

## THE POSITION OF FRANCE ON THE SEPARATION LAW.

FROM AN ADDRESS OF M. BRIAND BEFORE THE CHAMBER OF DEPUTIES.

[On the 9th of November M. Briand spoke in the Chamber of Deputies on behalf of the Government's position with regard to the recent Separation Act. He is the man who drafted the law, and it is his province as Minister of Public Instruction and Religious Worship to execute it. For a long time the people of France had been waiting expectantly for this speech which would be the official declaration of the Government's attitude at this crisis. We feel confident that our readers will welcome the following report of his speech as it appeared in the *Paris Journal* of November 10. Mr. Briand spoke continuously for an hour and nearly as long again after a short intermission, so it is not possible for a newspaper report to be otherwise than fragmentary, although there is no doubt but these selected paragraphs give a satisfactory impression of the real attitude of the State and the difficult situation in which France now finds herself. ED.]

I WISH I could say to this Chamber of Deputies that I will be brief, but that is not possible. Indeed it is my desire to make known as precisely and completely as possible the intention of the government and the measures it has taken or proposes to take in execution of the law of the 9th of December, 1905. I will do this with all frankness and with all loyalty, and I will ask the majority of this Chamber, and especially you Republicans, for the support which the government must have in order to accomplish its task well and to assume the responsibilities that are incumbent upon it. In thus stating my position I do not require of you a merely half-hearted assent, but a confidence absolute and without reservation.

We propose to execute the law in its entirety but we shall take it in the spirit in which it has been voted by the Parliament, and accepted by the country. Therefore it is very essential that the people at large should be informed in regard to the position of the government towards the Church.

What is the State's duty towards the Catholics? It owes them liberty of conscience, the freedom to express their religious beliefs in all their rituals and observances without interference. If the law

should not give them this freedom it would be a bad law, a law of tyranny and persecution. But those who say that this law is a law of persecution are mistaken. The State must be neutral toward all faiths. It is not irreligious, it is "areligious." It must examine its relation to the Church from two points of view, because the activity of the Church is twofold.

The laity of the Church is obliged to be anti-clerical in order to guarantee its own protection and authority, because the Church by its own act has endangered the supremacy of the State in departing from the religious domain and intruding upon political ground.

If the Church would remain on its own ground,—if the faithful ones that cluster around it would content themselves with expressing their religious sentiments in the various observances of their worship, then it would indeed be a sacred domain; and if the State would then try to intrude, law in hand, to interfere in the services, it would become the most insufferable of tyrants. If the government took such a position I would not be here on this platform to represent it.

When the report of this great reform was entrusted to me it was in this spirit that I accepted it. My intention has been clearly understood since the first day. I knew the difficulties under which I labored with reference to both parties in this assembly, the Republicans as well as the Catholics.

This means that we are not absolutely in agreement on our understanding of this reform. The separation seems to some of us to be a new and unheard-of thing which would not take place in the country without bringing in its train an upheaval of existing conditions. There must needs be some lightning and thunder; the elements must be roused before some people can grasp the idea of a Church free from the control of the State.....

On the day after the Encyclical there was a disturbance throughout the country. Certain people imagined that the Pope's letter was a defiance against the Republic. I have been reproached for not having taken a firm enough stand against it. I do not know just what was expected of me. If I may be permitted to say so, I have kept the true attitude of a separatist. I have regarded the Papal letter as if it had never been written. I have not been ignorant of its existence, but I have wished to ignore its source.

I confess that I experienced a happy moment when I observed in the newspapers that M. Allard took his text from the Encyclical itself when attempting to justify the action of the government. A debate over this Encyclical would have been a negotiation with

Rome, and would accord the Pope an authority greater than has ever been ascribed to him. From the very first my opinions have been well known to the members of the government. I have said repeatedly that this Encyclical has not changed matters, and that the law would be executed in its own spirit and on its own terms.

I have been told "Your law is dead, it has now become inapplicable. Change it."

Pardon me, I do not bring to this debate any vanity as the originator of this law. My attitude is not influenced by the rôle that I have been privileged to play in its preparation.

The law of 1905 has already gone into effect and its principle results are clearly evident. Separation is the neutrality of the Republican State on matters of faith, and has been consecrated by law. It is the abrogation of the Concordat, the suppression of the religious budget. The priests have become citizens like the rest of the nation.....

This law has been adopted by an immense majority of parliament and ratified by the country. If we glance back we can see that it has already done its work, and it is appreciated by those most interested, since twenty-five Catholics, the highest in authority, have proclaimed that as a whole the Church would be able to adapt itself to the law.....

We had reason to prophesy that the law would be accepted. Did the first assembly of bishops deliberate without referring to the Holy See? I think not. With reference to the reproach which you Catholics addressed to us for having consulted our mandators, what reproaches would the bishops not have deserved if they had made a decision without the consent of the Holy See!

What then has happened? I am sure I do not know. Have the decisions of Rome been influenced by the situation of a neighboring state? Must the peace of our own country be the price of a better condition elsewhere? Neither do I know this. I can affirm nothing; but it is my right and my duty to place this problem before your consciences as the Catholic representatives of this country. I do so moreover without bitterness, and I will not say, as certain members of this assembly have done, that we propose to consider you as strangers because you have a Catholic guidance outside of this country, but neither should you interpret it against me if I exercise the right to consider the significance and range of this guidance.

You are familiar with the second Encyclical. It rejected the religious associations, but I may add, against the will of the French

clergy and Catholics. Left to themselves they would have been ready to conform to the law and thus bring peace to the country, and to-day in a disciplinary movement whose gravity I am far from disregarding, they are sadly becoming resigned. I have seen much of them and have appreciated their scruples to the utmost. I have seen how bitter they have become, and know not how to speak of those who have made them so. If my responsibility in executing this law is heavy, the time will come when these counselors will feel the full responsibility of the situation which they themselves have contributed to create.

We are all facing an important problem which we have no right to laugh away or to joke about, but if some day the Catholics under the control of evil suggestions depart from their present loyalty, I will know how, sadly but firmly, to show myself energetic to even a greater degree than I have hitherto shown myself conciliatory and generous. It would be a painful task which I hope I shall not have to perform. We are in a period of transition. You still have the floor, French Catholics, and can yourselves inform the country of its true situation, and without violating your consciences may speak loud enough to make every thought penetrate to the farthest boundaries.

There is something terrible in your situation. Within one year a commission in which you have been fully represented has operated, and its doors were never closed to enlightened counsel. Only one priest ever ventured in and yet he was pardoned for his indiscretion. Is it not a shame that in a country where peace might be the price of a law you take issue between your consciences as Frenchmen and your obligations as Catholics? Why you are not even sure that you will not be blamed for having made these propositions that you are now formulating.

I do not say that the Pope is a foreigner to you. I fully understand what his relation is to you. To you French Catholics he is a Catholic and French; to the German Catholics he is a Catholic and German; to the Austrian Catholics he is a Catholic and Austrian; and when I consider the Pope in his relation to France I do not see him as a sovereign, as your king. Instead I identify him with yourselves; I confound him with the mass of the French Catholics; to my mind he is one of you. The law could not have been passed without the co-operation of the Catholics. It is to be regretted that a voice from without should have brought confusion. A separation act establishing religious associations was passed in Prussia. The bishops disapproved but Pius IX accepted it. This

time it is the Pope who does not consent. It is really incomprehensible. . . . .

The Church has refused to accept the Separation Law in one of its most important points. It does not want religious associations. It demands the common law. It was on this common law that the original plan was based. But the Catholics perceived that by articles 5 and 6 the law of 1901 would allow only *pro rata* assessments and not special revenues for masses, pews and so forth, and it would not do to deviate from this law if it was to be accepted as a basis for the new situation. For this reason a supervision was established like that over parish property. In what particular would this be inimical to the Catholic hierarchy?

If the State were permitted to enter into the internal organization of the Church, and attempted to impress upon it a constitution or the interpretation of a dogma, you might well rise in indignation. But since you have permitted the consolidation of enormous capital and its further increase by new privileges, you have no right to say to the government that it can not consider itself the owner of this property; that its ownership is of a special kind, and this property established by the faithful because of their religion, must not be turned aside from its purpose to be cast in the political battle and to make the State an instrument of tyranny.

What objection could you have to this supervision if you had only in view the free exercise of the observances of your religion? If you were without ulterior motives, what harm could it do you, or how would it be an outrage to the Catholic religion? You do not attempt to say. You prefer to consider the law a troublesome one, and you raise objections to-day against the safeguard of religion, that is to say, against the protection of religious observances.

We have to deal with a Church which is cautious,—which has been hurled many times into political warfare, and has undertaken to play a political part (which it has a right to do but upon which it is the duty of the State to keep a watchful eye), to put its hand on education and public interests in order to assure its supremacy. . . .

The constitution of the Church is monarchical in its very nature. It can not adapt itself to a sovereign State, which deliberates above it and without it. Need we recall that the Church has condemned all the liberties of this country and anathematized universal suffrage and repulsed the liberty of the press? And still you enjoy these liberties in spite of the Encyclical, but the fact nevertheless remains that the Church has always tried to play a dominant part. It was its right, but it was ours to take indispensable precautions against

its possible, if not certain, intentions. We have taken these precautions in establishing the fact that the churches which belong to the State or to the community shall be put at the disposition of the clergy for a definite end; that the priest in the pulpits with the authority that they still possess from long collaboration of Church and State, could not preach sedition against the law without exposing themselves to the danger of making the Church lose the property which has been put at its disposal. Why should the priest complain if you have no ulterior motives? . . . . .

But we must not forget that the law of 1905 together with the common rights of the law of 1901, gives Catholics additional resources which are not contained in the latter law, and that it gives the vestry-boards discretionary power to restore the property they have withheld to whatever associations they may choose.

The law of 1905 regards religious services as public assemblies regulated by the law of 1901. Accordingly they belong to the rights common to all. . . . .

I will not say that I arranged the law with regard to the possible refusal of the Pope. That would be false. If I had wished to confine religious worship to associations nothing would have been easier. I need only have inserted in Article 18 some such suggestion as this: "Religious services can be held only in connection with Associations."

I did insert such a proposition at first, but I removed it. And why? Paragraph 2 of Article 9 presupposes the case where an association is dissolved because of violation of the law, and then I said to myself, "If we are compelled to dissolve an association what would happen before the formation of a new one? We must not interrupt worship."

I then removed that portion of the phrase, and I considered that by this means according to Article 25, religious services would be included under the name of public assemblies. The law would not be less applicable after the Encyclical. If the citizens came together conforming to the requirements of the law of 1881, they would not commit an illegal act. Religious services would still be permitted. I might have explained this point of view sooner, but I refrained from doing so, and purposely.

I have been criticized for my communications to the press. I have been a journalist, and probably shall be again. Therefore I have much sympathy with the press and I have made use of it. I have wished to touch the Catholic public, and in an interview I pointed out that at the moment when there would cease to be re-

ligious associations there would cease to be religious worship. And then all the Catholic journals have protested against that which I appeared to deny. "We are citizens like the rest," they said, "we will practice the liberty of assembly."

When I thought that I had been treated long enough as a tyrant and a persecutor, I said to them, "Be satisfied. This is your right, and the government recognizes it as such."

Then their attitude changed. First they said, "Oh! the government surrenders. It is humiliating itself." so as to render the task of the government an impossible one if it had been tempted to take this method.

But the government did not try it, and then they said: "The churches will remain open; the faithful will continue to attend; masses will be heard as formerly; we have been duped. When the Catholics see the churches open the day after the 11th of December they will say 'there is still some liberty. The law of 1905 did not put a stop to this, and therefore it is not a tyrannical law.'"

And then they change their cry and say, "You are giving us great liberty. We must make a declaration; we must appoint officials."

This is the condemnation of your thesis. It is the proof that everywhere and always the Church is unwilling to make use of the liberty which is granted to all.

Very well! It is easy to conform to the common privilege according to the law of 1881. I am certain that the Catholics will conform to it and that they will measure their actions according to the rights which have been accorded to them by the law of their country. I hope they will not try to raise new difficulties on this point. At any rate we will not give them any pretext for increasing the means which they would need for war. We have Catholic public opinion on our side. . . . . You may raise the signs of battle upon your fortifications; but the faithful ones,—the Catholic women who see in religion only religion itself,—will not permit you to lead them to battle. They will make use of the liberty which we offer them and if your priests refuse it these faithful ones will not understand why, and will lay the blame upon you. . . . .