration. If it is proper to do so on the occasion of some festival, the Rector should, at the conclusion of the festival, take these valuables away from the church, and clearly make known the reason to the faithful.

6. (c) *The key of the tabernacle must be most diligently kept by a priest.* All the cautions mentioned up to the present will be in vain, if the chief caution, namely, the safe-keeping of the key of the tabernacle be neglected. The fourth paragraph of the above canon expressly men-

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<sup>5</sup>Cfr. cit. decr. Alton., not. 2.

tions in respect to this point that a grave burden rests on the conscience of the priest to whom the key of the tabernacle is entrusted. In order to satisfy this obligation of most diligent custody in regard to the key, the Rector is solemnly warned that the key of the tabernacle must never be left on the table of the altar, nor in the door of the tabernacle, not even at the time when the divine offices are carried out in the morning at the altar of the Blessed Sacrament, or communion is distributed, especially if this altar is not in open view. When these offices are over, the key must be kept by the Rector at home, or always carried about by him, care being taken against losing it; or let it be kept in the sacristy in a safe and secret place, under lock and key, the second key being kept by the Rector as above.<sup>6</sup>

Let priests who are guardians of the B. Sacrament seriously consider that the obligation of keeping most diligently the key of the Sacred Ciborium is a grave obligation, as its scope and the very words of the law clearly show. The priest on whom the right and duty of keeping the key ordinarily and naturally rests is the Rector of the church or oratory; should he go away, he can, and ought, during his absence, entrust the keeping of the Blessed Sacrament to another priest. If he leaves the key in the sacristy under another key; he can give this latter to the sacristan during such time as he is absent, and the key of the tabernacle may be needed. Universal practice is manifestly in favour of this. If there is question of a parochial church, the key must be kept by the Parish Priest. If there is question of a cathedral or collegiate church, which is also a parish church, the keeping of the Holy Eucharist belongs to the chapter, and another tabernacle key must be kept by the Parish Priest (can. 415, §3, n. 1). The exclusive right of keeping the key of the tabernacle belongs to the Parish Priest, even if a confraternity be erected in the parochial church. In non-parochial churches, where the B.S. is kept by indult of the Holy See, it is to be guarded by chaplains or rectors, never by laymen, even though they be patrons. Without an Apostolic Indult lay people per se cannot keep the key of the tabernacle.

7. Special remarks must be made regarding the keeping of the key of the tabernacle in the churches of nuns or sisters, and in pious or religious houses of women. In view of the Statute of Canon 1267, whereby every privilege to the contrary being recalled, the Blessed

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<sup>6</sup>Cfr. *Encycl. litt. iussu Benedicti XIV edit. a S.C.EE. et RR, die 9 Feb. 1751.*



Eucharist cannot be kept in a religious or pious house, except in the church or principal oratory, nor in the case of nuns, within the choir or enclosure of the monastery, local Ordinaries should bear well in mind, and insist on it, that the key of the Sacred Tabernacle is not to be kept within the enclosure.<sup>7</sup> Henceforth it is to be kept in the sacristy, so as to be obtainable at once, when need arises, and, when the church functions are over, and especially at night, it is to be placed in some safe, solid and secret receptacle under two keys, one of which is to be kept by the Mother Superior of the Community, personally or through a substitute, the other being entrusted to some nun, for instance, the sacristan, so that the offices of both are required in order to unlock the above-said place. Let their Lordships, the Bishops, give due attention to this ordinance, and rigidly insist on its execution, without any acceptance of persons, so that abuses and irreverences be avoided, which might redound on the Blessed Eucharist.

8. Regarding the oratories of seminaries and ecclesiastical colleges, educational establishments for young people of both sexes, hospitals and hospices, which enjoy the power of keeping the Blessed Sacrament, the key of the tabernacle shall be given for keeping to their Rector or Moderator, if he be a priest, otherwise to the spiritual director or chaplain, who has been specially appointed to celebrate Mass, and carry out the sacred functions in the place. He must carefully see that the key does not come into the hands of other persons.

P. Gasparri, *op. cit.* 266, n. 998.

9. As regards private Oratories, which by Apostolic Indult enjoy the privilege of keeping the Blessed Eucharist, the key of the tabernacle is usually kept in the sacristy, under the care of the family, rather than of the chaplain<sup>8</sup>; but if the Bishop consider it preferable that the key should not be in the keeping of the indultary, let him give it to the priest who celebrates, especially if he says Mass there continually; or let him give it to the Parish Priest to be given each time, as convenient, to the priest who is to celebrate. Lay indultaries who have charge of the key are to be reminded, and clerics, of whatsoever dignity, must religiously consider how serious is their obligation to see that the key does not come into the hands of anyone, even of the family or family attendants.

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<sup>7</sup>Cfr. Resolution of S.C.R., May 2, 1878, ad VI (decree 3448); H.E. Cardinal

<sup>8</sup>H.E. Cardinal Gasparri. *op. cit.* II, 267, n. 999.

10. The Sacred Congregation is not unaware that the aforesaid cautions will not fully secure their object, unless their Lordships the Bishops and local Ordinaries, while enjoining their observance on Parish Priests, Rectors of Churches, Moderators of Institutes of all sorts, and superioresses of nuns, also keep the following four most important points in view.

(a) Especially during diocesan visitations, but also even outside of such visitations, as often as a case demands it, they should either personally or through suitable and prudent ecclesiastics, diligently inquire and secure ocular knowledge of the provision made for the safe-keeping of the B.S., not only in each parish, but also in each church, or oratory which enjoys this right. As often as they find out that something is wanting of the safeguards rightly required, they must order them to be made good at once, a short time limit being given, under penalty of a pecuniary fine, or even suspension in the case of priests, or removal, according to the gravity of their negligence, to be incurred by those who have the duty of supplying all means of security. They must not relieve those persons of such a burden, under the plea that no profanation or unbecoming thing has happened heretofore. What has not been done up to the present may in the course of time by the malice of men be done, unless the necessary precautions are taken.

(b) As often as sacrilegious robberies involving the violation of the Blessed Eucharist occur in his diocese (which God forbid), the local Bishop personally, as is best, or by an official of his Curia, specially delegated for the purpose, should always file a summary process against the Parish Priest or other Priest, secular or regular, even exempt, who was entrusted with the charge of the Blessed Sacrament. The acts of the process are to be sent to this Sacred Congregation, together with the vote of the Bishop. This should include an accurate description of the theft, according to its circumstances of time and place, and then a statement, based on the acts of the process assigning the burden of guilt, through positive fault or negligence, to the responsible person. The Bishop should also propose the canonical penalties to be inflicted on the guilty, and then await the mandates of this Sacred Dicasterium.

(c) Ordinaries should deeply consider the severity of the penalties which Canon 2382 lays down against a Parish Priest who has gravely neglected the safe-keeping of the Blessed Sacrament, even though his fault fall short of the actual violation of the B.S. These penalties go so far as deprivation of his parish. Seeing the end of the law, the Ordin-

aries should take care that other Rectors of churches, *congrua congruis referendo*, are punished with analogous penalties, if they have seriously neglected their duty in this matter. As far as may be required, the necessary and opportune faculties are given by this Sacred Congregation. To escape such penalties, the cause likely to be alleged by the Parish Priest, or others entrusted with the care of the Blessed Sacrament, namely, that such accidents as open tabernacles and the keeping of keys in unsafe places were due to the carelessness of some other priest, does not suffice. The Pastors and Rectors themselves bear the onus of diligently caring for the sacred vessels and the Blessed Eucharist. It is their personal office to faithfully and diligently watch and see that, when the sacred offices were over, the tabernacle was not exposed to violation of sacrilegious robbery. Against the aforesaid priest and any other one guilty of similar negligence the same penalties are to be used, because by his negligence he was the occasion of this grievous crime. In order that local Ordinaries may be able to inflict these penalties, and proceed against delinquent religious of both sexes, even exempt, according to the apostolic prescriptions in this matter, we hereby, by virtue of the present Instruction, give them the necessary faculties cumulatively with the Major Religious Superiors. On these also the Sacred Congregation imposes a similar obligation, but reserves to the Bishop alone the faculty of filing the process, as described above.

(d) The Ordinaries should diligently inquire whether the churches and oratories to which reservation of the B. Sacrament does not belong by common law (Cfr. can. 1265, §1, n. 1, 2) enjoy this faculty by Apostolic Indult granted by Brief in perpetuity or by Rescript for a time. As often as they find that this privilege has no lawful support, let them take care to remove it as an abuse. Besides, they should not be too easy in receiving and commending requests for the faculty to reserve the Blessed Eucharist in places which do not enjoy it by common law. Let them rather abstain altogether from doing so, unless very grave reasons be present, especially in private oratories and churches too far removed from the houses of the faithful, or situated in desert mountains, and wide country spaces, so that adequate provision for the safe-keeping of the Blessed Sacrament is not possible. It is more tolerable that sometimes even a notable part of the faithful be deprived of the means of adoring the Blessed Eucharist than that the same should be exposed to the probable danger of profanation. Nay, moreover, these present letters give power to the Bishops to revoke the faculty of reser-

ving the Blessed Sacrament in churches and oratories which enjoy it by Apostolic Indult, as often as they perceive that grave abuses have crept in, or all the conditions required for safe custody and due reverence and veneration of the Blessed Sacrament are not present.

These are the canonical regulations and chief cautions which this Sacred Congregation has thought well to set before the local Ordinaries, that they in turn may commend them more urgently to Parish Priests and other guardians of the Most Holy Sacrament. Their execution will serve to root out abuses, if any such have crept in, or to guard against them, if they have not. Other regulations which may be suitable to particular circumstances of time and place for the better attainment of the same purpose are left to the zeal and industry of the Bishops themselves. To all such local Ordinaries we offer these helps, earnestly begging them in the Lord to leave nothing undone in order to safeguard the Most Holy Eucharist from the impious attempts of wicked men. "Than the Holy Sacrament the Church of God has nothing more worthy, nothing more holy, nothing more wonderful. In it is contained the chief and greatest gift of God, the Fountain and Author of all grace and sanctity, Christ our Lord."<sup>9</sup>

Our Most Holy Lord Pius XI by divine Providence Pope, in an audience granted to his Excellency the Secretary of this Sacred Congregation, on May 7, 1938, graciously deigned to confirm and ratify with his Apostolic authority the above Instruction, already approved by the Eminent Fathers in plenary session of March 30. His Holiness ordered it to be published in the official organ of the Apostolic See, so that it be most religiously observed by all whom it concerns. Everything to the contrary notwithstanding.

Given at Rome, from the Palace of the Sacred Congregation of the Sacraments, on the feast of the Ascension 1938.

D. Card. JORIO, *Prefect.*

F. Bracci, *Secretary.*

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<sup>9</sup>*Roman Ritual*, tit. iv, chap. I, n. 1.

# John Bede Polding

## Summary:

Statistics—bond and free. The immigrants: Attempts to ban Catholics. Education matters. Foundation of Church at Liverpool. Dr. Polding applies for leave of absence for Father Ullathorne, himself and Father Gregory. Letter to Father Therry. The Bishop's farewell and departure. Letter to Father Brady. Comparative statistics of Catholic and non-Catholic establishments.

## XVIII.

Some statistics of the increase of population in the colony during the three years, 1837 to 1839, are worth quoting. Immigrants numbered 26,473, made up of 11,243 men, 6,989 women and 8,241 children. There were 8,791 convicts—7,197 men and 1,594 women. Births reached a total of 8,410 and deaths 6,384. The total increase during those years was 37,290, bringing the number of souls in the colony to 114,386.

The tide of immigration was rising rapidly. The figures show that 4,275 new settlers arrived in 1837; 8,840 in 1838 and 13,358 in 1839. Funds for assisting immigrants to settle were raised from the sale of crown lands. But the ascendancy party made determined efforts to have this general revenue so expended as to admit only English and Scottish applicants to the benefits of the scheme. The representatives of this faction in the Legislative Council may not have been only Dr. Broughton and Mr. James Macarthur, but these two were the most outspoken. The *Herald* printed the speeches dealing with the question of immigration; but not till three days after the debate. They seem to have been very carefully prepared for the press.

Dr. Broughton's words:

"He must say that the objection was not to Irishmen as such; but arose upon religious grounds; those who held with him thinking, that if the predominance of the faith adverse to theirs were ever established, as by the description of immigration now going on it might possibly be, the toleration and freedom of their own religious worship and rights would be surely interrupted. He entirely concurred in that apprehension."

Mr. James Macarthur's remark:

"He might think, and he hoped so, that some parts of the Roman Catholic religion were softening away by time; but looking at the history of past times, he thought there was ground for fearing that if the Roman Catholics once became a preponderating majority, the Protestants would not be tolerated in the exercise of their religion in the way that Roman Catholics are now."

The matter came up at the November meeting of the Catholic Institute, and Dr. Ullathorne dealt ably with the *toleration* Catholics had received during the centuries since the Protestant revolt, introducing an excellent summary of the history of the revolt itself. The address was punctuated with cheering, much cheering and tremendous cheering, and "the very rev. doctor sat down amidst thundering applause."

Summing up, the Bishop continued in the strain of enthusiasm the address had roused:

"We have been so long engaged in a struggle to establish, on an immutable basis, our rights—and, in establishing our rights, those of every religious denomination—that we have been taught to endure; and can peaceably hold on in our firm determination. In our earlier years necessity compelled us to petition for that which nature gave us at our birth. To necessity at length was surrendered that which to justice was denied; but we do not intend that one of those who succeed us shall ever sully his knee in ignoble dust, humbly supplicating his fellow man to be allowed as a privilege that right which God gave, which God alone can take away—the right of worshipping Him according to the dictates of conscience, and after the wont of our forefathers."

The people over whose coming there was so much ado, themselves received a notice in the press.

"The emigrants lately arrived from the quarantine ground seem to be partial to Sydney, and are very tenacious of making agreements to proceed to the interior, which has caused the following notice to be posted in the Emigrant Barracks:—'In consequence of the emigrants refusing fair and just wages, notice is hereby given, that no rations will be issued on and after Tuesday next, the 3rd November, nor will they be allowed to remain in barracks.' The former part of the notice has been acted up to."

There was another matter dealt with during the session of the Legislative Council which attempted to restrict immigration to Protestant settlers. It was an effort by the same ascendancy clique to monopolise government funds for school purposes. The shady means adopted were made known to Lord John Russell by Governor Gipps:

Government House,  
24th October, 1840.

My Lord,—The Session of the Legislative Council now being closed, as reported in my Despatch of this day's date, No. 164, I think it right to inform your Lordship that nothing has been done in it towards establishing a system of general Education in the Colony. My despatch of 9th Decr., 1839, No. 168, will have put

your Lordship in possession of the reasons why I abstained from bringing forward any measure connected with it, and only noticed the subject of Education in a short minute attached to my Financial Statement, presented to the Council on the 29th July last; of this minute, I have now the honour to enclose a copy.

There is one matter however connected with Public Education in the Colony, which I think it desirable to bring to Your Lordship's knowledge as it seems to me not improbable that some representations respecting it may be made to Your Lordship from another quarter. It is an application (which I did not deem it fit to comply with), from the Local Committee of the Societies for the Propagation of the Gospel and for the Promotion of Christian Knowledge in Foreign Parts, that contributions from the Societies might be regarded as contributions of private individuals, which would entitle them to be met by sums of equal amount from the Government.

In my Despatch above alluded to of the 9th Decr., 1839, I explained that our Schools are now, for the most part, supported on what is familiarly called the half and half system, half of the expense being defrayed by local contributions and half by the Government. The essential feature of this plan is that the local contributions, consisting as they do of donations from individuals interested in the welfare of any Town or Village, and of payments from the Parents or Friends of the children form a test of the want of a School in the place where it is either established or proposed, and a security, or at least some degree of security, to the Government against its being called on to contribute to the erection or support of a School though perhaps it may be not wanted or where a School already exists, to which, though perhaps it may be not exclusively of their own religious denomination, persons would, if left to themselves, be quite satisfied to send their children.

A detail of one of the cases comprehended in the application made to me by the Committee above mentioned (Commonly called the Diocesan Committee) will however put the matter in a plainer point of view.

In 1836, the sum of £3000 was voted by the Legislative Council for establishing schools upon the Irish system; and a School of this nature was in consequence ordered by my Predecessor to be erected at Wollongong, a place about 60 miles from Sydney and at that time very free from any religious dissension. Under the auspices of the Diocesan Committee however, another school was shortly afterwards commenced, for the erection of which £50 only was raised by private contributions, whilst £150 was supplied by the Committee; and it was under these circumstances that I was called on by the Diocesan Committee to contribute £200 to-

wards the erection of the School, the establishment of which would render useless the school that was then building by the Government, or at any rate defeat the object which the Government had in view in undertaking it.

At the same time applications were sent in from the Diocesan Committee for assistance in the erection of other Schools, so that the amount demanded of the Government was in the whole £931 8s. 11d.

If the subject be regarded only in a financial point of view, I think it must be allowed that the Government cannot in reason be called on to expend its funds at the discretion of large public bodies, or of Incorporated Societies. This however is only one of the grounds on which I declined to accede to the application, my other and equally various objections being those already alluded to.

The contributions of such Societies form no test of the wants or wishes of the inhabitants of the place or district in which they are to be extended. They are not collected for the special purpose of Education, but for the general purposes of the Societies; they proceed in great measure from persons not even resident in the colony, and are in part at least obtained by highly coloured, not to say exaggerated statements of the religious destitution of the Colony, and of the vice and immorality prevailing in it.

If moreover the contributions of a Society of this nature be received as the contributions of private individuals, so also others of a similar nature; and such a Society has already been formed in the Colony under the name of the Catholic Institute.

The establishment of the School by the Diocesan Committee in Wollongong was quickly followed by that of a Roman Catholic one; and preparations are I believe being made for a Presbyterian School, which will be corresponding limit in the case of Schools, the amount, which the Government may be called on to pay, is altogether indeterminate, and is from the nature of circumstances likely every year to increase; 2ndly, There is little apprehension of Churches being built faster than they are wanted; but, in respect to Schools, it is beyond doubt that the rapid increase of them is hurtful to the community. They are founded in opposition to each other, and bitter animosities are unhappily engendered by them; 3rdly. People of different communities cannot be expected to go to the same place of Worship; but they may send their children to the same school, and will do so, if their religious prejudices be not worked upon by their superiors.

Your Lordship, in Your Despatch of the 25th June, 1840 (received since my own of the 24th Oct. last, above alluded to, was written) has expressed an opinion that parochial schools, either Protestant or Catholic, should for the most part be sup-



ported either by local rates or private contributions; and that the assistance from Government should be limited to one-fourth of the whole expenses, except in poor districts, where it might occasionally amount to one-half.

A rule of this sort, if it could be established, would be much farther than anything I have proposed, towards putting a limit to the demands on the Government, and I shall accordingly keep the object of it steadily in view.

I have, &c.,  
GEO. GIPPS.<sup>1</sup>

The last public function that Doctor Polding attended was the founding of All Saints' Church at Liverpool. It was largely attended for it had been widely advertised as his farewell appearance before he left for England. That was on the octave day on the Feast of All Saints.

Doctor Ullathorne notes:—

“After various plans had been considered, Bishop Polding decided to go himself to Rome, and obtain what further assistance he could of men from England and Ireland. As there was still reason to apprehend that my name might be put before the Holy See for Van Diemen's Land, I decided to accompany him to England; and Dr. Gregory completed the party as attendant on the Bishop.”<sup>2</sup>

It may be well to give the letters of application written to the Governor by Bishop Polding. The application for leave of absence for Dr. Ullathorne is dated October 25th, while those for leave for Dr. Polding himself and Father Gregory are dated October 28th. What happened during those three days would be interesting to know.

Sydney,  
25th October, 1840.

Sir,

The Very Reverend Dr. Ullathorne has represented to me that private affairs of great importance require his immediate return to England. I have the honor to request your Excellency to grant him in consequence leave of absence for eighteen months. Should it occur to Your Excellency that application is made soon after his return to the Colony, I may be permitted to observe that the former term of absence was granted entirely on public grounds, and the period passed entirely in public business. The present application arises from private affairs. I have therefore respect-

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<sup>1</sup>H.R.A., Oct. 24, 1840.

<sup>2</sup>Ullathorne—Autobiography, p. 173.

fully to request Leave of Absence for the Very Reverend Dr. Ullathorne for the period of eighteen months, with the usual allowance of stipend.

J. B. POLDING.

Sydney,  
28th October, 1840.

Sir,

I respectfully request your Excellency to allow me leave of absence from the Colony for a period of eighteen months. The transaction of affairs, which require my immediate and personal attention, and of essential moment to the well being of my Ecclesiastical administration in these Colonies, compel me to make this application, as I have already mentioned to your Excellency in the interview with which I was honored some days ago.

I have the honor also to state that, as I have applied for leave of absence for the Very Reverend Dr. Ullathorne, I propose to delegate so much of my jurisdiction as may be necessary for the Ecclesiastical Government of the Catholic Clergy and community and the transaction of affairs regarding them to the Reverend Francis Murphy, on whose prudence I have a perfect reliance, as my representative and Vicar General in the Colony.

I have, etc.,

J. B. POLDING.<sup>3</sup>

The first public announcement of Doctor Polding's departure was made on October 3rd, in the *Chronicle*; and on November 12th it was stated that he would sail on the *Orion*. In the meantime he had received disquieting news of Father Therry:

My Dear Vicar General,—I am in possession of your favour dated October. In it you mentioned your intention of visiting Sydney in a short time; I would wish this had occurred ere this, as I am on the point of sailing for Europe. I had long cherished the idea of being with you and of witnessing, before I took this trip, the progress religion has made in Van Diemen's Land. However, I have come to the conclusion that I shall most effectually and, I may add, speedily give that assistance so much required by returning without delay to Europe. I purpose being again in my jurisdiction within eighteen months under the Divine blessing. I beg you will write to me fully on the state of the mission, and suggest whatever may appear to you of advantage in the promotion of religion. A rumour has reached me which, were it not sanctioned by the respectable authority of Mr. O'Sullivan, I should deem one of the stories which each day brings forth—that it is your desire to retire entirely from missionary duty. This I can-

<sup>3</sup>H.R.A., Vol. XXI, pages 82-85.

not hear without much grief. It is of the greatest importance that I should know what are your intentions on this subject. I trust, with the example of St. Martin before you, you will pause before you come to this conclusion. Let me hear from you by an early post on this point, and direct your letter to 60 Paternoster Row, London.

I shall write by this post to Mr. Cotham, to request he will take an early opportunity to go over to South Australia. This, I think, will be the only time he will be required to leave his mission for this purpose, as I hope before long to send two missionaries thither; if, indeed, they be not sent before I reach Europe. . . .

Adieu, may God bless and preserve you. Send to me all the papers and documents connected with education.

Ever affectionately yours,

J. B. POLDING.<sup>4</sup>

Dr. Ullathorne continues the story of the departure:

"We engaged our passage in a Chilian brig, bound, in the first instance, for Kororarika, in the Bay of Islands, New Zealand, our object being to visit Bishop Pompallier and his missionaries in that settlement; the French Bishop having long wished for such a visit, for the sake of the influence on the natives. Thence we were to sail for Talcahuana, in Chili, with the intention of riding over the pampas across South America, and taking shipping to England on the other side. For this purpose we had taken English saddles as part of our equipment.

"The Catholics prepared a magnificent demonstration in honour of the Bishop on his departure, and a large sum of money was collected to cover the expenses of his journeys. I was asked what I should like, but I told the delegates that I would on no account interfere with the testimonial to the Bishop; they might give me some trifle as a remembrance, such as a snuff-box. And I was consequently presented with an address, accompanied with a snuff-box filled with sovereigns.

"The departure was marked by an extraordinary scene. The Catholics accompanied the Bishop from the Cathedral to the harbour, the population crowded the shore, the ships hoisted their colours, salutes were fired, and steamers, with the chief Catholics on board, with bands of music, accompanied the vessel to the Head. The affectionate respect shown the Bishop was loud and hearty on all sides."

The day after the Bishop sailed, the *Chronicle* gave its leading article of nearly three columns to a detailed account:

"Our great and good Bishop, his highly-talented Vicar-

<sup>4</sup>Moran; History, etc., p. 307.

<sup>5</sup>Ullathorne, Autobiography, pp 173-4.

General, and his domestic chaplain, have all left our shores on their voyage to Europe, honoured indeed by every mark of respect that a loving and faithful people could devise, but amid honours not unmingled with sadness, deep and heartfelt.

"Where is the Catholic—where the colonist with any faith—that does not sympathise with us in sorrow at the absence of him who has given, by his presence and labours, a moral dignity to our adopted land, formerly represented as the abortion of nations, but now the abode of a fine people, increasing in the enjoyment of a high degree of physical and moral health? If ever a Bishop was worthy to be called the pastor of his flock, it is the Right Reverend Dr. Polding. . . .

"It was the intention of his Lordship to embark on Saturday last, but at the urgent request of the Catholic Committee . . . his Lordship consented to defer his embarkation till yesterday; and our prelate, whose zeal knows no relaxation, embraced the opportunity of conferring on Sunday the sacrament of Confirmation on a number of children and adults who had not been sufficiently prepared on Sunday, the 1st instant, for that great duty. A Pontifical high Mass was celebrated in the Cathedral. . . .

. . . . "After the Gospel, his Lordship delivered a most affecting farewell address to his clergy and people, of which we cannot attempt to give a report, and to which indeed no report could do adequate justice. . . ."

At the presentation of addresses and gifts that evening:

"the old court-house was packed almost to suffocation. We have never seen in the colony so numerous and respectable a meeting as was congregated on this occasion."

An extract from the address to the Bishop:

"After the five years you have exercised the pastoral office in these colonies, with mild and firm efficacy, it must be gratifying to you, as it is to us, to look back on the great benefits that have been conferred on this community, and of which, under Divine Providence, you have been the chief and chosen instrument. The many churches founded and consecrated by your Lordship—your own frequent visits into all parts of the colony—the dispersion and establishment of a zealous clergy throughout the principal districts of New South Wales—the impartial attention paid to all classes of your congregation without any distinction, except that *where* assistance was more required and needed, *there* it was most largely bestowed—and, not least, the truly paternal solicitude you have shown towards the orphan, and the affection with which you have cherished the 'little children' of your flock—are among the enduring monuments of those useful labours by which you have been distinguished, and which have made an indelible impression upon the hearts not formed to be ungrateful. . . ."

After the presentation of the address and of a Treasury Bill for £400:

“The Right Rev. Bishop then came forward, and was received with deafening shouts of applause. His lordship appeared deeply affected at these demonstrations of respect, and before reading his reply remarked that, in order to dissipate the gloom of the present circumstances, he would inform them that one of his objects in going to England was to shew to that country the picture of a genuine Australian. He would go from them with the feelings of an Australian. With these feelings, as those of his adopted country, he was fully imbued, and they became every day more and more intense (immense cheering). However painful this separation might be—and to him it was truly painful—it was yet, he trusted in God, but temporary, and would be looked back to with pleasure, as to an event pregnant with blessing to the community.”

On Monday, “at half-past seven o’clock, the Catholic committee, walking two and two, and bearing white wands tipped with gold, proceeded to the Bishop’s residence, and escorted his lordship to the cathedral, after which, opening their ranks, his lordship and the clergy passed through, and, entering the church, commenced the beautiful prayers prescribed by the ritual for exploring the blessings of heaven upon their voyage. After divine service, a procession of the whole people, amounting to many thousands, was formed, under the direction of the committee. First came the girls of the Catholic schools, dressed in white uniform, then the boys; after them the congregation, all walking two and two, and last of all, his lordship the Bishop, and his clergy. In this form the procession marched along Hyde Park, Macquarie Street, Bent Street, and Macquarie Place. Arrived at the jetty, the children were drawn up in lines along the neighbouring beach, and the great body of the people, having opened their lines, the Bishop, the clergy, and committee, passed through, and entered the boats. His Lordship and the Rev. Mr. Gregory proceeded in the Governor’s boat; Dr. Ullathorne and the clergy occupied the boat of the *Crusader*, furnished by Captain Inglis—whose liberality and public spirit on this occasion is, indeed, above all praise. On passing the *Crusader* in the harbour, we observed the proper emblem of a real “Crusader”—the red cross—hoisted on the main top in honour of the occasion.”<sup>6</sup>

The circumstances of the departure seem happy and serene. But there were lowering clouds that few suspected. The Bishop was setting out to recruit new priests for the mission, burdened with the fear that

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<sup>6</sup>*Australasian Chronicle*, November 17, 1840.

he might lose some of those who had so loyally helped him to establish the Diocese. We know that Dr. Ullathorne had been wavering for some time; the rumour about Father Therry's retirement we have already seen; and now, from the following letter to Father Brady we realise that both he and Father Murphy were giving evidence of instability.

The Bishop managed them all; but it must have been a severe strain on his tact. However, we see his methods in the different instances.

Feast of St. Ambrose,  
Kororarika, Dec. 7th, 1840.

My Dear Mr. Brady,—The Vicar-General has this day communicated to me the letter he received from you, and, supposing that the letter addressed to me was on the same subject, this he also placed in my hands. I have been very unwell, and much reduced in strength. I am now recovered, and, thank God, I can make an act of submission to His ever adorable will, and surrender the victim he may demand without repining. I know not that I could have done this at an earlier period.

Dear Mr. Brady,—I am now past the meridian of life. It has been my happy privilege to be on terms of intimate friendship with many; in fact, I cannot live unless those about me, into whose souls I may pour my thoughts freely, and uncontrolled by any apprehension, be of the number. I am not aware that I ever lost the confidence or forfeited the esteem of one; and it is to me now, and must be for the remainder of my life, a subject of deep affliction that this misfortune has at length befallen me, and in regard of one whom I have loved and venerated from the first—whom, in all circumstances, I shall love and venerate.

To enter into an explanation of the past would not, I perceive, be of use; suffice it to say that you never lost that place in my esteem and confidence you must feel you possessed; that, in this view, I did intend to have requested you to accompany me to Europe as my confidential friend and adviser; that I then arranged with the Vicar-General that he should take the general charge of the important district over which you preside; that Mr. Gregory's very delicate state of health, when the Vicar-General stated that he should not feel happy in his situation after my departure, unless you remained to support and advise him—feeling, myself, the value of a real friend in such circumstances influenced me to take Mr. Gregory, in the hope that the voyage would be the means of prolonging a valuable life, especially as he had expressed often to me a most earnest desire to see his mother once more. I had thus arranged, and had mentioned the subject to Mr. Gregory, when the

Vicar-General opened to me his determination to return to England in consequence of letters received respecting the state of the Benedictine congregation. I considered that the same cause which induced him to return would probably deprive the mission of his services in England; and I, therefore, at once determined, great as the inconvenience of my absence might be, to proceed, notwithstanding this. I came to this conclusion without consulting any individual; for I saw no alternative. It had been publicly announced that I was about to go, and I considered it best to adhere to the purpose.

Had I remained, I should certainly have carried into effect the plan that I intimated to you, when there was question of return on the part of the Vicar-General on a former occasion. I have always felt very happy with you. You must be sensible, dear Mr. Brady, that no one could speak more unreservedly—more confidentially—than I was accustomed to commune with you; nor am I aware of any circumstance which has influenced me to be otherwise with you. In my absence, and in the present paucity of clergy, I did not see how I could make any alteration in the position of the clergy without inflicting a serious detriment on some one or other important district of the mission. When, therefore, Mr. Murphy has signified to me that in next July the term for which he came to the mission will expire, and that then he purposed to return to Europe, I told him that in that case I could not go, for who was to perform the duty in Sydney? And to fix him, as it were, in the position in which he is now, I requested him to perform the duties of Vicar-General during my absence. That is the plain history of this transaction, and I regret exceedingly that any expression which, at the time it was used, and in the sense by me understood, was entirely devoid of sense, should have been made the means of wounding deeply your peace of mind, and of altering your disposition in my regard, and regard of the mission. As respects the latter, may not I use the words of him that sinned and obtained forgiveness: “Ego sum qui peccavi, ego qui inique egi; isti qui oves sunt quid fecerunt.”

My dear friend, of course I cannot interfere in the way of altering your design. Wherever you are, you will do good; and, in that good, no one will rejoice more cordially than myself, and I shall ever feel most grateful for all the assistance you have given. I trust, however, you will not dis sever a connection, which I did hope would not be of this world only, without seriously perpending the cause at the foot of the Cross. If He who endured ignominy, dishonour, torments with joy, to give an example that we may follow in His footsteps, bids you to go, far be it from me to gainsay the word. If, on the other hand, he tells you, *Nolite transire de domo ad domum sed in quocunque loco vos recipient ibi manete;*

if you must feel convinced from experience that, however useful your ministry may be elsewhere, it cannot produce more abundant fruit than it has in your present position, may I not entreat you to pause? And, when the cause is stripped of every circumstance, is it one which should produce such an effect? One which, in the retrospect of life you will contemplate without an alloy of pain? Forgive me, my dear friend, if I thus expostulate with you. I cannot prevail upon myself to surrender a friend, and one whom I have loved, and do love as a second self. If I did not consult and advise as has been my wont, the reason was, simply, I had of myself formed my determination as regards my departure, and as regarded the arrangements consequent to that event, I did what seemed best for the interests of the mission. I could not leave that vast and important district without a head, over which you preside. I could not leave Sydney without an efficient pastor. Why did I not more freely communicate—as on reflection I now perceive I might have done—I really know not; but I can most sincerely assure you that want of confidence or decay of regard was not the cause. No, my good friend, this is impossible; and on my return, you will find that I am what I have always been in your regard. May I then consider that letter to the Vicar-General as not written? Balance the reserve, if such it were, of some few days with that effusion *de coeur*, which has distinguished your communications. Make some allowance for the jealousies of a pastor whose sole desire is to live for his people, and to obtain for them clergy according to God's own heart. Write to me *a l'ordinaire*, and in a *petit mot*. Comfort me by assuring me that that note is as if not written. For my own part, I repeat that my regard and confidence in you are undiminished, and the greatest solace I have during my absence from New South Wales is the reflection that so large a portion is under your pastoral care. How much I have felt the apprehension of your loss wrinkles and grey hairs testify. By the grace of God, like Abraham, I am resigned to the sacrifice. Perhaps this was the disposition which was required, and the actual immolation of the victim may not be demanded; if so, I shall rejoice. I shall say, 'Bonum est quia humiliasti me ut discam justificationes tuas.' If the chalice is not to pass, I must say '*Fiat voluntas*'; but in all circumstances, believe me to be with unalterable regard,

Yours most affectionately in Jesus Christ,

J. B. POLDING.<sup>7</sup>

With the departure of these chief figures from the field of Catholic action, it seems advisable to give the table of comparative statistics that Dr. Ullathorne prepared in his *Reply to Judge Burton*.

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<sup>7</sup>Moran: *History*, etc., 307-9.



"The Judge takes up 140 pages of his work with a laborious detail of the several duties, more especially of the clergy of his own church, and describes the field of their labours. His account of the church of England is carefully prepared; the circumstantial minuteness of a considerable portion of the details would seem to imply a direct communication with the parties praised. Whilst the church of England returns are given up to the latest date, those of the Catholic church are taken from the returns for the year 1836, as given in Montgomery Martin's "History of the British Colonies." Judge Burton shows in various parts of his work that he has access to the latest accounts and returns respecting both churches whenever it suits his purpose. At the period for which these returns were given there were not more than five Catholic chaplains in the colony, and their time was in great measure occupied by travelling from place to place; add to this, that there were not at that period more than three Catholic churches sufficiently advanced to receive a congregation, and that the official returns give only the numbers at that time attending the one principal service of the Sunday. Mr. Burton gives the sum total of the congregations of the church of England for the year 1839 at 7,000, of the Presbyterians at 2,000, of the Wesleyans at 1,450, of the Independents at 300, Baptists 300, Friends 50. The total of the Catholic congregations is given at 2,450, but this is for the year 1836. A number amounting to not much less than this estimate may occasionally be found assembled at the Cathedral church alone. In the parallel which Mr. Burton runs throughout this account between the relative Protestant and Catholic populations, he has borrowed for the nonce the numbers of the Dissenters for the especial use and service of the cause of the church of England, although he shows that their actual congregations assembled amount to 4,000 persons, equal to more than one-half the numbers assembled by the church of England: this is one of the judge's favourite fallacies. The injustice done to the actual wants of the Catholic church and to the comparative labours of her clergy could alone induce me to the task, from which under other circumstances I should shrink, of detailing more faithfully the real extent and amount of their labours as compared with those of the clergy of the church of England in the year 1839.

## COUNTY OF CUMBERLAND.

Sydney.

*Protestant**Parish of St. Phillip's—*

A chaplain; church contains 800 sittings; attendance morning 600 to 700, afternoon 300 to 400.

*Parish of St. James'.*—A chaplain; church contains 1500 sittings; at-

*Catholic.*

*The Cathedral Church.*—Contains 2000 persons; attendance, first service 550, second service from 1800 to 2000, afternoon 700.

*Two temporary Chapels.*—In Kent Street, attendance 70; in Aber-

tendance, morning 1200, afternoon 500, evening 400.

*Parish of St. Lawrence.*—A chaplain; church in course of erection. A large temporary chapel in use; attendance not given.

*Parish of St. Andrew's.*—Cathedral in course of erection.

*Cook's River.*—A chaplain; church attendance 100.

There are also two Presbyterian churches, two chapels for Wesleyans, one for Baptists, one for Independents, one for Friends.

Total church of England attendance at three churches ..... 3300  
Communicants in the month—

St. James' .....	40
St. Philip's .....	37
—	—
Total .....	77
—	—

crombie Place, attendance 220.

*Two Chaplains.* One for the parish of St. James', the other for St. Phillips'.

There are two services in St. Mary's every morning of the week. The duties of the clergy on the Sunday commence at 7 a.m. and conclude at half past 5 p.m., with scarcely any intermission. On the week days they are occupied in church duties from 7 a.m. to 10; from 11 to 3 p.m. in the hospitals, institutions, and amongst the sick; at 4 come the burials and night sick calls are not unfrequent. This by no means includes all, or even the most tedious and responsible, of their duties; add from four to five hours of church duty more than once per week in the evening. From Sydney is attended Longbottom, Brisbane Water, and occasionally Port Macquarie.

Total Catholic attendance at one church and two small chapels at lowest average ..... 3340  
Communicants in the month—

St. Mary's .....	575
Abercrombie Place .....	64

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639

"There are also, a Catholic and a Protestant chaplain appointed to the gaol and penal establishments in and about Sydney. The Protestant bishop claims allowances to the amount of £150 for the Protestant, which are not asked for by the Catholic chaplain. Mr. Burton gives most just praise to that valuable institution, the Benevolent Asylum, for the aged and destitute poor. It may be observed, as a further illustration of the period which I have designated the *Dark Age* of our colonial church history, that old inhabitants say the design was first suggested by its having been perceived that that much injured man, the Catholic archpriest, had gathered from the streets beneath his humble roof some few poor decrepid creatures, collecting what he could for their support; and Mr. Wentworth says that the commencement of this valuable institution was opposed by the senior chaplain of the English church. This however, cannot be said of other clergymen of that church, and especially of the Rev. Mr. Cowper, whose exertions on its behalf have been great and most praiseworthy.

"Mr. Burton has observed, that the churches of Sydney cannot contain the number of applicants, and that he has in consequence, been seriously affected by knowing young men who, brought up in the church, could not, for the want of accommodation, attend her ordinances, and these have either fallen away or gone to other places of worship. Now, deduct at both churches the number of attendants from the number of sittings, and there will remain 400 sittings vacant. In the single Catholic church half the space is clear of seats, that the people may stand or kneel more closely; and yet it is not unfrequent to find some 200 persons outside unable to obtain entrance.

## Parramatta.

## Protestant.

A chaplain; church contains 700 persons; attendance from 500 to 600.

Two Presbyterian ministers, and a Presbyterian church in course of erection.

Two Wesleyan chapels.

Church of England communicants, each month, from 70 to 80.

## Catholic.

A chaplain; church contains 450 persons; attendance 400. The clergyman attends five stations at distances of from five to eight miles from Parramatta.

Catholic Communions per month, including establishments, 235.

"The Female Factory, the Hospital, and four large Iron gangs, in or about Parramatta, make the duties more than one clergyman can perform; for this reason, the Catholic chaplain stationed at Liverpool, a less laborious district, resides part of the week in Parramatta, and gives a part of his labours, gratuitously of course, to that district. This is, I presume, the origin of Mr. Burton's dreams about there being 'two or four' priests always in Parramatta. There were, certainly, three English church clergymen there resident.

## Hunter's Hill.

## Protestant.

A chaplain; church contains 200; attendance 50.

Monthly communicants, from 4 to 7.

Chaplain attends a gang at Pen- nant Hills once a month, and Lane Cove once, in the school which holds 100; attendance from 20 to 30.

## Catholic.

This district is included in that of Parramatta, and under the same chaplain.

## Liverpool.

## Protestant.

A chaplain; church contains 300; attendance 200; attends a chapel at seven miles distance; attendance 40.

A Presbyterian minister.

Occasional Wesleyan service.

Church of England Communicants, monthly, from 11 to 18.

## Catholic.

A chaplain; church not yet commenced; service performed in a room of the General Hospital; attendance 200. Service also performed at four stations:—at Irish Flats 20 attend, at Kemp's Creek 30, at Irish Town 20, at Botany Bay 20. Communions for the month, 24.

## Campbelltown.

## Protestant.

A chaplain; church contains 300; attendance 100.

Service performed to a road party.

A Presbyterian minister.

Church of England communicants, monthly, 10 to 15.

## Catholic.

A chaplain; church contains 450 persons; average attendance 300.

Five stations attended monthly, at distances severally of 8, 30, 40, 35, and 54 miles; average attendance at each, from 100 to 250; miles travelled in the year, 2000. Communicants in Campbelltown in the month, about 50.

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| <p style="text-align: center;"><b>Protestant.</b></p> <p>A chaplain; temporary chapel; attendance 35.</p> | <p style="text-align: center;"><b>Catholic.</b></p> <p>A chaplain; church in course of erection; attendance 90; three stations, at distances of 15 and 30 miles, attended by from 30 to 40 persons; miles travelled, about 1040 per annum. Communions per month, about 7.</p> |
|---|---|
- 
- Narellan.**
- |   |   |
|---|---|
| <p style="text-align: center;"><b>Protestant.</b></p> <p>A chaplain attends at seven stations at distances from 5 to 10 miles, and one at 15; at two places 120 each attend; at the others from 20 to 40.</p> | <p style="text-align: center;"><b>Catholic.</b></p> <p>Attended from Campbelltown or Appin.</p> |
|---|---|
- 
- Mulgoa.**
- |  |   |
|--|---|
| <p style="text-align: center;"><b>Protestant.</b></p> <p>A chaplain; church; no returns except of twelve pupils of the chaplains residing in the parsonage Station at South Creek, 11 miles.</p> | <p style="text-align: center;"><b>Catholic.</b></p> <p>Attended from Penrith.</p> |
|--|---|
- 
- Penrith.**
- |   |  |
|---|--|
| <p style="text-align: center;"><b>Protestant.</b></p> <p>Chaplain resides at Castlereagh; church at Castlereagh contains 150; attendance 50, at Penrith from 20 to 60, at Emu Plains 12; occasionally a station 20 miles distant.</p> <p>Wesleyan chapels at Castlereagh and Nepean.</p> <p>Communicants at Castlereagh from 3 to 10.</p> | <p style="text-align: center;"><b>Catholic.</b></p> <p>A chaplain; church in course of erection; service performed in Court-house; attendance 200. Service also performed at Mulgoa, distance 12 miles, attendance 50, and at five other stations, at distances of 8, 7, 15, and two at 20 miles. Attendance from 30 to 50 each. Miles averaged per annum, 4,600 at very least. Communions per month 16.</p> |
|---|--|
- 
- Windsor.**
- |   |  |
|---|--|
| <p style="text-align: center;"><b>Protestant.</b></p> <p>A chaplain; church contains 450; attendance 320; attends Richmond, 5 miles distant, attendance 60; visits Curryjong, 15 miles distant, every fortnight.</p> <p>A Presbyterian minister and a Wesleyan chapel.</p> <p>Church of England communions not given.</p> | <p style="text-align: center;"><b>Catholic.</b></p> <p>A chaplain; church nearly completed; contains 800; attendance 600. The chaplain visits six stations monthly, each having small chapels, at distances from 12 to 35 miles; attendance from 60 to 120 at each. Until very lately, the Rev. Mr. Brady had the Penrith district under his sole care. His travels average 25 miles per day, or 8000 to 9000 per annum.</p> <p>Communions per month 55.</p> |
|---|--|
- 
- Pitt Town.**
- |  |   |
|--|---|
| <p style="text-align: center;"><b>Protestant.</b></p> <p>A chaplain performs duty as far as Sackville Reach, a distance of 14 miles.</p> <p>A Presbyterian minister.</p> | <p style="text-align: center;"><b>Catholic.</b></p> <p>Attended from Windsor.</p> |
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## Lower Hawkesbury.

Protestant. Chaplain attends the Colo and Macdonald branches of the river. A Wesleyan chapel.	Catholic. Attended from Windsor every month.
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## COUNTY OF NORTHUMBERLAND.

## Brisbane Water.

Protestant. A chaplain; performs service in a temporary church and at five private residences, at distances from 6 to 12 miles each. A Presbyterian minister.	Catholic. Attended occasionally from Sydney, distant 33 miles by sea: a church to be commenced.
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## Newcastle.

Protestant. A chaplain; church contains 300 people; attendance 230, afternoon 40; attends a station, distant 12 miles, monthly; and the Williams River, 40 miles, quarterly. Communicants 6.	Catholic. A chaplain and a temporary chapel; attendance 100. Chaplain visits Port Stephens. Communions per month 8.
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There are at Newcastle a large iron gang, a gaol and a hospital.

## East Maitland.

Protestant. A chaplain; church in course of erection; present chapel contains 100 persons, and is filled, some standing outside; has charge also of Morpeth. Communicants not given.	Catholic. A chaplain; church contains 450; attendance 300; the chaplain attends six stations, each once in six weeks—at Richmond Vale, 10 miles, 30 attend; at Sparkes's, 8 miles, 40 attend; at Williams River, 15 miles, 50 attend; at Dungog, 40 miles, 80 attend; at Hinton, 5 miles, 40 attend; at Cooley Camp, 9 miles, 60 attend; travels 60 miles per week, above 3000 per annum. Communions per month 30.
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## West Maitland.

Protestant. A chaplain; church in course of erection; performs a second service at Paterson, 14 miles distant. Officiates monthly at Glendon, 24 miles distant; Patrick's Plains, 5 miles further; Ravensworth, 15 miles beyond; St. Heliers, 22 miles further; Page's River, 17 miles from that station; St. Aubin's, 22 miles from that; Aberdeen, 6 miles from that again; Sherton, 13 miles from the last; occasionally at Jerry's Plains, 9 miles from last station, and Chestnut Park, 7 miles. Two Presbyterian ministers. A Wesleyan chapel.	Catholic. A chaplain; church about being commenced; a temporary chapel; attendance not given, but the number of Catholics is greater considerably, than in East Maitland; visits the following stations:—Black Creek, 16 miles, each month; Patrick's Plains, 31 miles, quarterly; also Jerry's Plains, 17 miles beyond; Merton, 15 miles further away; and Muswellbrook, 20 miles further—making a zig-zag journey of 83 miles from Maitland; Upper Paterson, 25 miles, every six weeks, and Wollombi quarterly; attendance at Jerry's Plains 30; at the other stations, from 70 to 80 each; and more. The chaplain travels on an average 10 miles a day, or 2300 per annum.
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## COUNTIES OF DURHAM AND BRISBANE.

## Hinton.

Protestant.	Catholic.
A chaplain attends the Williams and Paterson Rivers.	Attended from Maitland.
Two Presbyterian ministers in this district.	

## COUNTY OF GLOUCESTER.

## Port Stephens.

Protestant.	Catholic.
A chaplain; church at Stroud contains 200 persons; attendance, morning 130, afternoon 70. Chapel at Carrington, 17 miles distant; contains 150; attendance, morning, 30, afternoon 20. Chapel at Boral, distant 10 miles; contains 150; attendance, 30 morning, 20 afternoon.	Attended from Newcastle.

## COUNTY OF MACQUARIE.

## Protestant.

A chaplain; church contains 600; attendance 250.

## Catholic.

Attended twice a year from Sydney, 200 miles by sea, clergyman paying his own expenses. At this settlement is placed the penal establishment for all especials, or prisoners of the educated class, invalids and cripples. Mr. Broughton enumerates 102 especials; 338 invalids, 64 cripples, and 27 insane. There are a small female factory, gaol and hospital.

## COUNTIES OF BATHURST, WESTMORELAND, COOK AND WELLINGTON.

## Town of Bathurst.

## Protestant.

A chaplain; church contains 300; 'well attended'; officiates at Cooming, 40 miles distant, monthly. A Presbyterian church and minister. A second minister at Cox's River. A Wesleyan chapel.

## Catholic.

Chaplain; church in course of erection; temporary chapel attended by 90 to 100 persons. The chaplain attends 26 stations; Weagdon, 40 miles from Bathurst, Cabee 66, Mudgee 90, Jungy 140, Macquarie's River 120, Summer's Hill 30, a second station six miles distant, Wellington 100 miles, Murrumbidgee 120, Dabbo 130, Werry's Plains 20, another station 27, Gro-bingbon 42, Lachlan 60, Billibula 60, Lachlan River 80, Carryamy 90, Orphan's Creek 25, a second station at 30, Sod Walls 35, Vale of Clwyd 42, Mount Victoria 52, Rose Vale 40, Cherry Tree Falls 70, and Bingan 50 miles; each of which is visited quarterly, together with various small intermediate stations. In a recent private letter the Rev. Mr. O'Reilly says, 'During my last journey I was led to proceed on from one sheep or stock station to another until I found myself 350 miles from home. I found no residence, but many stations, and numbers of Catholics, who often came from distances when they heard of me. I received above 70 to the Sacraments.'

A second clergyman has also been resident two years in this district without any expense to government.

Mr. Slattery performs service at Bathurst when Mr. O'Reilly is absent, and when he returns Mr. Slattery proceeds to visit some of the following eleven stations: first station at 27 miles distance; second at 60; third at 90; fourth at 60; fifth at 35; sixth at 25; seventh at 50; eighth at 35; ninth at 32; tenth at 40; and eleventh station at 35 miles distance—these are all visited twice a year.

Communions per month from 35 to 45.

**O'Connell's Plains.**

Protestant.  
A chaplain and chapel.

Catholic.  
Attended from Bathurst.

**Mudgee.**

Protestant.  
Church erecting.

Catholic.  
Attended from Bathurst.

**COUNTY OF CAMDEN.**

**Sutton Forest.**

Protestant.  
A chaplain; chapel contains 70; attendance from 30 to 40; church in course of erection.

Catholic.  
Attended from Campbelltown or Appin.

**Berrima.**

Protestant.  
A chaplain who also attends Bong Bong.

Catholic.  
Attended from Campbelltown.

**Illawarra.**

Protestant.  
A chaplain resident at Wollongong attends this district.  
A Presbyterian minister and chapel.

Catholic.  
A chaplain; church in course of erection at Wollongong. Temporary chapel attendance 200; officiates weekly at Dapto, 8 miles, attendance 120; at Jambaroo, 25 miles, monthly, attendance 80; at Shoalhaven, 50 miles, monthly, attendance 100; average travelling per annum, 3252 miles. Communions per month in the district, 45.

**COUNTY OF ARGYLE.**

**Goulburn.**

Protestant.  
A chaplain; a church; chaplain officiates also at three stations within 15 miles, once or twice a month; at two stations once in six weeks, one 25 miles distant, the other seven miles distant, he in the year officiates in five more distant stations, at from 5 to 15 miles from each other.  
A Presbyterian minister and place of worship.

Catholic.  
A chaplain; a church about being erected. The chaplain in transmitting his baptismal reports for the year, states that they were performed in five counties, whilst travelling over a space of 10,000 square miles; and with the view of dissipating any impression made by Mr. Burton's insinuation, that the Catholic priest of Goulburn resides at Yass, 60 miles off I shall give an extract from the Rev. Mr. Lovat's report of his missionary duties for three months, merely remarking that they are the first I

light upon, and that the rest of the year's labours are much of the same tenor: 1839. Nov. 7th. Goulburn, 125 miles from Sydney. 9th, Ryan's,

10 miles from Goulburn; 20 or 30 persons attend. 11th, Bungadore, 40 miles from Goulburn; 12 to 24 persons attend. 12th, Gundaroo, 20 miles from Bungadore; about 12 persons attend. 13th, Yass, 27 miles from Gundaroo, from 20 to 30 persons attend. 14th, Fitzgerald's, 25 miles from Yass; about 12 persons attend. Same day to Jugion Creek, Murrumbidgee River, 20 miles or even more from Fitzgerald's; about 20 persons attend. 15th to Yass, 40 miles; 16th to 17th at Yass. 18th to Goulburn, 60 miles. 19th to Mr. Faithful's and back; 20 miles. 20th, 21st, 22nd, 23rd, at Goulburn. 24th, Carey's, Lake George, 30 miles; 12 to 16 people attend. 25th, Bungadore, 25 miles from Carey's. 26th, Molonglo, 14 miles from Bungadore; about 20 or 30 persons attend. 27th, Queanbeyan, 12 miles at least; about 20 persons attend. 28th, Yarralumla, Limestone Plains, 10 miles; about 6 or 8 attend. 29th, Yass, 40 miles at least from Yarralumla. Dec. 2nd, Gundaroo, 27 miles from Yass. 3rd, Goulburn, 45 miles from Gundaroo. 6th, Bungadore, 40 miles from Goulburn. 8th, Molonglo, 14 miles from Bungadore. 9th, Queanbeyan, 12 miles from Molonglo. 10th, Gap, Lake George, Carey's, 25 miles at least. 11th, Goulburn, about 40 miles. 12th, Gunning, 30 miles from Goulburn. 13th, Yass, 30 miles from Gunning. 14th, 15th, Yass. 16th, Goulburn, 60 miles from Yass. 26th, Ryan's, 20 miles there and back. 28th, Gunning, 30 miles from Goulburn. 29th, Yass, 30 miles from Gunning. 30th, Gundaroo, 27 miles from Yass. 31st, Ginnindery, Yarralumla, 40 miles from Gundaroo.

1840.—Jan. 1st, Yarralumla. 2nd, Queanbeyan, 10 miles. 3rd, Bungadore, 20 miles, and Goulburn, 40 miles. 5th, Maquirks, in Georgiana, 40 miles from Goulburn; about 20 persons attend. 7th, Binda Vale, 12 miles further. 8th, 9th, Maquirks. 10th to Hogono, to Richlands, at least 25 miles at Hogono, 12 at Richlands; 30 or 40 attend. 12th, Goulburn, 40 miles from Richlands. 19th, Gunning, 30 miles from Goulburn. 20th, Yass, 30 miles from Gunning. 21st, Geelong, Ryan's E., 40 miles from Yass. 24th, Burowa Plains, &c., 60 miles journey to and fro. 26th, Geelong; 25 to 35 persons attend. 27th, Mrs. Russell's, 10 miles from Geelong; 12 persons attend. 28th, Fitzgerald's, 8 or 10 miles from Russell's. 29th, Jugion, 25 miles from Fitzgerald's. 30th, Gobaralong on the Murrumbidgee, 12 miles from Jugion; 15 to 20 persons attend. 31st, Kilamacat, 15 to 16 miles up the Toomal; about 12 persons attend.

Feb. 1st, Bombala Plains, 15 miles at least; same day back again to Darbalara, about 25 miles; 6 persons attend next day. 3rd, Money Money Flat and Burburrowa, Cane's, Port Phillip-road; 10 or 12 persons attend. Traffes, 8 or 10 persons attend. 5th, Fitzgerald's, 35 miles. 6th, Yass, 25 miles. 10th, Goulburn, 60 miles. 17th, 10 o'clock p.m., to Molonglo, 54 miles from Goulburn. 18th, 12 o'clock at noon to Goulburn, 54 miles, arrived twelve o'clock at midnight. 19th, Bamballa in Camden, 30 miles from Goulburn. 20th, by Mr. Barber, Mr. Shelly's, to Goulburn, about 35 miles. 23rd, Carey's, near Lake George, 30 miles from Goulburn.

#### COUNTY OF KING.

Protestant.

A chaplain at Arkstone Forest; travels from house to house; frequently going from 10 to 30 miles to hold an afternoon service.

A Baptist minister on the River Crookwell.

Catholic.

Attended from Goulburn or Yass.

#### COUNTY OF MURRAY.

Yass.

Protestant.

A chaplain who visits the different stations within 30 miles.

Catholic.

A chaplain; church to be commenced; the chaplain's duties are of



the same character, and to the same extent, as those of the chaplain at Goulburn; each takes the other's place when absent. Without this arrangement, such labours could not be performed. Mr. McGrath has travelled as far as Twofold Bay. Communion in the two districts in the course of three months, 102.

## Queanbeyan.

Protestant.	Catholic.
The chaplain itinerates through the south-east part of this country.	Attended from Yass and Goulburn.

## COUNTY OF BOURKE.

## Port Phillip.

Protestant.	Catholic.
A chaplain; church in course of erection. Presbyterian minister. Wesleyan and Independent chapels.	A chaplain; temporary church; attendance 700; three services on Sunday; two on week days. Communion average 50 monthly. A second clergyman, without government aid, attends Geelong, &c.

In giving this account, I have condensed the prolix narration which Mr. Burton has given of the labours of the Church of England; without omitting, that I am aware, any of the facts; and have simply supplied his omissions respecting those of the Catholic clergy . . . . It should be remembered that most of the Catholic missions are of very recent formation. It will be seen that with every disadvantage of mere commencement, want of churches, comparative fewness of clergy, and extent of their travels from home, Mr. Burton, in returning the numbers attending the Catholic congregations, even on the Sunday alone, and at the places of residence only of the clergy, ought, in justice, to have returned the number of the Catholic churchgoers as being, at the very least, equal in amount to that of the Church of England. And, if we add to this the stations and establishments, this number will be about doubled. . . . ."

Very long, and possibly very dry, those carefully prepared tables put us in possession of the facts of religion in general, and of the mighty deeds of those early confessors of the faith of Christ. They are full of inspiration to this generation; they are of stirring interest to those in quest of local history. But the toll was great. Dr. Polding in an official letter to the home Government had to write:

" . . . the labours of the Clergy are at present of that character, that, unless further assistance be obtained, it is to be feared that many in a few years will be rendered incapable of duty. Already the health of several has given way owing to the intense and increasing fatigue they have to undergo. . . ."

J. J. McGOVERN.

# Industry in Organic Society

## *Summary:*

Vocational groups are required by the Catholic programme of Reconstruction.—Terminology may be obscure, but the teaching is clear.—Vocational groups and their mediaeval archetypes.—Current English doctrine and its conflict with Catholic teaching.—Papal teaching on the character, rights and limits of vocational groups.—The place of the groups in organic society.—Their function in effecting social peace.—Where other efforts at peace are foredoomed to failure.—Modern experiments at establishing groups in European countries.—Especially in Italy and Portugal, which countries show marked contrasts in principle and practice.—Recent English experiments, e.g., the Whitley Councils and the Lancashire Cotton Board.—Australian prospects.

The Church's plan for the reconstruction of society, as outlined in Papal pronouncements, includes measures of two types. One type concerns the interior life of man; the other concerns his social life. The social measures in turn fall into two divisions. One set of measures may be described as remedial, and is intended to deal immediately with evils that have declared themselves. The other set of measures may be called preventive, and is directed to reorganising society in such a way as to remove the causes from which these evils spring. Among measures of this kind is the ordering of society along functional lines. Industrial and professional life are to be organised in such a way that social activity will be guided by union in function rather than by division into classes. At present industry is dominated by the division between employer and employed. That distinction must remain; but the Catholic plan introduces a force towards unity that will be stronger than the force towards division. What unites men in industry is common occupation. The vocational structure of society emphasises this community of function. The purpose of the vocational group is, while leaving classes distinct, to lay emphasis on what will lead to harmony between the classes, and eradicate class warfare. This positive programme of the Church needs to be given the prominence which it finds in the encyclicals. It is futile to condemn Communism unless we can put forward counter proposals to deal with evils that clamour for remedy. Most of the Communist supporters among the employed class have been drawn to their allegiance because they have been made familiar with the Communists' delusive but plausible proposals for a new social order. We need to proclaim and justify the Catholic alternative scheme. Otherwise the Communist will win by default.

A preliminary difficulty to the study of the Papal proposals is one

of language, a difficulty which leads to some confusion of thought. The word "corporation," which some writers use to describe the proposed industrial groups, is good scholastic phraseology, but has other connotations in English. It suggests to the English mind a type of city government rather than a vocational group. To the American it has an unwholesome association with those large scale monopolies which are among the very types of industrial organisation most foreign to the Catholic idea. Again, so used have we grown to identify society with the State that the phrase "corporative society" suggests that the Catholic idea is the setting up of some form of Fascist State, with an organisation like the present Italian system. But the Catholic system is one that may be established under any lawful form of government and, as we shall see, the Italian adaptation of the vocational groups meets with Papal disapproval just so far as the groups have been made a subordinate department of State bureaucracy. It must be understood that it is a corporate form in society, not in the State organisation, that is proposed. Its place in a political organisation is a matter of indifference. The current tendency in English writing on Economic Planning is to call the system "corporativism." The word is awkward, but so far no better one has found favour to describe the hierarchy of correlated groups, internally autonomous, but working towards general unity and well being.

To avoid confusion of thought and to get a suitable historical background the student of the Catholic scheme must have a sufficient knowledge of the structure, functions and actual operations of the old Craft Guilds. Such guilds were the basis of society in the mediaeval world, and though practically destroyed in England at the Reformation, they survived in France till 1791, in Germany until the Industrial revolution affected that country. In Portugal Pombal weakened their influence, and they were abolished by the anti-Catholic legislation of 1834. It is plain that both Leo XIII and Pius XI have the mediaeval organisation in mind. But only a dreamer given to idealising the Middle Ages would think of actually restoring the guilds as they were. The very word "guild," felicitous as it is in many ways, suggests to some writers something mediaeval, and, by implication, something unsuited to the modern world. But whatever names we use it is clear that the Popes, in their contemplated reform of society, have in mind the recall of the spirit and ideals which lay at the back of the mediaeval guilds.

They contemplate such a society as would exist had the guilds been allowed to evolve through the changing conditions of the world. For example, Leo XIII, having in mind the destruction of the French Guilds by the laws of 1791, writes: "The ancient working-men's guilds were abolished in the last century, and no other organisation took their place. Public institutions and the very laws have set aside the ancient religion. Hence by degrees it has come to pass that the working-men have been surrendered to the hard-heartedness of employers and the greed of unchecked competition," and again, "History attests what excellent results were brought about by the artificers' guilds of olden times. Such unions should be adapted to the requirements of this our age, an age of wider education, of different habits, and of far more numerous needs in daily life." Our present Pope enlarges on this idea: "The highly developed social life which once flourished in a variety of prosperous institutions organically linked with each other, has been damaged and all but ruined. It is indeed true, as history clearly proves, that owing to the change in social conditions, much that was formerly done by small bodies, can nowadays be accomplished only by large corporations. None the less it is an injustice, a grave evil and a disturbance of right order for a larger and higher organisation to arrogate to itself functions which can be performed efficiently by smaller and lower bodies. The aim of social legislation, therefore, must be the re-establishment of vocational groups . . . . There cannot be question of any perfect cure unless vocational groups come into being anew, binding men together, not according to the position they occupy in the labour market, but according to the diverse functions which they exercise in society."

We may take it then that a Catholic who wishes to think with the mind of the Church will interest himself in current movements for the establishment of a guild social order. Unfortunately in Australia there seems to be but little knowledge of or interest in foreign practice and experiment in this direction. Yet abroad both in theory and practice there is a pronounced tendency towards some form of corporative society. The guild, as understood in history and in current theory and practice, is a body uniting in itself all those engaged in any industry or profession, a body autonomous in matters that concern the industry or profession, a juridical body with legal powers conferred on it by the State, a body coming under State control only when its activities con-

flict with the general good or when friction between it and another guild cannot be removed without State intervention. In industry, as distinct from the liberal professions, the guilds presuppose active Trade Unions and Employers' Associations. Unless the Trade Unions are strong and vigorous there can be no guild. The guilds themselves are hierarchical—that is, they group within themselves divisional, territorial and local guilds of their own type. They group men according to function or occupation, not according to class. As is said, they divide society vertically, not horizontally. They do not envisage society as a series of stratified layers in which are found only employers or employees. They cut across the class division of Capital and Labour. They regroup men according to industry, giving all in an industry influence in matters of wages, conditions, administration and control.

In Europe a number of prominent Catholic social students, de la Tour du Pin, de Mun, Ketteler and others interested themselves in the revival of the idea of a guild form of society. It is not surprising that in England, where, more than elsewhere, the guild was for centuries the mould of social life, students have taken keen interest in the history and future prospects of the guilds. It is through the English movement that our Australian conditions are most likely to be affected. Ruskin and William Morris are the first of the moderns who turned their minds towards the possibility of introducing in England a new economic order based on the guild. Ruskin in his "*Fors Clavigera*" is troubled at the loss of human dignity when man is engaged in mechanised labour. Morris is still more moved by the remembrance of what the guilds did in promoting individual pride and love of beauty in craftsmanship. To him more than to any other man is due the impulse towards a new order in England. But it is thanks to Mr. A. J. Penty and his book, "*The Restoration of the Gild System*," published in 1906, that wider interest was awakened. From that year until his recent death Mr. Penty was at war with Shaw, the Webbs and the whole Fabian school. In the columns of the "*New Age*" the Fabians and the "*Mediaevalists*," as the Fabians styled their opponents, carried on a long conflict. It was in these discussions that Mr. Belloc first made his mark as the champion of a new era. The industrial problems that arose during and after the war drew attention to the need of radical reconstruction. A Minister of Reconstruction appears in the British cabinet in 1917, and, though he had a practical task and was not meant to deal with the basis of the social order, the inquiries which he instituted

brought the Guild System to public notice. Attention was next attracted by a brilliant writer on Economics and especially on Economic Planning, Mr. G. D. H. Cole, then a fellow of Magdalen College. He added to wide historical knowledge a constructive ability which more people have remarked in his detective stories than in his economic writings. Cole and Penty were never agreed as to the type of Guild Society they proposed to establish. To the end Penty fought for what he considered to be of primary importance, the multiplication of small guilds on mediaeval lines. Cole and his followers favour a few dominating guilds. Cole's scheme, the most detailed and widely known of English proposals, has in view the establishment of twenty-four guilds. Of these six are professional guilds, one each for Civil Service, National Defence, Education, Law, Medicine, Domestic Service. One industrial guild is assigned to each of the eighteen sections into which he groups related industries. These eighteen guilds would replace the 1153 Unions at present associated with these industries. He envisages all citizens in their producing capacity. His guilds deal with the whole ordering of production. The elaborate guild machinery is crowned by a Producers' Parliament, elected by the guilds and therefore representing men according to their vocational interests. This is to have the supreme direction and control of production and industry. A vaguer Consumers' Parliament of a territorial character is to be responsible for foreign and international affairs, the Producers' House being concerned only with the internal life of the nation.

At first sight, despite some obvious differences, it might seem that this scheme of Mr. Cole would give us a working system roughly on the lines of the papal pronouncements. Indeed again and again in the writings of the Cole Guildsmen we seem to be reading paraphrases of Catholic documents. For example, Mr. Cole writes: "Guildsmen are seeking to formulate for modern industrial society a principle of self-government analogous to that which was embodied in the Mediaeval Gilds . . . a great and valuable principle which the world has forgotten . . . They are not out to restore the Middle Ages, but they are setting out to find a democratic form of industrial activity which will spring from the principle which inspired the economic system of mediaeval Europe" and, in his latest book on the "Principle of Economic Planning," he writes: "In the long run the aspiration of a planned economy must be to make each industry to the fullest possible extent a democratic self-governing Gild, responsible on matters of public policy

to society as a whole, but left free in the execution of the policy prescribed to it by society to manage its internal affairs in its own way." While such citations show a remarkable movement in economic thought it is important to notice that the superficial resemblance to Catholic teaching covers a profound diversity. For the peculiar aim of the English Guildsmen is not Gild Society but Gild Socialism. They propose to end the evils of Capitalism by ending Capitalism, or rather by substituting the State as capitalist in place of the private individual or monopolist. They propose that all the means of production be the property of the State and that the guilds rent from the State the means of production proper to their respective industries. This rent is to take the place of all the rates and taxes at present levied for the expenses of the national life. It is obvious that in such a scheme the Catholic concept of the guild is profoundly altered. There is no such historical analogy as Mr. Cole supposes between his guilds and the guilds of the Middle Ages. The mediaeval guild was a union of those who held private property or who had aspirations towards it. The safeguarding of private property was one of its chief duties. Any economic movement which threatened private property, any competition which threatened the independence of the guildsman by putting him in an unequal position in the market for raw material, any price-cutting to corner trade, any adoption of slipshod standards of manufacture and consequent capture of the market by cheap but inferior goods—all these threats to a secure ownership of private property were among the transactions which the guild checked, which it punished even by expulsion and consequent exclusion from trade. Mr. Cole's work is interesting as showing the movement of economic thought. But it provides still another warning of the importance of caution in welcoming apparently sound proposals. It is essential to look up the genealogy of such proposals and to trace them back to the principles from which they spring.

The Catholic proposals differ widely from those just discussed. The Catholic proposals rest on various interlocked doctrines concerning the nature and function of the State, the right of private ownership, the morality of Capitalism, the injustice of irresponsible dominion, the demand for a widely distributed ownership in place of the concentrated ownership or control with which we are familiar in the modern world. The Catholic doctrine is that it is normal and natural for man to find himself in various associations: he is a social animal: co-operation in various forms arises out of his nature. Of this inborn propensity we

can give many illustrations. The most natural of all associations is that of the family where husband and wife form a union for mutual comfort and the care of offspring. Even the Communist in his strongest insistence on State Absolutism has not been able to reject this association, much as he modifies its structure and curtails its function. Again territorial association is one into which men naturally fall. Municipal and national groups are a natural exigency, arising from proximity and the need of mutual help for defence and for a well-ordered life. The practice of the moral and religious life is difficult and practically impossible without union—and the need is satisfied by the supernatural society called the Church. The State is, in scholastic teaching, a natural society in the sense that as human life evolves and becomes more complex, other natural societies, the family or the municipal society, are insufficient to safeguard human welfare. The State has the natural function of supplying what is defective or inadequate in these minor societies, of securing their harmonious operation and co-operation, of providing and maintaining the environment described in St. Augustine's phrase as "ordered tranquillity."

Now among minor or imperfect societies which are rightly styled natural come societies of the guild type, societies which arise naturally among those engaged in common occupation. In *Quadragesimo Anno* the Pope writes: "Just as the citizens of the same municipality are wont to form associations with diverse aims, which various individuals are free to join or not, similarly those who are engaged in the same trade or profession will form free associations . . . to prepare the way towards realising the ideal of vocational groups." He goes further in writing to the Bishop of Lille and lays down that the forming of joint guild councils is a natural right. Finally he quotes with approval those who hold that the fully formed vocational groups are the natural and spontaneous development of civil society. That the guilds were a natural development is borne out by all that can be discovered about their origin. The very diversity of accounts of their origin indicate that they arose in response to diverse needs. The individual required assistance, protection, security and peace in his industrial as well as in his other civic activities. This he secured through his Craft Guild.

But the scholastic doctrine of the State provides a limitation to this natural right of the guild. There is a danger that the guild should be selfish, look only to its own good, trespass on the good of other associations. The function of the State being to secure the common good,



the guild had to accept the control of the State whenever its action concerned the common well-being. Its autonomy was not irresponsible. The State had the natural but restricted right of control, the right to interfere where any association, industrial or professional, operated to the hurt of the commonality. Outside such cases the State had not the duty, had not even the right to interfere. Just as we Catholics insist that, if the common good is safeguarded, the State may not interfere with the family in the matter of education, so the State should not interfere with the autonomy of the guild in its natural sphere. The guild, like the family, is a natural association, the right to form which is prior to the State and does not come from the State. The State merely gives it juridical recognition and regulates its public action.

All this doctrine is expressed in other language by the Catholic concept of society as something organic, as more than a mere aggregation. The analogy from the bodily organism is universal in the scholastic account of civic life. The body consists of a number of members, each engaged in its own appropriate task, yet each contributing to and subject to the common good. The functions of the organs are diversified. The various cells enter into the unity of the body through their relation to the particular organ of which they form a part and which they serve. In this sense the State is said to be organic. Man enters into it not merely as an individual but through his social functions and contacts. This character of the State has been almost lost sight of in our time. Universal suffrage has emphasised man's individual citizenship and his immediate relation to the State. It may be said that we have, to some extent, sacrificed what was best in democracy by making a fetish of democracy. We have diminished the value of democratic institutions in which the citizen played a real part and fobbed off on him a form of society, democratic in name, but in which the individual's influence is really negligible.

It is to the re-establishment of an organic form of society that the Catholic programme is directed. It proposes to diminish the functions of the State but to strengthen the democratic institutions that operate as its organs. The Pope's own words are: "When we speak of the reform of the social order it is principally the State we have in mind. Not indeed that all salvation is to be hoped from its intervention, but because on account of the evil of 'individualism' as we called it, things have come to such a pass that the highly developed social life which once flourished in a variety of prosperous institutions organically linked with one an-

other, has been damaged and all but ruined, leaving thus only the individuals and the State. Social life has lost its organic form; the State, encumbered with all the burdens once borne by associations rendered extinct by it was, in consequence, submerged and overwhelmed by an infinity of affairs and duties. . . . The State should leave to . . . smaller groups the settlement of business of minor importance: it will thus carry out with greater freedom, power and success the tasks belonging to it, because it alone can effectively accomplish these, directing, watching, stimulating and restraining, as circumstances suggest or necessity demands. Let those in power, therefore, be convinced that the more faithfully this principle be followed, and a graded hierarchical order exist between the various subsidiary organisations, the more excellent will be both the authority and the efficiency of the social organisation as a whole and happier and more prosperous the condition of the State."

The question naturally arises, what would be the form of society if the proposals for re-establishment of vocational groups were put into practice. There are two reasons why the answer to such a question will not be found in a Papal document. The first is that the Pope writes as a moral guide. He makes it plain that the peculiar task of the economist or of the politician lies outside the province of the Church. Secondly, he writes as a Catholic or universal guide. No detailed plan can possibly be given applicable to the whole world. The wide variety of conditions makes that impossible. Even within narrow limits reflection and experience show that uniformity in pattern is undesirable and unworkable. The principle stands: its application must be as varied as localities. But we may make certain general deductions from the principle. The idea of the guilds was autonomy in industry. In the time when industry was locally restricted local organisation was sufficient. But in our time it is clear that the growth of industry, increased ease of communication, the mutual influence of conditions in various parts of a country make necessary a form of organisation that shall be both national and local. The experience of the Whitley Councils in England makes this plain. But though the guilds must be widened the essential idea remains—namely that the only way to peace in industry is that all those engaged in industry shall unite in the ordering of the industry. The definition of peace as "the tranquillity of order" contains two notions. The first is tranquillity. Under our present system tranquillity cannot be secured. The Trade Unions were fashioned as a

necessary weapon of war. They were born of hostility and carry with them the tradition of war. Industrial peace is regarded as a respite between industrial struggles. Tranquillity means more than a truce: it means a state in which unrest is abnormal, in which disturbance is not expected to occur. Now peace of this type cannot be imposed by outside authority. It is never surprising to read that the Trade Unions have lost confidence in the Arbitration Courts or that the employers feel that they regularly stand to lose when their case comes before the Industrial Judges. St. Thomas judged human nature shrewdly when he says that tranquillity cannot be secured by the authority of another's will. It is only when there is interior harmony that peace is secure. To continue the metaphor of the organism, doctors tell us that their task as physicians is to provide such conditions, interior and exterior, that nature may work out her own healing. In the same way industrial peace will only be secured when a single interior purpose effects it, the purpose of the joint will of all concerned in the industry. The State cannot impose peace. It can only make it possible for the parties to work out their own salvation.

The second notion of peace is that the tranquillity must be orderly. This brings us to the important observation that a vocational group is not, as some seem to think, a confused aggregation of workers, owners, administrators, technicians. The existence of the separate orders within the guild is a requisite for the working of the Pope's idea. As the French Catholic Social Organisation puts it: "There must be a free Union in an organised profession." Order, as St. Thomas reminds us, assumes plurality of parts. The Guild Union is not meant to destroy the parts but to interlock them. Failure to appreciate this is one cause of the suspicion with which organised labour looks on the new proposals. Nor is this suspicion unfounded. For some sham guild systems have been anti-Trade Union. In Italy where there has been set up a social order with a superficial resemblance to a guild system no activity of constituent organs is allowed within the guild. That is always to be expected in any Totalitarian State, whether Fascist or Communist. Such a form of guild society is the subject of Papal disapproval. In Austria, where the Trade Unions had become Communist in all but name the Chancellor, Dolfuss, had, in desperation, contemplated the dissolution of the Unions. Hence the friction which both he and his successor, Schuschnigg, experienced in their attempts at reconstruction. The Pope lays down as essential to his scheme that the Trade Unions

should be strong and active. In the *Quadragesimo Anno* he dwells at length on the growth, importance and success of these Unions and regrets that corresponding organisations are not more widespread among employers. For it is only when Unions of both types exist that a natural transition can be made to the Vocational Group.

The Vocational Group is therefore a body in which the different parts function at the same time for their individual purposes and for the common good. They differ from mere Unions or Joint Councils in this, that they have far wider powers extending through the whole industry and that their powers are legally guaranteed to them.<sup>1</sup> They have a juridical status with the right to make laws, to enforce decisions, to impose penalties throughout the whole range of matters that concern the industry. This autonomy extends not only to such matters as wages and labour conditions, but to the whole life of the industry, the control of competition, of marketing, of access to raw materials, of insurance. In such matters the State should not interfere. A single comment from abroad on our Australian economic life points to the sharp difference between the ideals of individualistic and organic States. The "Catholic Democrat" commends New South Wales and New Zealand for their attention to Child Endowment, but considers that the State schemes are a step to the coming of the pauper State, the "Servile State," as Belloc calls it. The schemes make the family a dependent of the State. The true system is that the family should depend on its own industry for its support. That is the purpose of industry. The true scheme of Child Endowment should be based not on a State scheme but on an industrial scheme. Just as under the mediaeval guilds the relief of poverty was the function of the industry and not of the State, so in our time, were the guild system introduced the whole of that side of life which we gather under the head of social services would fall naturally to the care of that unit of industry to which the beneficiary was socially attached.<sup>2</sup> This remark applies also to our scheme of National Insurance which, while a necessary corollary of the present social system, is likely to forge new fetters to bind the worker to a Servile State.

As we have said already the working out of the principles and

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<sup>1</sup>How far their powers spring from the nature of the guilds or how far they require the authority of the State seems not to have been discussed by writers. With our modern mentality it is plain that the easiest way to establish guild authority is by an act of the State authority. But it might well be argued that the right to authority is as natural within the guild as it is within the family.

<sup>2</sup>In Portugal, as we shall see later, the Guilds actually control social services.

practice of a guild system is a long and specialised study for economists. Perhaps the best theoretical advance has been made in the Congresses of French Catholic Social Students. A good outline of their ideas will be found in the "Christian Democrat" for 1935 and would make an excellent outline of study for such student groups as wish to pursue the matter as part of their education for Catholic Action. A summary of the position is this. The ultimate form of society must be either a State that is totalitarian in fact though perhaps not in name, or an organic form of society in a democratic State. An individualistic and Capitalistic State makes futile efforts at solving social and industrial problems. Long experience shows that the efforts of such a State do not assure peace. The State, in its well-intentioned efforts, always regards worker and employer as necessarily divided in interest. It spends its time in patching up temporary conditions of peace: but it has no hope of removing the deep-seated hostility of the parties. It has practically fixed the division of the industrial world into two scowling sections. It has emphasised the points of division and has allowed to pass from sight the fundamental principle of unity—that, while from one point of view men are separated, they have common ground in this, that both classes depend for their well-being on the good order of the industry in which they are jointly engaged. The Pope bluntly states the position in which, after all our efforts, we now find ourselves: "Society to-day remains in a strained and therefore unstable condition, being founded on classes with contradictory interests, hence opposed to each other, and therefore prone to strife . . . . To this grave disorder which is leading society to ruin, a remedy must evidently be applied . . . . The aim of social legislation must be the re-establishment of vocational groups . . . . to abolish conflict between classes with divergent interests and thus foster and promote harmony between the various ranks of society." The Pope would have men enter the social order not in virtue of class conditions which divide them but as members of the industry which unites them.

What are the prospects of the proposed system being introduced into the modern world, the question which is at the back of our minds all the time? The prospects are far more hopeful than we in this country might imagine. Cut off as we are from the world where these questions are agitated, familiar with a press that is uninformed or uninterested, we might think that we are occupied with the discussion of merely Utopian ideals. Far from it. The system we are discussing has already been established fully or in part, in various countries. But

its mode of establishment has not, as a rule, been in the manner the Pope wished. It is clear that, in practice, the guild system cannot be set up except by State intervention. For the guilds must get their powers by statute. But normally the State should not be called on to legalise a guild until the industry itself has so far progressed that it freely seeks reorganisation in the new manner. Unfortunately most of the attempts at introducing a Guild Society have, except in England, been attended with compulsion. The organisation lacks that spontaneity and elasticity which should belong to the guild as a natural growth. This historical fact means that, in the popular mind, the guild system is likely to be associated with dictatorships and the Totalitarian State. But in truth the guild system and State domination are contradictory. In discussion we need especially to repudiate the Italian system, to insist that though Catholic Italy has some sort of guild system and a guild state, it has neither a guild life nor a guild society. There the system was introduced hurriedly as the only alternative to anarchy; but it has never been allowed to escape the circumstances of its birth. Even the Labour Charter of April 21st, 1927, with all its high-sounding phrases about freedom and non-interference, states explicitly that the "political interests of the State entitle the State to interfere with the working of the guilds." Speaking in the Senate in January, 1934, Mussolini referred to a time when the guilds would be free from control. In March, 1936, he promised that when the African war was completed and the state of Europe more peaceful, the guild system would be crowned by the setting up of a supreme National Guild Chamber. But even though he is fulfilling this promise the Italian guilds are so constituted that they function as an implement of State policy. Nor does there seem to be any intention of allowing autonomy except to small or medium-scale industry. Mussolini's own words make it clear that in most types of industry government intervention will, in his own words, be by "direct management, by indirect management, by effective control, or by joint ownership shared by the Government and private stockholders." True, he says that the Government will only control such industries as are directly or indirectly connected with national defence, but it is hard to think of any industry of importance which does not in our time, come under one of these heads. In any case the existing guilds, while supposed to be free from State control are really in State hands. Each Italian guild is presided over by a Cabinet Minister. The Vice-President of each guild is selected from the executive of the

National Fascist Party. Three members of the Party, "representing the public," sit on each of the boards. It does not take much imagination to estimate the degree of autonomy possessed by a guild under such influence. But the Pope and Italy are so confused in the popular mind that we must constantly insist that the Pope's idea is not the Corporative Society of the Italian system. The Pope expresses himself with vigour and courage when he writes: "We feel bound to add that to Our knowledge there are some who fear that the State is substituting itself in the place of private initiative, instead of limiting itself to necessary and sufficient help and assistance. It is feared that the new syndical and corporative institution possesses an excessively bureaucratic and political character, and that, notwithstanding the general advantages referred to above, it risks serving particular political aims rather than contributes to the initiation of a better social order."

Before examining the real progress that has been made in Portugal and England, we may glance at other countries. In Australia the functions of Joint Boards are so narrow that we need not delay over them. The most enlightened scheme is in operation for the Broken Hill mining industry. There are some interesting features in the legislation of the present New Zealand Labour Government. There the Industrial Efficiency Act arranges for the establishment of a Bureau of Industry in which specially qualified public servants will join with representatives of both employers and employees in the industry concerned. Among the very wide functions proposed for the Bureau are the setting up of Committees for particular industries, the planning of industrial organisation, the control of training, research, purchase of raw material, marketing. Committees appointed by the Bureau must, when required, submit their plans for reorganisation, but only after they have been approved by a majority of principals and employees. The whole scheme is bureaucratic and far from a grant of autonomy to industry; but it represents an advance and, while deprecating its totalitarian tendencies, we may commend the idea which the government puts forward, that "The State, the employers and the workers in each industry should through representation and the Bureau, work for the general welfare and not merely for the welfare of the employers engaged in a specific industry." As the Opposition is said to favour some form of vocational scheme it may be that New Zealand will be an economic laboratory for the Empire.

In France, Germany, Bulgaria, Belgium, Holland, Canada, Switzerland and Brazil, advances towards a guild system have been made in varying manner and degree. It is worthy of notice that in France and Germany the governments have set up organisations on guild lines, not with the purpose of giving autonomy to industry, but to provide machinery for the election of National Industrial Councils. These governments realise that no Cabinet Minister can be expected to be an industrial expert; nor can a civil servant, however loyal and experienced in administrative work, have first hand knowledge of industrial conditions and needs. The function of the German Industrial Councils is to advise on all legislation dealing with industry, prior to its presentation to the legislature, and to originate legislation for economic well-being. We may also notice that the new constitution of Eire arranges for 43 of the 60 members of the Senate to be elected from panels of candidates having practical experience in various types of professional, industrial and administrative life; and that Article 19 of the Constitution reads: "Provision may be made by law for the direct election by any functional or vocational group" of certain members of the Irish Senate.

Portugal and England merit closer consideration. The mass of literature that is appearing on the new Corporative Order in Portugal shows with what interest the social system set up by Salazar is being studied in Europe.<sup>3</sup> That Portugal has rapidly passed from a state of economic and social misery to the position of one of the most prosperous and happy countries in the world is a generally recognised fact. Not all critics are prepared to admit that the change can be certainly ascribed to the new factor introduced into her life by Salazar, the Guild System. But we may note the cautious yet weighty words of Mr. A. H. W. King in his report to the British government (July 1936) on "Economic and Commercial Conditions in Portugal." He writes: "The future of both government and people is brighter than it has been for decades and unless there is a reversion to old systems and policies, it is not too much to say that Portugal has at last seen the dawn of a new era." This expert, at any rate, connects the extraordinary change with the abandonment of the old system. The story of the change may be summarised. On 27th May, 1926, Marshal da Costa effected a revolu-

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<sup>3</sup>It would be truer to say "restored" rather than "set up." Portugal, in her great days had a vigorous Guild life. It was weakened by Pombal and abolished in 1834. The best books on the Portuguese system are: "Portugal," by de Reynold; "Economic Planning in Corporative Portugal," by Freppel Cotta; "The Portugal of Salazar," by Michael Derrick.



tion and cleared out the Communist-Freemason gang that had put Portugal to shame in the eyes of the world. Elected President on March 25th, 1928, General Carmona summoned Salazar from Coimbra where he held the chair of Political Economy and Finance in the famous Catholic University. He had previously been given office but retired when he found his powers too limited. On April 28th, 1928, he took office with real power. He was occupied with finance for five years in a country that had not known a balanced budget for nearly a century. Such was his success that when Mr. Chamberlain made his boast that England (which of course had repudiated its external debt) had balanced its budget for two years in succession, the Portuguese Minister of Finance ironically remarked that an English Cabinet Minister could hardly be expected to know that "England's oldest ally" had done the same. While attending to finance, Salazar set about re-establishing the primary and secondary industries of the country. For that purpose he imposed the guild system of autonomy and responsibility in industry. There is a grimly practical sound in the statement that the first industries to come under the new scheme were the export industries in wine and sardines. Salazar in laying down five fundamental principles of reconstruction places as his fourth: "Liberalism has set up a fiction, the citizen as isolated from the family, from his profession, from his class, from economic collectivity, from civilisation, in a word from life. In future the basis of the State will be the family . . . the first of the organic elements of a constitutional State. Above the family are the natural associations which civilisation has instinctively created. The State will seek not only to protect them, but to multiply them still more, to enlarge them that they may again become the scaffolding of the nation . . . They are to participate by their representatives in the Parliamentary bodies. Through them only can the Corporate State be built."

What makes Salazar's work of special interest is that he never considered political dictatorship or economic compulsion as anything but a temporary expedient. In a well-known phrase of his: "The train back to Coimbra is still running." More important still is that he actually kept his promise to give industry full control of itself as soon as possible. He came to power in a country which its wretched pack of ruling vultures had reduced to poverty: a country in which education had been suppressed in the name of progress: in which all the usual forms of material advancement, roadmaking, social services, promotion

of trade had been neglected for the business of collaring the loot, in which Communism was making rapid inroads thanks to the familiar type of anti-clerical government. In setting up the guild system Salazar had to face the real danger that the guilds might be captured by the Communists. For this reason the first six years of the new system approximated to the Italian model. But under the laws of 1933, 1934 and 1936, the true Guild system has been set up. The part of the government is reduced to setting up such guilds, compulsory or voluntary, as need statutory powers, and in exercising the true function of the State, namely the function of supreme co-ordination towards the general well-being. It would be quite impossible to give any general account of the organisation of the 200 or more guilds now functioning in Portugal . . . I choose one example to illustrate the working of a guild, that of the "Owners of Boats for Codfishing." Local guilds are set up at the chief centres. These send a representative for each five ships in the centre to a General Council of the Guilds. This Council appoints a Board to control the industry for three years. There is no government delegate on the Board. The State does not interfere in the internal affairs of the guild but the president of the Council, elected from its own members, is charged with the duty of supervising the external relations of the industry. The finances of the guild are supplied by a levy of 5 escudos on every 100 kilos caught. This levy is divided into a capital fund, a social service fund, and an expense fund. There is much to be learned from the details of the duties, economic and industrial, assigned to the guild. Only those features can be mentioned here which show the peculiar social character of the true guild. For example, the guild has the task of advancing to its members such funds as it considers will be wisely spent in developing the industry and may, as a guild, approach the banks for this purpose: it controls its own mutual insurance of boats, cargo and equipment: it has charge of living conditions and improvement of these conditions and wages: it is engaged in the task of insuring the workers against sickness, disability and involuntary unemployment, and in providing retirement pensions: it manages the insurance of crews against accident. The local management of the work of the guild is in the hands of the local "House." These revivals of the ancient Portuguese confraternity "houses" have masters and men alike as compulsory members and attend to such matters as local education, sick and maternity benefits, insurance for old age. They have their own additional provident funds and are charged with the

special duty of maintaining local traditions, particularly of a spiritual nature, connected with the occupation of those who live on the sea. The local management is in the hands of officers selected by mutual agreement between employers and crews. Other social services provided are the maintenance of a wireless service between the shore and the fishing fleets during their lengthy absence, the maintenance of a hospital ship with the fleet and an organisation for the care of the fishermen's families while the father is away from his home port. Though nothing has been said about the economic work of the guild we may perhaps include amongst its social services that it has taken over an industry that was in danger of collapse and is rapidly restoring it to a condition of prosperity and security.

This one instance of the operations of a craft guild in Portugal must serve as an example of the new organisation of the whole of the economic and social life of the country. Multiply such results by the continually increasing number of the guilds in every branch of industrial and professional life and it is easy to see how completely the life of the country has been transformed. It is difficult not to conclude that it is to the new ordering of society that we should attribute the incredible and rapid regeneration of the land. Much remains to be done. A decade is a short time in which to undo the scandal of a century. The threat of Communism is still in the offing. Only the barrier of Franco's armies lies between Portugal and the plunge into the gulf of the Totalitarian State. But under the new system, if it is allowed to survive there is every hope that Portugal may show the world a way to the goal which Salazar described last year in these terms: "We shun feeding the poor with illusions, but we want at all costs to preserve from the wave that is rising in the world, the simplicity of life, the purity of customs, the sweetness of feelings, the equilibrium of social reactions . . . and through these conquests or re-conquests of our traditions, social peace."

The English movement is naturally of special interest to us. Continental writers have given much attention to the English Whitley Councils and their organisation has been closely copied in Belgium. But it is doubtful whether they represent as rapid an advance to a guild system as some foreign students consider. They were set up as the result of the work of a committee of employers and employees which met in 1916 under the presidency of the Right Hon. J. H. Whitley, M.P. This Committee recommended that there should be strong organisations of

employers and employees between which contact should be made on some basis other than that of the wage relationship: and that employees should have more to do with the discussion of rearrangements in industry. Joint Councils were to be set up in workshops, in districts, in the country as a whole. More than fifty such Councils were established on guild lines. But in two essential points the Councils fall short. First, only those matters come under their cognisance which both parties agree to examine. Second, their power is restricted by the rule that decisions must be unanimous, and that workers and employers have to vote as single entities. Still these councils have done much to produce better understanding, have provided much experience in co-operation and have brought a new outlook into industry. It was unfortunate that they had to function at a time when industry was overshadowed by the fear of complete collapse. The depression caused discussion to centre round the old question of wages, so that the adaptability of the Councils to real guild tasks was not properly tested. But it is worthy of note that the T.U. Congress of 1927 authorised its General Council to pursue a policy of co-operation in the endeavour to reach industrial peace by way of conciliation.

The greatest advance made in England is more recent. Strangely enough it is in Lancashire, the philosophical home of all the wretched system which the Popes condemn. Readers of Priestley's "English Journey" will recall his pitiful account of the state of the Lancashire Cotton Industry. The general depression in trade, the changed position in India, the use of substitutes, were among the factors that brought the great Lancashire towns to poverty and gloom. The choice for the industry seemed to lie between ruin and State control. But the men of Lancashire decided to face their troubles themselves. A voluntary Joint Committee, with an employees' representative as its Vice-Chairman, approved a scheme for the restoration of the industry. Full details will be found in the "Times" of October 20th, 1937, together with an excellent leader on the importance of the scheme. It represents a return to the Guild system in the land where it once was most vigorous. Under the scheme, which has the approval of both employers and Trade Unions, the industry passes under the control of a Board of twelve, composed of two spinners, two manufacturers, two merchants, three operatives, a dyer, a bleacher, a printer, all chosen by their own sections of the industry and all actually engaged in the industry. The functions of the Board are to take control of marketing, of research,

of schemes for sectional reconstruction. It has to attend to the reduction of surplus capacity, to check excessive competition, to regulate production, supply and minimum prices. With the Board lies the settling of wages and conditions of labour. Each section of the industry is to control its own affairs, subject to the general direction of the Board. With the Board is associated an Advisory Council of three, not engaged in the industry, whose task is to examine schemes from the point of view of the well-being of the country as a whole—the proper task of the State where an autonomous guild operates. But the important features of the scheme are, first, that the Board has power to govern with legal authority. Any of its enactments, if they lie on the table of the House of Parliament for twenty-five days have the force of law. This formality is not an infringement of the autonomy conferred on the industry. It is a proper precaution to ensure that the function of the State is not abdicated. Secondly, unanimity is not required for the Board to arrive at a decision. Here we have, in a form suited to modern conditions, the whole spirit of the mediaeval guild reborn. Internal autonomy, union of all the elements in the industry, reasonable safeguards for the common good—these make a guild. These we find accepted voluntarily by one of the greatest of English industries. It is the most hopeful sign of our generation and may well lead to a transformation of the social order.

Many difficulties face one who would try to introduce a guild system in Australia. The lack of interest amongst politicians is not the greatest. The main trouble is the mentality of employers and employees. There have been many instances of Australian employers who have been anxious to co-operate in individual instances with employees; but employers have no general knowledge of changing ideas in other lands. The distinction we draw between general education and business education means that few employers are capable of a wide view on industrial matters, especially where the idea of ownership is presented in a form novel to them. The idea that an owner is a trustee of his property, a trustee both for the public and for his workmen, is an idea obvious to anyone with a Catholic training. But it is a foreign idea to anyone bred in the tradition of individualism. On the workers' side the difficulty lies in the ingrained attitude of suspicion with which the actions of employers are viewed. Officially labour is not Communist. But Communist propaganda is unceasingly and effectively exerted towards keeping alive the spirit of class-hatred which makes impossible

any permanent reconciliation of interests which, really one, are apparently divergent. The cure for these states of mind does not lie only in enlightening both sides on the nature of the guild society. There is required a renewal of the Christian spirit along the lines urged by the Pope. How to aim at this renewal lies outside the scope of this article. Suffice to say that for all men, and especially for Catholics alive to the duty of Catholic Action it is well to ponder those words of the *Divini Redemptoris* where the Pope unites his social and moral teaching: "If we consider the whole structure of economic life, the reign of mutual collaboration in social-economic relations can *only* be achieved by a body of professional and interprofessional organisations, built on solidly Christian foundations, working together to effect, under forms adapted to place and circumstances what has been called the Corporation."

W. KEANE, S.J.

# The Conversion of Australia

(A Paper Read at the Newcastle Eucharistic and Missionary Congress).

## *Summary :*

The purpose of the Newcastle Congress.—The task of the Church requires the co-operation of men, no less in Australia than elsewhere.—Religious conditions in Australia make it imperative for Catholics to make a big effort.—The obstacles to conversions: ignorance, prejudice, malice.—Need of a positive desire for the conversion of Australia.—Means to be employed: example, word, prayer.—A nation-wide crusade.

## INTRODUCTION.

I have to speak to you to-day on a subject which must lie very near to the heart of every Australian Catholic who realises the meaning and the value of our Faith. That subject is: The Conversion of Australia.

This Congress is a Missionary Congress, and in it we are much concerned with the stirring up of zeal for the Foreign Missions, and the discussion of ways and means of helping them, so that the Light of Christ may be brought to those countless multitudes who have never so much as heard His Name, and still sit in darkness and in the shadow of death. The greatest gift we have received from God is our Catholic Faith; and it is a gift which we have not received for ourselves alone; it is a treasure which we must not hide in a napkin. God gave to His Church the command to teach all nations, and in the carrying out of that command every member of the Church must take his or her part. The work of the Church has been going on for 1900 years, and it is still far from complete. To-day, after those 1900 years of effort, of missionary apostolate, of heroism, of countless martyrdoms, only about one-fifth of the human race has been brought into the fold of Christ.

It is not for us to delve too deeply into the mysteries of Divine Providence; it is not for us to say that this soul is saved, or that soul lost. But this we do know, that the Catholic Church was founded by Christ to be the means of salvation to men, that in it are to be found abundant means of grace which can be found nowhere else, the true Sacrifice of Christ and His life-giving Sacraments, the teaching divinely guarded from error, and the pastoral solicitude of divinely-appointed shepherds; and we know, too, that Christ commanded His

followers to preach the Gospel to all nations and to the ends of the earth.

#### THE TASK OF THE CHURCH.

This is the God-given task of the Church—but it is a task of which the fulfilment depends on the goodwill and co-operation of men. The Church itself can never fail from the earth, for it has within it the spark of divine life which cannot be quenched, and it has the divine promise that the gates of hell shall not prevail. But as the measure of man's co-operation with the purposes of God may vary, so, too, the fortunes of the Church may vary—and we cannot tell how the end may come. The late Mgr. Benson wrote two novels with the last days of the world as their theme. In one of them, "Lord of the World," he pictured the end as coming when all but a very few had rejected Christ and His truth, and the consummation of all things came, if I remember rightly, when the last handful of Catholics in all the world was gathered in an upper room in Rome, and was singing the *Tantum Ergo* during Benediction. Perhaps Mgr. Benson had in mind those mysterious words of Our Lord: "When the Son of Man cometh, shall he find, think you, faith upon the earth?" In the second of the two books I have mentioned, "The Dawn of All," he drew a very different picture. Instead of all men rejecting Christ, there had been a general acceptance of His claims. Faith and Hope and Charity, with all their attendant train of virtues, flourished everywhere on earth; there had come at last, through the recognition of Christ's Kingship, that golden age of which ancient poets had so often dreamed. He wrote the second book, he said, because so many people had been discouraged by the first.

We do not know what the end may bring. But whatever the end may be, be it an end brought about by unbridled human passions, by cowardice and cruelty and selfishness and pride, or a result achieved by divinely inspired faith and courage and zeal, it is certain that God wills with an effective will the salvation of every human soul: "God wills all men to be saved and to come to the knowledge of the truth."

The conversion, then, of those who do not belong to the Faith is the greatest act of charity that can possibly be performed. "And since none," our present Holy Father has said, "are to be counted so poor and naked, none so infirm, hungry and thirsty, as those who lack the knowledge and the grace of God, everyone must see that those who show mercy to the most needy of all men cannot possibly be left without our divine mercy and reward." (*Rerum Ecclesiae*).



### CHARITY BEGINS AT HOME.

But it is an old and true saying that charity begins at home, and therefore we must think of Australia too. Now here I would not be misunderstood. It is very far from my intention to plead that men and money, instead of being sent to the Foreign Missions, should be kept at home, on the apparently specious but entirely fallacious plea that we must attend first to the needs of our own country. It is now a long time since that great apostle of the Foreign Missions, Cardinal Manning, rejected the plea, and that at a time when England was in dire need of priests, with the sublime assertion that the best thing a country can do for the church at home is to send missionaries to the heathen. His assertion has in recent years been reinforced by the highest authority. "Do not be misled by appearances or moved by earthly reasons," wrote Pope Benedict XV to the Bishops of the world in 1919, "as though the gift to the Foreign Missions were the loss to your diocese. Instead of one priest you might send abroad, God will raise up several priests to do useful work at home." (Apostolic Letter, *Maximum Illud*).

This, then, I take for granted, that we must strain every nerve, refuse no sacrifice to help the Foreign Missions. But, while doing all we can for the Foreign Missions, neither must we forget that we have a duty to our fellow countrymen at home. Nor does the one duty interfere in any way with the other; rather do they, when properly fulfilled, mutually assist each other.

The Catholic Church is a living thing, and cannot be satisfied to remain inert; it can never be content merely to hold its own, to defend positions gained; it must ever press on to fresh conquests, in every sphere that is open to it. It is essentially apostolic; and therefore we in this country must turn our eyes to fresh conquests in Australia, we must set our hearts on winning our fellow countrymen to the truth, and we must set our hands to the work.

### THE OUTLOOK IN AUSTRALIA.

There seems, I think it is true to say, to be a growing feeling among earnest Catholics in Australia, clergy and laity alike, that the time has come for a big drive for the conversion of our country. Already, it is true, we are getting a considerable stream of converts. It is regrettable that no record of the annual number of conversions in Australia is accessible—such a record would prove, I think, to be an

encouragement and a stimulus to fresh effort. But the large numbers of adults who present themselves for Confirmation is some indication that the number of converts is by no means negligible. Nevertheless, until very recently, there has been no organised effort to attract converts, and as yet there is no widespread effort. We have been too busy pioneering, building churches, schools and convents, trying to attend to the needs of a large and scattered population with an insufficient number of priests. This work is indeed still going on, and must go on for a long time to come—we have still a long way to go, for instance, before we realise the ideal of having every Catholic child in a Catholic school. But the Church in Australia is now on a secure basis. The number of vocations to the priesthood has shown a gratifying increase in recent years; nearly everywhere the nuns and brothers to whom the Church in this country owes so much, and who have placed us all under a debt of gratitude which only God can, as He most surely will, repay—nearly everywhere, I say, the nuns and brothers are doing their wonderful work of education, and at least two-thirds of our children are in Catholic schools. We begin to have a little time and energy to devote to the other sheep.

And if we are to bring the other sheep into the true fold, it would seem, to all human thinking, to be now or never. The non-Catholic sects are progressively, and even on their own admission, losing their hold upon their adherents. A certain non-Catholic clergyman was not long ago in chance conversation with a certain distinguished Catholic layman. "That's a fine big church you have there," said the layman, pointing to the nearby place of worship where the clergyman officiated. "Yes," replied the latter, "a fine, big, empty church!" I do not know that we have any cause for complacency in the fact of the break-up of Protestantism, but the fact is most patently there. Between the census of 1921 and that of 1933 the number of those who gave no reply to the religious query on the census paper increased from 92,258 to 848,949—an almost tenfold increase, and surely an indication of loss of interest in the religious body, whatever it was, to which most of this large number were probably in some vague way affiliated.

Side by side with the break-up of Protestantism we must note the increasing influence of Communist propaganda, and the increasing sympathy for Communist ideals among many who would probably hesitate to label themselves outright as Communists. And the most promising material for the Communist to work on will undoubtedly be

those to whom religion has ceased to mean anything. Our attention has recently been called to the dangers of Communism by the masterly Encyclical *Divini Redemptoris*. We were, perhaps, somewhat apt in Australia to think ourselves safe from this scourge; "it cannot happen here," was very much our attitude. But more and more those who are aware of what is going on—much of it behind the scenes—in this country are perturbed by the thought of what may easily come to pass unless a check can be given to the growth of Communist influence. At any rate, to keep to our present subject, it is quite certain that there will be no one harder to convert to the true Faith than the man or woman into whose soul the poison of Communist principles has entered. It is, indeed, the modern tactic to deny that Communism is essentially opposed to religion, and to assert that under Communism there will be religious liberty for all. But this brand of Communism is one which, clearly, is for export only, and is meant but to prepare the way for the more full-blooded type which is preached and, so far as possible, imposed, in Russia. "Guard yourselves," said Stalin not many months ago to the children of Russia, "against all influence adverse to Communism, chiefly against the influence of religious ideas. All of you, Sovietic children of Russia, must aspire to be militant atheists, as no true Communist, no genuine revolutionary, is conceivable unless he be a convinced atheist. If you think of God and believe in Him, you render yourselves guilty of treason against the Revolution and the Communist Dictatorship. I am an atheist myself, and I have come to the conviction that atheism is a necessary stage leading to the true Socialist conception of the world." (Quoted in *The Tablet*, 22/5/37).

There is no more bitter enemy of the truth of God than the Communist, and the greater grip the Communist ideology gets upon our fellow countrymen, the harder they will be to convert. And, conversely, we can oppose no more secure bulwark to the spread of Communism in this country than by procuring a large increase in the number of convinced, practical, thorough-going Catholics.

#### OBSTACLES TO CONVERSIONS.

But in the attempt to convert our country to the Faith of Christ there are formidable obstacles to be overcome, obstacles which lie partly on the side of non-Catholics, and partly on our own side.

Every attack on the Catholic Church, all opposition to it, comes, I

think we may say, from one of three sources, sheer ignorance, or prejudice due to education and environment, or downright malice.

The last of these three causes I hope we may largely discount. It may exist, indeed, for men can be very wicked. But that it is widespread cannot, I think, fairly be maintained. But the prejudice due to education or environment is a powerful factor to be reckoned with, and even a mind that is convinced of truth may be unable to grapple successfully with a long-standing sentiment of dislike of the Catholic Church. One such case came to my notice not long ago. It was that of a woman whose instruction in the Faith was all but complete. Intellectual difficulties there were none; but at the end, when she stood, we may say, on the very threshold of the Church, she turned back with the words, "I think I should *prefer* to remain a Protestant." In our dealings with non-Catholics, it is well for us to remember how deeply ingrained is this prejudice against the Catholic Church. Indeed, I think it may be said without want of charity that the one thing the Protestant Churches have in common, which sometimes stimulates them to common action, and which keeps them from complete disintegration, is their collective dislike of Rome. Rome itself was not built in a day, and the overcoming of prejudice is often a long, slow, laborious task, making great demands on our stocks of sympathy and patience.

As for the ignorance and misconceptions prevalent among non-Catholics about the Catholic Church, its beliefs and practices, they would be incredible were they not, lamentably, a fact. Hoary tales that have been denied and disproved many hundreds of times are still current, still gain credence. It is indeed hard to understand how people who are in other respects sane and cautious enough, are in this one matter so credulous and gullible. But the fact is undeniable. I have been told by a non-Catholic young man that his great objection to the Catholic Church was the way Catholics made a God out of a man—he meant the Pope! I have been told by a non-Catholic lady that *her* great objection to the Catholic Church was the way the priests are paid for getting souls out of Purgatory, and, moreover, she did not see what right Catholics have to assert that everybody else is going to hell. I have been told by a non-Catholic man that Catholics are not allowed to read the Bible—and his information purported to have come from a Catholic friend! And so on *ad infinitum*. We can but hope that ignorance such as this does not fall under the condemnation pronounced

by St. Peter: "But these men . . . blaspheming those things which they know not, shall perish in their corruption." 2 Peter, ii, 12.

These, then, are the obstacles we have to face in the task of converting Australia. What can we do to overcome them? There is, I think, much that we can do, more than is generally realised.

There is, however, a necessary prerequisite, and it is that we should *want* to convert Australia. We are, many of us, subconsciously perhaps, but none the less really, too apt to be content with the *status quo*, too much inclined to take it for granted that many are Protestants, and destined to remain so, to think that, while it would be an admirable thing in the abstract to have a Catholic Australia, it is for us to hoe our own row, and that we shall find in that sufficient occupation. This attitude must be overcome, and it can be overcome only by a deepening of the spiritual life, by a fuller appreciation of the nature of the Church, by an increase of love of and passionate loyalty to the Church, not as a mere external organisation to which we belong, but as the living Body of Christ, of which we are living members, a Body destined by Christ to *grow*, and to assimilate within itself all mankind: "Going, therefore, teach ye all nations." It has been well said that to serve the Cause of Christ in these our days one needs more than courage; one must be something more than a soldier; one must be—an apostle. When the fiery zeal of the apostle is kindled in the heart of every Australian Catholic, then we shall make rapid progress towards the conversion of our country.

#### MEANS TO BE EMPLOYED: EXAMPLE.

A few words now about the positive means which we Catholics can employ in spreading the Faith in this country. They may be reduced to three: example, words and prayer. A word about each of these.

There can, I think, be no manner of doubt that, just as the argument against the Catholic Church and its claims that carries most weight is the life of a bad or careless Catholic, so there is no argument that tells so much in its favour as the example of a good Catholic life. The Catholic life lived to the full, worked out to its logical conclusions, the principles of Catholicism carried out in practice, these are things which cannot but attract attention, admiration, sympathy, and finally a desire to share in the Faith that can produce such a result. Holiness is one of the notes of the true Church of Christ, and while we may claim with pride that that note is manifest to all men, it is a cause for sorrow that

it is not more manifest than it actually is. For this we have nobody to blame but ourselves. "The chief obstacle," says a recent writer, "to the conversion of the world to the Catholic Faith is not the opposition of its enemies, but the unworthiness of those who already possess it. The Note of Holiness is that characteristic of the Church which, when manifest, has the most universal appeal; were it always visible in its attractive perfection there could be no resisting it; but that Note is too commonly obscured by the failure of Catholics to put their Faith in practice. They do not let their light shine before men; consequently their Father in Heaven is not glorified."

It is something then for all of us to keep in mind, that we are in our own lives advertisements for the Catholic Church, and the advertisement that we give it may be good or bad. The world knows well enough that our Faith sets us a high standard to live up to. It watches Catholics more closely than it watches any others, to see does practice conform to preaching and to principle. If that searching gaze can find in us no major flaws, but rather a shining example of virtue, then we shall be living arguments for the truth of the Catholic Faith, arguments, too, that convince the heart as well as the head.

#### THE SPOKEN WORD.

Secondly, there is the apostolate of the spoken word. And I feel that there is here a field that we are very far from having exploited. Indeed I fear that it is common among Catholics to be unwilling to be drawn into discussion about their religion with non-Catholics. If religion crops up in conversation with a non-Catholic friend, too often the Catholic feels hot and cold all over, as if religion were not a subject for conversation in polite society, and ends by shutting up like an oyster. "I always wanted to find out about the Catholic Church," said a girl recently, who was being instructed in the Faith, "but I could not get anybody to talk about it."

And yet there is so much that we could do by being ready, without forcing the matter on others, to take the opportunities that are offered to us to talk about our Faith; so much that we could do, if not immediately to convince, at least to break down prejudice, and dispel the abysmal ignorance that exists about Catholic beliefs and practices. We have something of the utmost value to give to others, something of which they stand in great need, even though they know it not. But we must let them know what it is that we have to offer them. "Here is

what we have to offer men," writes Dr. Orchard, "truth for the mind, comfort for the heart, strength for the will. We have what is sought elsewhere in vain; a philosophy of life, a reason for existence, a goal worth striving for. We offer men intimate interior friendship with the Friend of Sinners, the desperate need of every soul that draws breath; and through that the power to be what God wants us to be, which is nothing less than likeness to Himself. We can tell possible customers all about the price, the conditions, the means, when they enquire. Somehow we must first persuade them to inspect our goods, 'without obligation to purchase,' as it were, so that they are free to walk out if they feel they do not want them, or think they cannot afford them." So writes Dr. Orchard. And again, speaking of the value of what we have to offer, he says: "The Church's sacramental provision, its ascetic rules, and its mystical doctrine provide just that mental stability, that interior peace, that strengthening of the will, which modern man is being forced to realise he so greatly needs; and yet, for various reasons, seems to look everywhere save to the Church which exists to make these things known."

"The Church which exists to make these things known!" Are we playing our part in making these things known? or do not too many of us hide our light under a bushel, wrap our talent in a napkin, or bury it in the ground? One of the most laudable efforts that is being made to bring Catholic truth to the knowledge of the non-Catholic is the Catholic Evidence Guild. But how desperately hard, in some places at any rate, the Guild finds it to get speakers! In the publications of the C.T.S. we have an abundant supply of cheap Catholic literature, which could be first bought and read by Catholics, and then passed on to non-Catholic friends, and would find in them interested readers. But how much we fail to exploit to the full these possibilities of doing good. Before we can enlighten others, we must of course know our Faith ourselves, and often perhaps people fight shy of religious discussions because they are afraid of being drawn beyond their depth. But how little interest many of us show in learning in order that we in our turn may teach! There is Fr. Conway's *Question Box*, and there is Dr. Rumble's *Radio Replies*. Both may be purchased for a few shillings. Both are veritable mines of information on all the questions non-Catholics are likely to ask. How many possess them?

Once more we must *want* to convert our non-Catholic brethren.

## PRAYER.

But, after all, our personal example reaches relatively few; and for the apostolate of word we may feel that we have not much aptitude. But there is one thing that we can all do, and that is pray. The influence of prayer is not confined to time or place, and it is the most powerful weapon that we Catholics have at our disposal. Would that we made more use of it! It is our most powerful weapon because "unless the Lord build the house, they labour in vain that build it." It is our most powerful weapon because God has promised that He will give ear to earnest, persevering, humble prayer: "Ask, and you shall receive; seek, and you shall find; knock, and it shall be opened unto you." Can we ask for anything more pleasing to God than the conversion to the true Faith of those souls for which His only begotten Son shed the last drop of His blood?

Let me end this paper on a practical note. Some years ago the students of Corpus Christi College, Werribee, the younger sister of St. Patrick's College, Manly, conceived the idea of a crusade of prayer for the conversion of Australia. A form of petition was drawn up and approved by ecclesiastical authority. It runs as follows: "O God, Who hast appointed Mary Help of Christians, and St. Francis Xavier Patrons of Australia, grant through their intercession that our brethren outside the Church may receive the light of Faith, so that Australia may become one in Faith under one Shepherd. Mary, Help of Christians, pray for us." The prayer was enriched with an indulgence. It was printed on a leaflet, and has since been distributed fairly widely. No charge is made either for the leaflet itself, or for the expenses of distribution. The expenses are borne by voluntary contributions, and the students of Corpus Christi College have themselves contributed a large part of them. Up to the present some 150,000 leaflets have been distributed.\* But there are some million and a quarter Catholics in Australia; and, of the leaflets already distributed throughout the country, such is human nature, many perhaps now lie neglected and forgotten. So there is still a long way to go before this crusade of prayer becomes nationwide. But in the spread of this crusade you can help; and I appeal to you to-day for help. You can help by joining in this prayer yourselves. You can help by introducing it to others. Some of you, at least, can help by encouraging the recital of it in public, in schools, in

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\*The number is now in the neighbourhood of 200,000.



religious houses, at meetings of one kind or another, in churches, and by securing for it the approval of authorities in your dioceses. There is here to-day a reasonably large supply of these leaflets, some 20,000. May I hope that you will take them away with you, and that you will put them to good use? More can always be got by writing to the Secretary of the Catholic Australia Movement, Corpus Christi College, Werribee, Victoria.

By this means you will help to spread a spirit of apostolic zeal among our people; and by this means, too, I feel sure, you can do a great deal to raise still higher the standard of our Catholic life. For it is a commonplace of religious experience that no one can try to do good to others without at once feeling the need of being better himself. All the various aspects of the Catholic life hang together. The really good Catholic is a zealous Catholic, and the zealous Catholic cannot but be good. Thus we shall close up our ranks, and become, may I say, more in the nature of a conquering force than we have been.

And our prayers will win for those outside the Church that of which they have, above all else, great need, the grace of God. Of Australian non-Catholics, I think it is safe to say, there are many who respect and admire the Catholic Church. They respect the Catholic Church because, so obviously, religion means more to the Catholic than it does to anybody else. They respect the Catholic Church because, so obviously, the Catholic Church knows its own mind on religious matters, as the true Church founded by Christ must do. There are many, I cannot but think, who look at the Catholic Church with a kind of wistful longing, wishing half unconsciously that they too could be Catholics, but held back by the difficulties, difficulties which can be only too tragically real, and, to human weakness, insurmountable. Nothing can give them the heroic courage that they need but the powerful grace of God. Surely it is our part to pray without ceasing that that grace may be granted to them.

The ambition, then, of the promoters of this crusade of prayer for the conversion of our country is that from every part of Australia, from every diocese, from every parish, from every school, from every home, from every heart, there may go up every day a great, strong, suppliant cry in the ears of the all merciful, all-loving God, that the sheep wandering without a shepherd may be led into the true fold, so that there may be in our land one fold and one shepherd.

NOTE.—The above paper was the occasion of a letter addressed

to *The Advocate* by Mr. F. J. Corder, of Melbourne, and published in the issue of March 3, 1938, in which he commented on the statement that it is regrettable that no record of the annual number of conversions in Australia is accessible. Mr. Corder has been interested in this matter for some time, and estimates that the annual number of conversions is somewhere between five and eight thousand. This estimate he arrives at by three methods of calculation:—

(1) There are in Australia 1850 priests, and it is safe, Mr. Corder thinks, to assume that every priest receives three or four converts a year. This would give a total of from 5550 to 7400.

(2) England, with a Catholic population of two and a half millions, averages 12,000 converts a year. Therefore, if the number of converts be supposed to bear a relation to the number of Catholics, Australia, with roughly a million and a quarter Catholics, ought to have some 6000 converts a year.

(3) There are in Australia 750 parishes. An average of ten converts per parish every year does not seem excessive to Mr. Corder. This would give a total of 7500.

These figures may seem optimistic to many readers. But Mr. Corder is not without some confirmation of the reliability of his estimates. Figures issued recently for the diocese of Maitland showed an average of 202 converts a year over a period of ten years. If this figure be related—(a) to the number of priests, (b) to the Catholic population, (c) to the number of parishes in the diocese of Maitland, and the same proportion be taken for all Australia, we should get the figures 5300, 6715, 5225 as the annual number of converts in Australia.

If any reliance can be placed on these figures, we cannot but wonder even more than we may have wondered already, that the Catholic percentage of the population of Australia is, according to the census returns, decreasing.

T. A. JOHNSTON, S.J.

# Moral Theology and Canon Law

## QUERIES.

### LAST SACRAMENTS TO PERSONS LIVING IN IRREGULAR MATRIMONIAL STATE.

Dear Rev. Sir,

Your exposition of the law concerning Christian burial in the last issue of the *Record* prompts me to solicit your opinion on a somewhat kindred subject which is giving me concern. I refer to the question of giving the last sacraments (and Christian burial) to those unfortunate Catholics who are living in a state of purely civil marriage. Not infrequently their marriages cannot be rectified even by a *Sanatio*, and, yet, the unfortunates will not, and often morally cannot, extricate themselves from the impasse in which they have landed themselves. There are at least three such women in my parish, and sooner or later I myself or another priest will be brought face to face with the problem of what to do for them *in extremis*. They were validly married, then divorced and "remarried," and their husbands are yet alive. Contrary to my usual experience, I find them in no way bitter against the Church—in fact, they may be described as "friendly." They pray occasionally, and now and then put in an appearance in church, and if death were to overtake them I'm sure they would like to have the priest. They are worldly-minded of course, happy with their present husbands, and there is a child or two. It would add considerably to their present happiness if their unions could be rectified which, as things now stand, is impossible.

Following on your last issue, I have had discussions with a confrère as to what he would do were he the priest called to the death bed of one of these women. His policy, he says, would be this: "I'd clearly lay down the law for her, and if she refused to break off the guilty liason, she'd get no sacraments nor Christian burial at my hands. It's a mistake to water down the Christian law for these people—therefore let it be *aut . . . aut*." To me this seems too rigorous an attitude to adopt, and I'll read with interest what you will have to say on the subject in your next issue. And you might say a special word on this aspect of the case: Suppose a priest had twice already given the last sacraments to one of these—relying on a promise that the sinful life would forthwith cease, a promise which was not honoured—could he,

on the arrival of a third crisis, again give the sacraments on the strength of a similar promise, and before actual separation is effected?

SUBSCRIBER.

REPLY.

We shall begin by declaring that we are far from approving the uncompromising attitude of SUBSCRIBER'S confrère. We must not water down the Christian law, it is true, but, without going so far as that, we can, acting in perfect harmony with the charity of the Friend of Sinners, Who died to save each one of ourselves, do a lot to make less difficult the conversion of a wayward brother or sister. Such an exercise of charity will be particularly obligatory during the last few hours on which the eternal destiny of a soul depends. In several of these irregular marriage cases immediate physical separation of the parties is not always a necessary condition for the administration of the sacraments—not infrequently such a separation is morally impossible. Friends and relations, if there be any, are not always ready to open their doors to this kind of visitor, and, even if they be so disposed, the humiliation, defamation, nature of the illness, and other consequences may constitute such a considerable difficulty for the unfortunate sinner that an indiscreet demand, pushed too far, may well jeopardize the salvation of a soul. And even if it may not always be possible to reconcile a sinner with the Church to the extent that Christian burial may be given, an effort should invariably be made to effect a reconciliation with God in the forum of conscience.

We shall consider the various contingencies that are most likely to arise when our correspondent or another priest will be summoned to the death bed of one of his wayward parishioners—summoned, we understand, at her request, or at least with her approval:—

(a) Let us suppose, first of all, that the patient, with apparent sincerity, declares she is sorry for the past and, if her life is spared, there will be a complete rupture with her sinful state of life. In such a case, evidently there would remain nothing for the priest to do but to administer all the sacraments which she is capable of receiving. And if the fact of repentance were known to two other persons who could make it public, should this be necessary to avoid scandal, there need be no difficulty about giving Christian burial.

(b) We shall next suppose that the sick woman declares that she

cannot bring herself to break with the conditions of life in which she finds herself. If she means by this that she refuses, in case of recovery, to break off conjugal relations with her reputed husband, she shows evidently that she is unworthy of the sacraments, and if the priest fails to bring her to a healthier state of mind, he will have to retire without giving them to her. This statement, however, must be explained somewhat. If the refusal to end the sinful state of life, and the consequent inability of the priest to give the sacraments, be known to the friends or others in attendance on the sick woman, the statement stands—there can be no sacraments and no Christian burial. Likewise, if the refusal was something manifested to the priest alone in the course of sacramental confession, there can be no question of absolution. But, in this case, if, after his refusal of absolution, she were to ask him in the presence of others to anoint her, he would have to do so if his refusal amounted to a violation of the sacramental seal, as it often would. And, in the same way, if others knew that the priest was summoned, and that the woman went to confession, there need be no difficulty about Christian burial, as nobody knows what transpired between the confessor and his penitent, beyond the fact that she desired to be absolved and to make her peace with God, and this ought to obviate any danger of scandal.

Generally speaking, therefore, if the dying woman refuses even to promise a rupture with a sinful state of life, the priest's hands are tied, and for the time being, even though this time be that of imminent danger of death, he can do nothing more efficacious than pray God to bring her to a better state of mind. He ought not, however, abandon her completely, as God's grace may touch her. But we will suppose that all his efforts failed, and one day he finds her unconscious. Would it be lawful now, notwithstanding the past refusal, to absolve and anoint her conditionally? In view of what the Church teaches in Can. 942 on the subject of Extreme Unction, we think this would be not only lawful, but even obligatory. We are told that the Sacrament of Extreme Unction "is not to be given to those who contumaciously remain impenitent in manifest mortal sin; but if there be doubt about this the sacrament should be conferred conditionally." Now, notwithstanding the dying woman's previous refusal, no one can say in a manner that will exclude all doubt that she is contumaciously dying impenitent in manifest mortal sin. *Ex hypothesi*, it was at her request or at least with her approval, that the priest was summoned in the first instance.

Therefore she really was anxious to be reconciled with God. And might it not well be that, though unconscious, she realizes now that she is *in extremis*, and that she regrets the refusal which deprived her of the means of making her peace with God, and that she is *now* disposed to do what is required of her? All this is very possible. And consequently we believe that a pastor would be doing no more than his duty were he to absolve and anoint her conditionally.

Here one might raise a rather interesting point—on what condition should the priest administer the sacrament of Extreme Unction in the circumstances? With regard to absolution, there is no difficulty, as the condition will evidently be *si dispositus es*. But, for Extreme Unction, will it be *si dispositus es* or *si capax es*? Our readers will recall how their professor of Moral Theology used to emphasize the universal teaching that Extreme Unction is never to be administered under the condition *si dispositus es*, for the reason that when there is doubt merely concerning the *dispositions* of the dying person, i.e., concerning some condition on which not the validity but the fruitful reception of this sacrament depends, the sacrament is to be administered, not conditionally, but absolutely. The reason for this teaching is found in the doctrine of the Reviviscence of the Sacraments. For if Extreme Unction were administered under the condition *si dispositus es*, and, if the dying person happened to be undisposed at the moment (e.g., was not sorry for his sins), there would be no sacrament, since the condition was not verified, and consequently there would be no possibility of a revival were he later to become disposed. According to this usual teaching, then, the only cases in which Extreme Unction is administered conditionally is when a doubt exists, not concerning mere dispositions, but concerning something on which the very validity of the sacrament depends, e.g., *si vivis, si intentionem habes, si capax es, si haec materia valet etc.* We recall these notions because the canon we have quoted above seems to run counter to this hitherto universal teaching. It says that the sacrament of Extreme Unction is to be refused to those who remain contumaciously impenitent till death in manifest mortal sin, but “if there be doubt about this, the sacrament should be conferred conditionally.” Here there is evidently question of *doubtful dispositions*, and not of something that would risk the invalidity of the sacrament. Consequently one would be inclined to think that the condition ought to be *si dispositus es*. This difficulty has exercised the minds of com-

mentators not a little. Some<sup>1</sup> seek a way out by saying that the law is contemplating the doubtful existence not of mere dispositions, but of the very *intention of receiving the sacrament*—a condition therefore on which the validity of the sacrament depends—and consequently the priest's reservation ought to be *si capax es*. We do not like this interpretation, as it seems patent enough that the law contemplates, in fact mentions, doubtful absence of a disposition, namely, impenitence, which of itself would render the sacrament not invalid, but only unfruitful. Father Vermeersch, S.J.,<sup>2</sup> realized well that the law contained a real difficulty, as it is evidently speaking of dispositions. At the same time he thinks that a priest would not be acting contrary to the spirit of the law, were he to make use of the usual condition *si capax es*. The severe opinion requiring that the condition be *si dispositus es*, could be defended, he says "if we take into account only the penal sanction of the Church inasmuch as it does not wish that the sacrament be given to one who would show himself so unworthy that he gave no positive sign of repentance. But the more benign view (i.e., the *si capax es* condition) appeals to the clemency of the Church which, especially nowadays, inclines so much towards indulgence. To this same clemency we too incline till the Church, if it ever thinks well to do so, gives a ruling that will remove all doubt."

Before leaving this aspect of the question, it might be well to say a word about Christian burial. If the priest had to refuse the sacraments while the woman was conscious, but conferred them conditionally, as above, when he found her unconscious, could he also give her Christian burial? It will all depend. If the refusal of the sacraments, consequent on the refusal to break off conjugal relations, was known to others, so that the woman reputedly died impenitent, the need of avoiding scandal would require that Christian burial be refused. But if the persons surrounding the patient were aware that she summoned the priest, and that after her refusal she expressed regret, or that she said prayers and performed acts of piety before she became unconscious, in other words, if they can attest that she gave *aliqua signa poenitentiae*, Christian burial could be given, but without solemnity.

(c) Lastly, we will suppose that, when the sick woman tells the priest that she cannot bring herself to break with her present surround-

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<sup>1</sup>Vide e.g. Noldin, *De Sacramentis*, n. 446, d.

<sup>2</sup>Vide *Periodica* 1925, p. (10).

ings, she really means that present conditions are so difficult that here and now it is morally impossible for her to break with her present home and reputed husband, but yet she is prepared sincerely to promise that marital relations will forthwith cease absolutely and for ever. If these be her dispositions, there is no reason why the priest should not reconcile her to God, and give her all the last sacraments. The danger of scandal will usually impede Christian burial in cases of this kind, but if the manifestation of the facts (which will not always be possible), can eliminate this danger, there will be no reason why even Christian burial cannot be accorded her.

It is under this aspect of the case that we must deal with our correspondent's request for a special word concerning a patient who, on the strength of a similar promise, had already received the last sacraments on one or two occasions, but then, on recovery, failed to honour the promise given. Could the priest, in another crisis, again give the sacraments before an actual rupture with the sinful occasion is effected? Here we have to apply the moral principles concerning the relapsing sinner. The fact alone of relapse in the past is not an infallible indication that present dispositions are not good. Who is not aware of that quality of the human will, which at one and the same time is its priceless prerogative and greatest danger—its capacity to change? To-day the will may be very sincere in face of imminent death, and yet to-morrow, in different circumstances, it may fail to carry out engagements very seriously undertaken. Consequently a priest must take dispositions as he finds them at the moment, and if past experience indicates a rather unusual weakness under temptation, he will all the more exert himself to render the present good dispositions efficacious. Past relapse, then, and failure to carry out engagements undertaken in similar circumstances need not deter a priest from giving the sacraments so long as here and now he has no other reason to suspect the present sincerity of the dying person. As, no matter what the past has been, even a relapsed sinner has a right to the sacraments if he now manifests the requisite dispositions. And even if there be some reason for suspicion, as there very frequently is in the case of a relapsing sinner, such as the one we have under consideration, still, in view of the urgency of the case, the dying person should be given the benefit of the doubt, at least to the extent of administering absolution conditionally and Extreme Unction.



## INJURY DONE TO ANOTHER WITHOUT OBLIGATION OF RESTITUTION.

Dear Rev. Sir,

Please deal with this case in your next issue:—A and B are Civil Servants, and very bitter enemies. A appropriates a considerable amount of public money. B gets to know this, and spitefully informs on him. A is kept under observation, caught in the act, severely punished, and loses his job into the bargain. He has a wife and family depending on him. B regrets what he has done, and asks if he has any obligations towards A.

INTERROGATUS.

### REPLY.

Our task consists in replying to these two questions:—(1) Did B sin against justice? (2) Did he sin against charity? When we have decided these two points we can easily draw conclusions as to his obligations, if there be any.

(1) Did B sin against justice? A man sins against justice when, and only when, he violates the strict right of another. Therefore if I injure my neighbour, but, in the process, I do not violate any strict right of his, I may offend against some other virtue, but I will not sin against justice. If I, for example, see my neighbour's house take fire, and, with little or no inconvenience, I could quench it, but I refuse to do so, I certainly sin against charity, but I do my neighbour no *injustice*, since he has no right that I be the custodian of his property. In the same way, if damage results to my neighbour from the lawful exercise of my own rights, I do him no injustice. Were I, for instance, to put a new machine on the market, I shall injure the other traders who hold in stock a large quantity of the out-of-date pattern, but I violate no right of theirs nor do them an injustice. And these principles will not be altered even if, in the pursuance of my own rights, I have the malicious intent of injuring my neighbour. Such malicious intent will make my act very sinful against charity, but it cannot, in point of fact, render *unjust* the act which I had an antecedent right to perform.

If we apply these principles to the case under consideration, we must conclude that B, in informing on A, did not sin against justice. He did not violate any strict right of his. The very mention of informing on another instinctively arouses within us a sense of revolt, but it need not always be so, especially when there is question of a malefactor,

whose conduct richly deserves punishment. Now, even when there is no question of public funds, a thief has no right that he should not be denounced, and if he is denounced, and suffers punishment, no injustice is done to him. This is all the more true when there is question of public funds. Occasionally it would appear as if certain individuals, who would never dream of stealing a £1 note from their neighbour's pocket, yet seem to regard public funds as fair game for their depredations, so long as they can get away with it. This is due, perhaps, to the fact that the State no longer enjoys amongst us the prestige it ought to, and, perhaps, the State itself has contributed not a little to discredit itself in the public mind. But, be that as it may, the fact remains that the State is the public guardian of the commonweal, and we are all interested in its welfare, just as we all share more or less in the injustices of which it is the victim. Everyone, then, is within his rights in denouncing fraud against the State. B too, therefore, had this right, and even though, in exercising it, he was actuated by the unworthy motive of spite, he did A no injustice.

(2) Did B sin against charity? As the case is presented, we have no doubt about this. His motives were not those of righteous indignation and civic uprightness, but the base unchristian motive of hate and spite for his neighbour.

From the foregoing it is easy to conclude that B has no obligation to make any restitution to A or his family, because of the misfortune that has overtaken them. This obligation arises only where strict commutative justice has been violated, and this was not verified in the case. A himself, and he alone, is the real cause of his misfortune. At the most, the action of B is a *conditio sine qua non*—perhaps it does not even amount to this, as we have no proof that the dishonesty would not have been discovered in any case. Of course he acted in a very uncharitable, unchristianlike manner, for which he must well repent, and an excellent form of repentance would be to try to come to the aid of his unfortunate colleague. This would be something good in itself, and it might even be well adapted as the form which his sacramental penance ought to take. Whether this is possible or not, opportune or not, and what form the assistance ought to take, are questions which cannot be answered in the abstract, and must be left to the prudent decision of B's confessor.

CANONICAL RIGHT OF BISHOP TO FORBID PRIEST TO VISIT IN HIS DIOCESE; SIMILAR RIGHT TO EXEMPT INSTITUTION FROM JURISDICTION OF PASTOR.

Dear Rev. Sir,

Kindly answer these two questions in your next issue:—

I. Suppose that a priest has exercised the ministry for some years in a diocese which is not his own by incardination, and from which he departed for one reason or another. Has the Bishop of that diocese the right now to forbid him to pay an occasional visit to friends in a parish to which he was once attached? These friends are respectable people, and would not understand the motive for such a prohibition, which would consequently involve a serious defamation for the cleric in question.

II. My second query concerns a religious institution, which has been scrupulously cared for spiritually for many years by the local clergy. There could be no cause for complaint, apart from the fact that daily Mass in the oratory was not always possible but, when this happened, those who wanted could easily enough hear Mass in the parish church, which is not distant. With all this in view, I ask: If the appointment of a permanent resident chaplain to the institution is contemplated, has the local parish priest a right to oppose it? What are the canonical arguments on which he can base his opposition?

AGGRIEVED.

REPLY.

I. Incontestably a Bishop has the right to forbid an individual cleric to visit in any parish of his diocese. He could have intimated this to the cleric, who is the subject of the present query, when his connection with the diocese was being severed, and he has the right to have this injunction conveyed to, and imposed on, the cleric by the Bishop in whose diocese he is at present. The penalty, in the case, is one (the seventh in order) of the twelve vindictive penalties mentioned in Can. 2229, and which are applicable to clerics alone. Naturally it is a very unusual and severe penalty, and commentators are unanimous in teaching that a Bishop has not the right to inflict it except for very serious reasons, and, if the prohibition went so far as simply to forbid a

cleric to appear anywhere in the diocese, such a penalty would not be just unless there were some extraordinarily grave cause behind it.

Whoever is the subject of such a prohibition can request to be informed of the reason for it, and the Bishop cannot reasonably feel aggrieved at this except, of course, he has good reasons to convince him that, in the circumstances, such a request is nothing more than insolence. The Bishop, however, is not bound to manifest to the cleric the motives for his prohibition. In this case, the cleric can have recourse to the S. Congregation of Propoganda to which, on demand, the Bishop will have to justify his procedure. But, until the S. Congregation decides in his favour, the cleric will have to obey the injunction. The duration or frequency of the visits does not matter, neither does their purpose, nor the fact that friends would not understand the motives for such a prohibition. The penalty cannot be removed except by him who imposed it, or by his successor or, of course, by his superior, the Holy See. It is for the cleric himself, then, to decide what course he is to adopt—whether he is to obey the Bishop, or whether he can prove to the Holy See that he is innocent, or at least that the penalty is unjust in its severity.

II. We fear we cannot supply our correspondent with the canonical reasons on which he can base his opposition to the appointment of the resident chaplain. The fact of the matter is no such reasons exist, and, even if the appointment eventuates, no right of the local parish priest will be violated. A Bishop is perfectly within the law when he withdraws from a particular pastor acts of administration and functions that are commonly regarded as strictly parochial. And he may either discharge these acts and functions himself personally, or commission somebody else to discharge them in his name. This was the common teaching long before the Code appeared, and it has been juridically proved more than once in the courts. Werns,<sup>1</sup> for example, wrote: "The rights of parish priests are not to be so exaggerated that the pastoral power of the Bishop himself may seem to be denied. Hence the Bishop is not forbidden to delegate with moderation sacred functions in a parish to other priests, even against the wishes of the parish priest." While we say this, we do not mean to insinuate that a Bishop could so arbitrarily limit the power of parish priests that it would be reduced to a shadow, and practically disappear, as, though the institution of

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<sup>1</sup>Vide *Jus Decretalium*, Tom. II, p. 2, n. 828.

parish priests is not of divine origin, it has deep roots in ecclesiastical law and discipline. Moreover, all canonists advise Bishops that they should use sparingly the incontestable right which they have of withdrawing parochial functions from the jurisdiction of the local parish priest. They shouldn't do so without some good and unusual reason.

If, then, a Bishop can lawfully withdraw from a particular pastor acts of administration and functions that are strictly parochial, there will be little reason to doubt his right to exempt an institution, such as the one mentioned in the present query, from the jurisdiction of the local parish priest. And if any doubt could be raised on the point, it is provided for by an express ruling in the Code. Canon 464, II, says that "for a just and grave cause, the Bishop can withdraw from the care of the parish priest religious houses and pious institutions situated within the confines of the parish, and which are not exempt by law." The exemption, which in itself is something juridically odious, can, then, lawfully be effected only when there is "a just and grave cause for it," but the decision as to the existence of such a cause rests with the Bishop himself, who is not bound to supply proof thereof to anyone but to the Holy See.

Our correspondent, therefore, has no legal arguments on which to justify his opposition to the appointment of a resident chaplain. He will be canonically correct of course in laying before the Bishop all the reasons why he thinks the appointment ought not to be made, and this will probably be very helpful to the latter in forming his decision as to whether a "just and grave cause" for the innovation exists. When he has done this, nothing more remains for him but to await the ruling of his superior, and obey it. Of course if he still thinks that his parochial rights have been violated, it is always open to him to send a complaint to the S. Congregation of Propaganda, but he need not be too sanguine in his hopes of a very successful issue from this procedure.

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#### IMPEDIMENT OF SPIRITUAL RELATIONSHIP.

Several months ago we received a query from an anonymous SACERDOS, concerning a marriage which he fears may be invalid, because of the impediment of Spiritual Relationship. We did not deal with it because we could not understand the case, some statements appearing to us contradictory. As the querist was anonymous, we could not have matters clarified. Recently (still anonymous) he informs us that he is anxiously awaiting our solution, and we must

request him to let us have his address, so that we can get information which will make his difficulty intelligible to us.

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### CATHOLIC GIRL BRIDESMAID AT PROTESTANT MARRIAGE.

Dear Rev. Sir,

Marie, a girl of my Parish, interviewed me recently, and requested permission to act as bridesmaid in an Anglican Church, pleading that the bride was her first cousin, and Marie's father, being a non-Catholic, was most anxious that Marie should be bridesmaid at the marriage. I refused the permission, saying that it was forbidden by the Canon Law of the Church, and in the circumstances could not be obtained. Marie was not satisfied, and later with her father went to consult the Ordinary, who consented to their request, with the result that Marie acted as bridesmaid, her photo and facts relating to bridesmaid being published in the local Press.

Marie is a Child of Mary in the Parish, where her family is well known, her mother being a good worker for the Church. Marie, acting as bridesmaid in the Anglican Church, was the subject of much comment and widespread scandal in the Parish.

Was I justified in refusing the permission?

Could the Ordinary give permission in the circumstances?

PASTOR.

### REPLY.

We pointed out in our last issue that this matter was dealt with at considerable length in the *Record* some years ago.<sup>1</sup> Our correspondent, on re-reading what we then wrote, can easily answer his queries for himself. We are adopting this attitude in the present case principally because our correspondent does not even pay us the compliment of manifesting his identity. The directors of more than one ecclesiastical magazine consign all anonymous queries to the waste-basket.

JOHN J. NEVIN.

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<sup>1</sup>Vide *A.C. Record*, 1926, p. 236.

# Liturgy

## I. LITANY OF THE SAINTS FOR THE FORTY HOURS.

Dear Rev. Sir,

Does the Litany of the Saints prescribed for the Forty Hours in any way differ from the one we find in the Breviary and if so is it, nevertheless, allowed to use the ordinary Litany at the Forty Hours?

L.M.

### REPLY.

So little do the two formulæ differ that sensible people wonder why the little difference is allowed to remain. We can understand the annoyance of some when they have to print the whole Litany over again just because a few invocations have changed place and one small invocation is found in the formula for the Forty Hours which does not appear in the ordinary Litany. Let us examine the differences in detail. In the ordinary Litany there are from the beginning to the Pater noster at the end 121 invocations. In the Forty Hour Litany there are 122 invocations. The invocation "*Ab imminentibus periculis, libera nos, Domine*" is the intruder that destroys the equality in number. There are 11 "A" or "Ab" invocations in the ordinary Litany and 12 in the other. The other difference is also found in this section of the Litany, a difference merely in the order of the invocations.

The Forty Hour Litany was revised for the new edition of the Roman Ritual in 1925. The name *S. Ludovice* was omitted from the list of Saints, and the petition, *Ut Turcarum et haereticorum conatus reprimere et ad nihilum redigere digneris, te rogamus, audi nos*, as well as the *Oratio* to the same effect disappeared. Thus the Revision reduced the differences to a single small invocation, with a change in the existing order of invocations. Why the revisers did not abolish the differences altogether is to us incomprehensible. The 12 VV. and RR. that follow the Litany proper are identical in both formulæ, but while there are 10 Orationes in the ordinary Litany there are only five in the other, of which only the prayer for the Pope and the last *Omnipotens sempiternæ Deus* are in the ordinary Litany. In the three final VV. and RR. there are some tantalising variations. The Forty Hour formula substitutes *Domine exaudi* etc. for *Dominus vobiscum*, etc., and to the *V. Exaudi nos omnipotens et misericors Dominus* the R. *Et custo-*

*diat nos semper. Amen*, is given instead of the simple *Amen*. This last change seems to entail another, for we conclude the Forty Hour Litany by the V. *Fidelium animae*, etc., while we are accustomed to *Et fidelium animae*, etc., in the ordinary Litany.

Now to answer the question it is important to bear in mind that the document prescribing this Litany is of purely diocesan obligation, that is in the diocese of Rome, and this is expressly stated in the document. Significant also is the heading under which this Litany appears in the Roman Ritual: *Litaniae, preces et orationes quae dici debent in expositione XL Horarum in alma urbe*. We have no hesitation, then, in saying that the ordinary Litany may be used at the Forty Hours by the singers, while the priest can easily sing the five *Orationes* given in the Ritual for the occasion, instead of the ordinary ten. This reply is given notwithstanding Decree 2613<sup>7</sup>, which seems to make the Forty Hour formula of universal obligation. The decree does not intend to change the nature of the *Instructio Clementina*, but plainly has in mind churches where it was binding, and at the same time was being neglected.

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## II.—ORATIO IMPERATA.

Dear Rev. Sir,

When the Bishop orders a prayer to be added in the Mass, is it for the priests themselves to judge whether it is to be said *tamquam pro re gravi*, and when it is to cease?

QUAERENS.

### REPLY.

We take it that no Bishop will decide to modify the ordinary course of the liturgy by ordering an additional prayer, unless he has a serious and grave reason, and, as a matter of fact, such prayers are ordered in time of war or for peace, or in times of epidemic or drought, matters which are of grave public concern. When the Bishop issues a simple unqualified order that a prayer is to be added in the Mass, then the prayer is said according to the instructions given in the Ordo in the first place, under the somewhat infelicitous heading *Pro re non gravi*. When the Bishop expressly states that the prayer is to be said *tamquam pro re gravi*, the rules given under the second heading are followed, and when he orders the prayer *specialissimo modo*, it is said even on first class



feasts, with the exception of the most solemn feasts of the Lord, as given under the third heading in the Ordo.

Except in the circumstances contemplated in our reply to a cognate question in last year's *Record*, p. 81, the prayer should be continued until the Ordinary cancels it. What decree 2613<sup>2</sup> says can be taken as a general rule in this matter, *Nec cessare possunt pro lubitu antequam Ordinarius id jusserit*.

While on this subject, we may mention a somewhat curious coincidence. The Secret and Postcommunion of the Mass of St. Irenaeus (Jun. 28) are the same as are given in the Mass *pro Pace*. If the prayer for peace happens to be the *Oratio imperata* anywhere on Jun. 28, it would be omitted on account of its identity with a prayer previously said. (S.R.C. 3164).

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### III.—REVISED INDULGENCES.

Although the new collection of Indulgences is not yet in our hands, we are enabled to give from the *Ephemerides Liturgicae* the following changes in indulgences which specially concern priests.

The *Aperi Domine* recommended before Office has now three years indulgence instead of 100 days; and the *Sacrosanctae* recommended after the Office has three years (formerly none). The *Praeparatio ad Missam pro opportunitate Sacerdotis facienda*, consisting of ant., 5 pss., VV. RR. and 7 prayers, the last of which is *Conscientias nostras*, has now 5 years and a plenary indulgence once a month if said daily for a month (Conditions: Confession and prayer for the Pope's intentions). Hitherto the above, together with one of the prayers of St. Ambrose, assigned to the different days of the week, had an indulgence of one year.

To each of the prayers of St. Ambrose, arranged for each day of the week, 3 years.

The Prayer of St. Ambrose, *Ad mensam dulcissimi convivii*, 3 years.

The prayer of St. Thomas of Aquin, *Omnipotens sempiternae Deus*, 3 years, and a plenary indulgence if said for a month (Conditions: Confession, visit to a church, prayer for the Pope's intentions).

The prayer to our Lady, *O Mater pietatis*, 3 years (formerly 100 days).

Prayer to St. Joseph, *O felicem virum*, etc., 3 years (formerly 100 days).

The prayer *Angeli, Archangeli*, 3 years (formerly 100 days).

The prayer, *O Sancte N. ecce ego*, 3 years (formerly 100 days).

*Ego volo*, 500 days (formerly 50 days).

#### THANKSGIVING.

Ant. with the Canticle *Benedicite*, Ps. 150, the VV. RR. and the three annexed prayers, *Deus qui tribus, Actiones nostras* and *Da nobis, quaesumus, Domine*, 5 years, and plenary indulgence if said daily for a month (Conditions: Confession and prayer for the Pope's intentions).

Formerly the above, with the two prayers, *Gratias tibi ago* and *Transfige*, had annexed an indulgence of one year.

The prayer of St. Thomas, *Gratias tibi ago*, 3 years, and plenary indulgence if said daily for a month. (Conditions: Confession, visit to a church, prayer for Pope's intentions).

The prayer of St. Bonaventure, *Transfige*, 3 years.

*Adoro te devote*, 5 years and plenary indulgence on usual conditions, if said daily for a month (formerly 100 days).

*Anima Christi*, unchanged.

*Suscipe Domine*, 3 years and plenary, on usual conditions, if said daily for a month (formerly 300 days).

*En ego*, unchanged.

*Obsecro te, dulcissime Domine Jesu*, unchanged.

*O Maria, Virgo et Mater sanctissima*, 3 years (formerly 100 days).

*Virginum custos*, 3 years and plenary indulgence on usual conditions if said daily for a month (formerly 100 days).

*Sancte N. in cujus honorem*, 3 years (formerly 100 days).

The text of the above prayers has undergone slight modifications in the New Collection of Indulgences.

The two prayers of St. Thomas, the *Omnipotens sempiterne Deus* before Mass, and the *Gratias tibi ago* after Mass, appear without the conclusions seen in the Missal, that is without *Qui tecum vivit et regnat*, etc., and *Per eundem Christum Dominum nostrum*, respectively.

Towards the end of the *Ego volo* we find *ac pro felici statu* where the Missal has *et pro felici statu*.

But more surprising is the fact that in the New Collection all the prayers after Mass, from the *Trium puerorum* to the *Sancte N. in cujus honorem*, are comprised under the heading *Preces in Missali Romano pietati Sacerdotum propositae ut dicendae, pro eorum opportunitate*,

*post Missae celebrationem*, as if all were optional. This is plainly contrary to the Missal, which leaves no doubt as to what is optional and what is not. “*Sacerdos*, says the *Ritus celebrandi, facta reverentia, accipit biretum a ministro, caput cooperit, ac praecedente eodem ministro, eo modo quo venerat, redit ad sacristiam interim dicens ant. Trium puerorum et Canticum Benedicite.*” Accordingly the Missal puts the heading, showing the optional prayers, *Orationes pro opportunitate Sacerdotis dicendae*, not before the above Canticle, but after it.

Having said this, we conclude with a sentence from the *Ephemerides Liturgicae*, which we leave to our readers to puzzle out at their leisure: “*Igitur recitatio precum pro gratiarum actione manet praeceptiva (ant. Trium puerorum, etc.) vel non (Oratio Gratias tibi ago) usque dum a S.R.C. aliter declaretur.*”

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#### IV.—COMPUTATION OF SUNDAY.

Dear Rev. Sir,

I have noticed that in the Liturgy the Sunday nearest to the first day of the month is reckoned as the first Sunday of that month, e.g., Sunday, the 31st of July, is taken as the first Sunday of August. Is this same method to be used in reckoning the Dedication Day of a Cathedral, which is celebrated on the Wednesday after the third Sunday of November?

Z.

#### REPLY.

The method mentioned above of reckoning Sundays is used only for the selection of the Scripture readings in the Breviary and Fixing Advent. For other purposes the ordinary civil reckoning is used. Before the reform of the Calendar by Pius X we had more frequent examples of this distinction than we have now. (S.C.R. 2848).

\* \* \* \*

#### V.—THE PAPAL BLESSING GIVEN BY THE BISHOP.

Dear Rev. Sir,

Would you be good enough to state briefly in the “Record” the rules regulating the giving of the Papal Blessing by the Bishop?

Sol.

#### REPLY.

The Code of Canon Law empowers the Bishop to impart the Papal

Blessing twice a year, that is, on Easter Sunday and on one other solemn feast of the Bishop's choice. In addition to this the *Formula secunda major* enables him to impart this blessing on three other solemn feasts of the year.

Formerly the Papal Blessing could be given only when the Bishop himself pontificated, now it is expressly permitted by the Code that the Bishop may impart this blessing, even though he only assists at the Solemn Mass. But the blessing must be always given in connection with the Mass, that is, immediately after the last gospel, and always from the throne.

When this blessing is to be given after Mass, the blessing and indulgence after the sermon is omitted, and if there is no sermon, the indulgence usually announced before the last gospel is also omitted, but the ordinary blessing at this point of the Mass is not interfered with.

The *Confiteor* is no part of the rite for giving the Papal blessing.

If pontificating, the Bishop, on arrival at the throne after the last gospel, resumes the gloves. A Metropolitan retains the Pallium, and does not divest himself of it before the last gospel, as is the rule.

When the Bishop assists on the throne at the solemn Mass he should, for a double reason, be vested in cope and mitre, first, because it is a solemn feast, and the Cappa is not then in order; and, secondly, because the act itself of blessing in the Pope's name, and imparting a plenary indulgence, suggests the more solemn vesture.

While the blessing is actually being given the church bells should be joyfully rung.

In the A.C.R. of 1925, p. 358, this matter is more fully dealt with.

\* \* \* \*

## VI.—CHRISTIAN DOCTRINE CONFRATERNITY.

Dear Rev. Sir,

Is it not true that long before to-day the Confraternity of Christian Doctrine was ordered to be established in every parish, and, if so, how is it that the order has had so little effect?

LUX.

### REPLY.

This section of the *A.C. Record* should be headed *Liturgy and Quodlibets*, for by no force of plastic skill could the above question be brought under *Liturgy*.

However, to answer it, we have before us the Encyclical of Pius X,

*Acerbo nimis*, on the teaching of Christian Doctrine, and turning to the commands with which it concludes, and now mostly embodied in the Code, we find :

- I. Parish Priests, and in general all who have the care of souls, must on Sunday and holidays throughout the year, without exception, for a full hour, teach boys and girls from the catechism what they must believe and do in order to be saved.
- II. They must at stated times of the year, by several successive days of instruction, prepare boys and girls to receive worthily the sacraments of Penance and Confirmation.
- III. So, too, with special zeal during the days of Lent and, if necessary, on days after Easter prepare children for their first Communion.
- IV. In each and every parish the society, commonly called the Congregation of Christian Doctrine, must be canonically erected. In this way parish priests, especially where the number of priests is small, will have in the work of teaching the catechism, lay helpers, who will devote themselves to it with zeal for God's glory, and a desire to gain the indulgences which the Roman Pontiffs have lavishly granted.
- V. In the larger cities, especially in those where there are Universities and Colleges, schools of Religion should be established, to teach the truths of faith and Christian morals to the youths frequenting the public schools from which religion is shut out.
- VI. And since, especially in our times, adults as well as children need religious instruction, all parish priests, and those who have care of souls, besides the ordinary homily on the Gospel, which is given on all feast days at the parochial Mass must, at an hour suitable for the attendance of the people, but different from the hour for the children's instruction, give a catechetical instruction in a simple style, and suitable to the capacity of the audience. In this they should use the Catechism of the Council of Trent, and arrange the matter in such a way that in four or five years they may go through the Creed, the Sacraments, the Commandments, Prayer, and the Precepts of the Church.

And it is over thirty-three years since these solemn injunctions

were issued! LUX wishes us to explain the seeming inefficacy of the Pope's orders among us.

The Holy Father, looking out upon the world, saw devastation all around in the matter of education. France had banished her religious teachers, everywhere godless governments were striving to drive God from the schools. But in England, Ireland, Scotland and Australia our Bishops had retained a firm hold on the education of Catholic children, with the happy result that our system includes, and goes far beyond anything contemplated in the Encyclical *Acerbo nimis*.

We read in the life of St. Joseph Calasanctius that not long after his arrival in Rome he joined the Confraternity of Christian Doctrine. After a time the Saint came to the conclusion that the instruction given by the Confraternity on Sundays and feast days, though better than nothing, was utterly inadequate, and that to cope with the situation free day-schools, for both religious and secular education, were required. Finding that none of the existing orders were willing to take on this work, he founded the Order of Clerks Regular, of the Pious Schools, for the purpose. This ideal of the Saint has happily continued among us, doing the work of the Confraternity of Christian Doctrine in a way the Confraternity could never hope to attain. We have religious instruction part of the every-day routine, and not merely confined to Sundays and feast days. The instruction is given by qualified teachers, and not by devout lay people, whose occupation in life is something other than teaching. Far then from being blamed, our Bishops must rather be congratulated on the success with which they have maintained religious education. This religious education is the main concern of the Papal Encyclical. Other points there may be in the Pope's instructions which might with benefit to all receive more attention than has been given to them. They are, with slight changes, now in the Code under Title XX, and our practice can easily be rectified by comparison with the standard therein set up.

W. O'FLYNN.

# Book Reviews

## HEART TO HEART: A CARDINAL NEWMAN PRAYER

BOOK, compiled from his writings by Daniel M. O'Connell, S.J.  
America Press, New York, 1938; \$2.

This anthology from the writings of the great Cardinal presents him in a new and captivating light—new and captivating even for a reviewer who thought he had already learnt well his Newman, and who admired him as much as anyone could “this side of idolatry.” Fr. O'Connell has conceived and carried out an idea so excellent that one wonders it was not thought of before. Yet perhaps few had realised before how real, intense and beautiful prayerfulness is everywhere scattered throughout the voluminous pages of the saintly genius whose pen was ever active for the greater glory of God. From those voluminous pages has now been gleaned with discriminating and sympathetic eye an anthology that enables us to enter into and unite ourselves with the mind of a great thinker, the elevations of a mighty speculator, the zeal of a winning preacher and teacher, the word-mastery of a supreme stylist—all these qualities concentrated and sublimated into the highest exercise of our human powers—into prayer.

It need not be said that not everything in the volume will appeal equally to everyone who takes it up. To ourselves it seems that the verse selections, which occupy about one-eighth of the pages, are, in general, not equal in charm to the prose-selections; that they are not often equal to themselves at their best, as “Lead, Kindly Light,” or “Unveil, O Lord.” Even these admirable poems hardly achieve the beauty and appeal of such prose-passages as “Peace at Last” (p. 220), “Heralding the Son” (of the Blessed Virgin), (p. 203), or the vision often quoted, of the evil pervading the world, here (p. 193) turned to prayerful account.

It is a book to possess and to cherish.\*

G. O'NEILL.

\*The bringing-out is excellent. One might, however, complain that neither of the two indexes is a really helpful guide to the varied contents of the volume. There is an awkward slip at p. 175: “prayers . . . can do no more” for “prayers . . . can do more.”

THE STORY OF ELIZABETH BAYLEY SETON, AN AMERICAN WOMAN, by Leonard Feeney, S.J. New York, America Press, 1938; \$2.

For Father Feeney's "American Woman" we may predict a successful career. The book has notable qualities which are (we believe) characteristically American, but which also reflect engagingly the outlook and personality of the author himself, as well as of his subject. He is favourably known to judicious readers by his poems—he is "Poetry Editor" of "America"—and by comicalities, such as "Fish on Fridays." He is (or was) Professor of Literature at Boston College; and this fact again reminds us that "literature" in America is not quite what it is in less-advanced English-speaking countries.

There are words and expressions in these pages that are not recognized in any dictionary, even of slang, that the present reviewer has at hand. What (for example) is "a snooty remark"? And what of "she was lavished with comfort and care"? Inaccurate French is flung about (as by some other American Catholic writers we know of), like "bête noir," "the most élite," "flair" (in a wrong sense).

There are gallicisms of another sort. Emotional expression is strung very high. We meet four consecutive notes of exclamation. We are told how Mrs. Seton's sister-in-law "dearly adored" her. We meet "angels"; and would perhaps rather agree with Father G. M. Hopkins, who did not like to hear the word "angel" applied to creatures still in mortal flesh; "it always seems," he said, "somehow out of tune." There is very much weeping; but for that the heroine and the age (late George III) may be held responsible. With all desire to allow for differences of sentiment, we do not care to hear the penitent Magdalen described as "a perpetual blusterer," nor St. Augustine as "blustering forth the most excellent truths in the most bombastic language"; thus contrasting with "dear St. Thomas"—a Saint rarely thus petted.

Too Gallican, too, do we find the perpetual recourse to the adjective "little" for descriptive touches. Most of us have had far too much of the inevitable "petite" of French pious biographies and its faithful reproduction by their translators. We should not have expected to find it dotted over this American book, which is not a translation. Not only is the Blessed Virgin "a little Jewish virgin," and the heroine "a little moth," "a little girl," "a little widow," "a little nun," and so on repeatedly; but a nun in general is actually defined as "a little lady all



consecrated to God." Might not some lady, for a change, write a book entitled "Six-foot Nuns whom I have Known"?

If the book were relieved of all such oddities, it would be, we think, a very good book indeed. Its tale was well worth telling. Elizabeth Bayley, born in 1774, grew to be one of the most admired beauties of New York, and at twenty was happily married to William Magee Seton. Five children blessed this union, but William's failing health foreshadowed and then brought on its melancholy close. Meantime occurred the conversion—first of one partner, then of the other—to the Faith, with the inevitable old, but ever new, trials and sacrifices. Travels to Europe brought some strange and some harrowing experiences. Then came widowhood; then the great work of the foundation of the American Sisters of Charity—a gift to her country for which America is incalculably indebted to Mother Elizabeth Seton.

The attractiveness of her personality, the vivid narrative, the well-chosen quotations, and the author's many acute and striking remarks, all go to make this book one which it is difficult to lay down. The writer looks forward with hope to a day when his heroine will be raised to the altars of the Church; he has contributed manfully to such a happy issue, and we cordially share his desire and his hope.

G. O'NEILL.

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LITERATURE, THE LEADING EDUCATOR. By Rev. Francis P. Donnelly, S.J., New York. Longmans, Green & Co., 1938. \$3.

For more than thirty years Fr. Donnelly has been teaching Rhetoric—Greek, Latin and English. He has already to his name several excellent books on Education, and now comes an anthology to crown fifty years of life as a Jesuit. The various papers are arranged to throw into relief the humanist thesis that literature understood, appreciated and imitated—especially Greek and Latin literature—is the finest instrument we have for developing the mind.

Lovers of the classics will find here much to their taste. "The Tragic Element in Sophocles' Oedipus the King" recalls all the majesty of that incomparable play: "The Secret of the Homeric Simile" makes one hunt up old friends and introduces new. It is good to read articles and books that do not give the impression that Homer is all Wolf, Hermann, Lachmann, Nitzsch, Grote, Schliemann, chorizontes, Homeric

Armour, second aorists and accounts of *kě* and *án*, "based on a careful examination of every example occurring in the *Iliad* and *Odyssey*." The trouble with Homer and the other great writers of antiquity is that their works are treated as anything but literature. That was not the old way: if we are to be educated by them, it is not the proper way.

A pretty important point in Homeric criticism—and few take sufficient notice of it—is that the *Iliad* and the *Odyssey* were meant to be recited. Read Homer with this in mind, and you will see more than "tags" in his familiar epithets, and in his similes more than clumsy, exaggerated syntheses. Look up those Fr. Donnelly quotes: your pains will be rewarded; for you will sense again the surge and thunder of the *Odyssey*, and hear the clash of arms on the ringing plains of windy Troy, and see Helen's beauty, and remember her lament for Hector, and wander with Odysseus coming home from war. And you will realize, as Andrew Lang used to insist, that, after all, Homer is untranslatable: in translations we catch but a distant murmur of the many sounding sea.

"The habit of brooding over the ideas of great geniuses till you find yourself warmed by the contact, is the true method of the artist-like mind," says Sir Josuah Reynolds. That was the method of the schools of old. To-day, how many boys could brood over the ideas of Homer? How many feel themselves warmed by the contact? Very few, I think. And whose is the fault? How far is the school responsible? These questions clamour for an answer.

It is in "The Classical Teacher's Target," "Solving the Problem of Articulation" (which has nothing to do with voice production), "Old Incentives to Composition," "Progressive Conservatism in Education," and "Splitting the Difference" that the teacher will find most help. The humanist thesis is as tenable to-day as ever it was in Athens, in Rome, in mediæval Europe. It is the only satisfactory theory of education; and it has been ignored by many. Before accepting new theories "cotidie pæne nascentes" (as an old Roman teacher called them), it is well to examine the old to see what solution of our difficulties they offer. In education, much so-called discovery is at the best re-discovery. Aristotle, Quintilian, St. Augustine, St. Thomas, St. Ignatius, St. John Baptist de la Salle, Cardinal Newman, may not have published statistics on a thousand and one *-ions* and *-ents* and *-isms*; but they knew what they wanted to develop, and how best to develop it—which many moderns seem not to know.

"Theses and Teachers" is a timely plea for the proper recognition of creative work: If a treatise on "The Use of *ou mē* in Sophocles" is rewarded by academic distinction, why should not the same reward be offered for plays, speeches, essays, books? Surely it is better to have read Shakespeare than to have read his critics and commentators: and better to write one play like his than to write a dozen volumes like theirs.

Towards the end of *Literature, the Leading Educator* come two essays, which every teacher ought to read every now and then. They deal most effectively with the old problem of Art and Science in Literature. They are short English lessons: in one "Professor Newmode lectures on a line of Wordsworth"; in the other "Professor Oldway talks about Wordsworth's daffodils."

Three other papers are likely to be of special interest: a criticism of Maritain's *Art and Scholasticism*, and two discussions of humour—"Humor, a Denatured Fallacy," and "Allotment of Humor to Oratory."

To select papers like this is really unfair; for all are interesting and important: all develop the traditional view of Education. *Literature, the Leading Educator* is a valuable contribution to the work of Catholic Education—a work on its professional side often unknown, unappreciated, or unheeded even by Catholics.

J.W.D.

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THE PSYCHOLOGY OF CHARACTER. By Rudolf Allers, M.D.  
Translated by E. B. Strauss, M.A., M.D., London—Sheed & Ward, 1931, and reprints. 16/-. (Soon to appear, unabbreviated, in a shilling edition).

In translating *Das Werden der sittlichen Person*, Dr. Strauss has put us in his debt; for *The Psychology of Character* is a justification at once of common sense, of traditional Catholic humanism, and of psychology.

Relying on "the Catholic conception of the universe, the philosophical system of the *philosophia perennis*, and the empiricism of modern psychological investigation," Dr. Allers demonstrates again for one of the newest of the sciences that there can be no conflict between science and religion, and that "no one who aspires to guide others in any way whatever has the right to ignore modern psychology" (Barclay).

Addressed "especially to educationalists, ministers of religion,

parents and doctors," *The Psychology of Character* has won for itself a wide and enthusiastic public: and it is not a "popular" treatise.

As educators—and every priest, teacher, parent, doctor is an educator—we insist that our purpose is to develop all that is good in man. Then we should know something about how character is formed; for we claim as our right and our duty the development of character in the fullest sense of the word. We are not justified in taking liberties with those entrusted to our care. We are under a grave obligation to prepare ourselves as thoroughly as we can for our work in the confessional, the hospital, the school, the home. Upon our work now depends the work of to-morrow; we must prepare others to take over, develop and transmit our legacy. If understanding of a book like *The Psychology of Character* requires effort, we are bound to make the effort; for, as Dr. Strauss says, "Only a generation of children brought up on the sound psychological principles laid down in this book can hope to rescue the values still resident in our crumbling and tottering social edifice."

What of those who have not the time or the training to follow in all its detail the theory Dr. Allers expounds? *The Psychology of Character* is not just theory, but applied theory also. This we can all appreciate. Extracts from this part of Dr. Allers' work, Miss Vera Barclay, the well known English Guider, has collected into *Practical Psychology* (London—Sheed & Ward. 1934 and reprints), which is about a third of the size of the original.

One of the most striking things in *The Psychology of Character* is the author's attitude—he is "by no means unconscious of the inadequacy of what he has written": he insists on the necessity of a sound philosophy and theology at the back of every empirical science. he holds that "a great deal of what the new psychology has taught us has long been known and only partly again forgotten": he is at pains to demonstrate "the limitations of natural means"; and he concludes—

Indeed we all need guidance, because we scarcely ever have in us that love which, "seeking not its own," is more where it loves than where it dwells, and because we are lacking the certain security provided by this protective and creative quality of love. So we must continue to hobble along on the crutches of knowledge, if love will not lend us wings. Truly knowledge cannot be a substitute for love; but imperfect love can add to its stature by knowledge.

How this is possible we have desired to show—that and nothing more.

Dr. Allers himself appears through his work very much the ideal teacher—Catholic, Gentleman, and Scholar.

J.W.D.

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MYSTERIUM FIDEI. M. De La Taille, Thesis XLIX; Father Carroll's Translation.

Having completed the translation of the late Father De La Taille's great work, *Mysterium Fidei*, Father Carroll has published separately, one of the theses. "It is thought," he says, in the Foreword, "that if a favourable reception is given to this thesis, the publication of the whole work may be proceeded with." The learned translator's hope seems modest, for the practical qualities of the work, apart from its importance as a fine translation of an epochal contribution to the theology of the Eucharist—must surely bring the desired appreciation throughout English-speaking countries.

The thesis just published is Thesis XLIX, on The Necessity of the Eucharist as a Means of Salvation. It is a booklet of 50 pages, excellently printed.

Apart from its value as bringing to a far wider circle of readers a correct translation of De La Taille's exposition of the whole question of the Eucharist; the Supper and the Sacrifice of Calvary; the relation of both these sublime events and the question of their numerical identity and all that relates to this great *Mysterium Fidei*, Fr. Carroll's translation has other and more immediately practical values—perhaps not intended by the author.

There is no question but that an English translation of De La Taille's treatise would be of the greatest value. Easy access to this truly great exposition of the central mystery of our faith, must help to widen and clarify our knowledge of what we believe in regard both to the Sacrifice of the Mass and the Mystery of the Eucharist.

There are in English few, if any, treatises containing a complete exposition of the theology of the Mass and the Eucharist. Undoubtedly, there are many valuable works dealing with aspects of either Mystery, but treated mainly under devotional aspects. There is nothing whatever published of the quality, range and comprehensiveness of *Mysterium Fidei*.

In this translation, Fr. Carroll has supplied, for the English-speaking world, a treatise, at once comprehensive, profound, and as authoritative as can be. The great range of the work may, in fact, deter many from undertaking the perusal of it. But the method adopted by the late Fr. De La Taille, its simplicity, clarity and order, faithfully reproduced by Fr. Carroll, make of the translation a work comparatively easy to read. Each thesis is, as it were, a self-contained study of the different aspects of the Eucharist in logical (and chronological) order.

The fidelity of the translation, especially in certain key words dealing with the manner of the sacrifice, could not conceivably be bettered. Indeed, apart from anything else, the names mentioned by Fr. Carroll in his Foreword would be an assurance of this; of those, whose "patient care guided him through all the pitfalls" of such an undertaking, and whose fine scholarship have for years assisted in the labours of a revision, are in themselves a guarantee of refined and careful accuracy. Indeed, the translation is an achievement of scholarship. For it may be observed, that the translation, on the immediate point of view of expression, was a more difficult undertaking than the original writing. For, in the original, the citations could be and were, given in their actual words (unless where accepted translations were used, as Migne, for the Greek Fathers) and in the doctrinal expositions, terms and language were employed which traditional usage as well as definition had fitted close into the concepts they expressed. In the translation, both citations and exposition had to be turned into a new medium, and words and phrases chiselled so as accurately to convey rarefied, but clearly defined ideas.

The translation has another merit scarcely intended by either author or translator. Both in the translated footnotes (that so constantly withdraw one from the reading of the text), and in the text itself, we have a veritable *thesaurus* of Patristic and devotional matter on the whole Eucharistic cycle. With an energy and inspiration truly amazing, the author seems to have gleaned from the entire field of Scripture, Fathers, Ecclesiastical writers, and later scholastic theologians all that was most pertinent to an understanding of the Eucharist and the Sacrifice of Calvary. In the thesis just published, St. Augustine has the lion's share of the quotations, but as the translator remarks in the Foreword, the quotation from Nicholas Cabislas, an Eastern writer, is "the most precious gem." Consider some of the concluding sentences of a long quotation:—

“ . . . He does not leave us, as our parents do; He is ever present, and cleaves to us. By His presence He originates and informs our life. Separate from our parents, life continues on; separate from Christ there is only death. . . . And so the sacred bread, leading in the new man, completely drives out the old. For this also is the work of the sacred table; *for as many as received him, are not born of blood.* And when do we receive him? Let us take heed to the word . . . the word is: *Take ye.* For we know that by the word we are summoned to the Supper, wherein we also receive Christ with our hands, and partake of Him with our lips, take Him into our souls, make one with Him in our body, and mingle with Him in our blood. (*De Vita in Christo*).

As the author says, “no more beautiful or truer words have ever been uttered of the Eucharist,” and certainly they seem to have lost little beauty in translation.

One can see Fr. Carroll’s translation in the years to come, well-quarried by the compilers of manuals of devotion and instruction, by the preacher and by the student. Two theses only have so far been published. In the complete publication, it is to be hoped that the work will not be published in one volume. For the student, the original massive volume may be convenient, but it deters the average reader. A division into three smaller volumes, or even two, in accordance with the division of the contents, suggests itself. Will it be too much to expect that the published translation will include reproductions of the Triptyches that the late author so happily placed in his work?

M. F. TOAL.

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#### A CHURCH MUSIC COURSE FOR CATHOLIC SCHOOLS.

Book I and Book II, by Ernest Jenner, A.R.A.M. (Lecturer in School Music, Teachers’ College, Christchurch). Published by the Church Music Commission, Archdiocese of Wellington. Price, 3d each book.

These booklets, the first of 24 pages and the second of 20 pages, have been produced by Mr. Jenner for the Church Music Commission of the Archdiocese of Wellington, as part of a scheme to ensure for Catholic Schools a practical and intelligent knowledge of liturgical music.

Book I opens with some excellent suggestions for acquiring vocal tone. This is followed by some remarks on Plainchant movement, and, if attended to, they should do much to end for ever the hammer action which, while destroying the light and airy flight of the Chant, has raised up to it so many enemies. There is practical advice on the singing of the responses to the priest. We are glad to see that the stop after *delectamentum*, in the Response *Omne delectamentum in se habentem*, comes in for due reprobation. Some happily chosen Gregorian melodies are then given, with comments here and there. Benediction Music follows, two sets in Gregorian and two in modern music. Accompaniment is given in most cases, and where not given, there are directions as to where to find it. Eight English hymns and a page of rules for the Roman pronunciation of Latin conclude the booklet.

Book II, after some words on the rhythm of the Chant and some rubrics for the choir, gives the *Kyrie* and *Gloria* from the Mass *Alme Pater*, *Credo* III, with the *Sanctus* and *Agnus Dei* from the Mass *Cum jubilo*. The accompaniment is given for the whole Mass. Eight English hymns conclude the booklet.

We notice that Mr. Jenner retains the long pause system in arranging the *Laudate*. In "A Simple Introduction to Plainsong," recently issued from Solesmes, we find the following: "However, many years experience, at Solesmes and elsewhere, leads us to advise a shorter mediant, exactly half as long, consisting in a single binary beat (one silent ictus), during which a deep and quiet breath should be taken." We hope these little books will do great good.

W. O'F.

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#### BOOKS RECEIVED.

The following books have been received, and may be reviewed in future issues:—

Longmans, Green & Co., Ltd., London:

*Second Spring*, by Emmett Lavery. Price 6/-.  
*Prince of Pastors*. The life of St. Charles Borromeo, by Margaret Yeo.

Price 7/6.

Marietti, Turin;

*Sancti Aurelii Augustini Confessionum*. Libri XIII. (P. H. Wangnereck, S.J.).

*Ordo Iudicialis Processus Canonici Super Nullitate Matrimonii Instruendi* A I. Benedetti.

*Mediationes De Universa Historia Dominicae Passionis*, A F. Costero, S.J.

*Annus Mystico—Augustinianus*, A Petrelli Osa. Vol. I.

*Circulus Philosophicus*. Vols. IV et V. A Cesare Carbone.

*Institutiones Theologiae Moralis*. Vol. III. A S. a Loiano, O.M.Cap.

*De Sacris Functionibus*. Vol. III. A Moretti.

*Crestomathia Bernardina*. A Piszter.

Felizian Rauch, Innsbruck, Leipzig:

*Summa Introductionis in Novum Testamentum*. A P. Gaechter, S.J.



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