

Our constitutions guarantee fundamental rights, and among these the supreme right of liberty of conscience. Therefore, in this country, in the language of the Supreme Court of the United States, the full and free right to entertain any religious belief, to practise any religious principle, and to teach any religious doctrine which does not violate the laws of morality and property, and which does not infringe personal rights, is conceded to all.

This is the foundation of separation of Church and State in the United States. All religious bodies are equal before the law as a matter of constitutional right. To those religious bodies alone belong the exclusive jurisdiction in matters of Church government, Church organisation, religious tenets, the laws of religious adjudications and all other matters pertaining solely to the Church as such. There is no power in the Government of the United States, or of any State, under our constitutions, to interfere with any of these things, and if Congress or the Legislature of any State should undertake by law to force on any religious body any special kind of worship or internal organisation or religious government, and especially if it should undertake to interfere with any of its rights of property on religious grounds, such action of Congress or of the Legislature would be decided by the courts to be utterly void.

Our remedy against any legislative infringement of liberty of conscience, lies in an application to the courts of justice. Therefore, Americans are so law-abiding. Tyrannical laws in violation of fundamental rights are impossible.

#### Different in France.

Not so in France. If a law is passed in France by the two Chambers and receives the approval of the President, that law is supreme. If rights of conscience are violated there is no redress in the courts, for the courts are also bound by the law. If a special kind of worship or a certain kind of internal Church organisation is provided by the law, or if property is confiscated on religious grounds, or the right of assembly for religious purposes denied, there is no redress except in political agitation for a change in the existing Government, or by an appeal to public opinion by a passive resistance to the law or by revolution. Those are the only ways of fighting tyrannical legislation in France.

The question was asked the other day, Why do not the French people obey the law as the Americans do?

The answer is plain. In France laws have been passed violating in the most brutal way the sacred right of liberty of conscience. If such things could and did happen in America there would be resistance here too, but so effective and so vigorous that such laws could never be again attempted. I insist upon this very simple distinction. It explains the whole situation.

#### The American Concordat.

We have no formal Concordat in the United States; but we have something much better. There is here a voluntary entente cordiale between the Church and the State founded on mutual respect. The American people are essentially religious, though professing different creeds, and the value of religion in the formation of good citizenship is freely acknowledged and acted on. We can scarcely conceive of an atheist or infidel government in America trying to use the great powers of government for the destruction and extirpation of religion in the country.

But in France the "Act of Separation" is the culminating act of a long series of attempts by an infidel Government to drive religion from French life. Let there be no mistake about this. This is no denominational fight between Protestants and Catholics. Religion is represented in France mainly by the Catholics, other denominations being comparatively few in number. But the Government is not Protestant. It is infidel, and is fighting all denominations, including the Jews, in this Bill. What are the facts?

#### Confiscation of Property.

A few words as to the law of association of July 1, 1901, will serve to illustrate the character of the French Government and its intentions in the present Bill.

The purpose of the government to bring about a separation of Church and State was steadily pursued at least since 1899, but it was thought the people were not sufficiently prepared for it. This is shown by the public declaration of M. Waldeck-Rousseau and his successor, M. Combes, the two Prime Ministers under whom the law of associations was passed and the religious congregations suppressed.

M. Waldeck-Rousseau declared in a sitting of the Chamber of December 7, 1899, that the passing of the law of associations was a necessary preface to the separation of Church and State.

M. Combes said in a speech in the Chamber of Deputies, on January 14, 1905, "I have always been in favor of the separation of Church and State. But when I entered into office (June 2, 1902), I thought that public opinion was not sufficiently ready for this reform. I considered it necessary to lead up to it."

Now, how was it led up to?

The Bill of Associations was first presented by Waldeck-Rousseau on November 29, 1899, and passed promulgated July 1, 1901. It had some little fairness on the face of it. It purported to be a Bill suppressing all religious associations which had not obtained official recognition.

It was suggested that the Bill was only a pretence for the arbitrary suppression of the congregations and the confiscation of their property. To this M. Waldeck-Rousseau replied in the Senate on June 13, 1901:

"Do you really believe the French Chambers when confronted with statutes that are sincere and not sown thick with dissimulation, that proclaim with a true ring an aim which is either philanthropic, philanthropic, or of social interest, will be animated by nothing but prejudice and say, 'It is a congregation, we refuse authorisation?'"

What happened? Nearly 500 congregations submitted to the law and made application for authorisation. These applications were supported by resolutions of municipal councils and by the personal letters of the bishops of France. The commission of the Chamber proposed to reject all applications en bloc, but on objection the congregations were divided into three classes—teaching, preaching, and trading congregations—and each class was presented en bloc and rejected separately without discussion.

Thus was consummated one of the most brutal governmental crimes of modern times. These Brothers and nuns, many of them old and infirm, were driven from their peaceful convents by armed soldiers, their only weapons being passive resistance, and were forced to seek whatever shelter they could get. No accusation before any judicial tribunal, no trial, their only crime being that in following their liberty of conscience they took the vows of poverty, chastity, and obedience, followed their vocation and teaching and doing good to the community in which they lived. Their property was put in official liquidation. Those who desired to continue the community life were obliged to leave the country. They were promised some pensions from the proceeds, but no pensions have been paid yet, although the liquidation has been proceeding for five years and will take some years more.

Forced sales are being made all over France at prices that will yield nothing for the parties whose properties were taken.

#### If Maryland Should Do It.

Imagine the Legislature of Maryland passing a law suppressing the Christian Brothers of Baltimore and the Visitation Nuns, two teaching Orders in Baltimore, driving them out of their beautiful buildings into the streets and confiscating and squandering their property. Can you imagine the possibility of any American Legislature doing anything like this? We must bring it home to ourselves. What American would not resist such a tyranny if it became necessary? Of course, it would not be necessary. On appeal to the courts such a law would be instantly declared void.

After suppressing the congregations, dispersing them abroad and practically confiscating their property, the French Government proceeded to strike the word "God" from the official oaths and to have all religious emblems and pictures removed from all the halls of justice of the land; and this, with cynical indifference, was ordered on Good Friday, 1904.

This is the prelude to the Separation Bill, and in the light of the events just cited we may then better understand how the Separation Bill will be construed and enforced.

The union of the Church and State in France, which this act of separation destroys, was constituted as everybody knows, by the Concordat of 1801, a solemn bilateral contract executed between Napoleon and Pope Pius VII.

#### Under the Concordat.

The following were the chief provisions of the Concordat:

The State nominated the bishops to the Pope, who appointed and invested them, if they were proper persons; the churches and other sacred edifices were