

DEAN FITCHETT AND THE CONSCIENCE CLAUSE

The following letter from his Lordship Bishop Cleary appeared in the *Otago Daily Times* of July 23:—

Sir,—After ten months of Catholic and Protestant denunciation of the League's Irish proselytising conscience clause, Dean Fitchett now alleges that the League has "adopted no conscience clause."

The League declares its conscience clause to be "the keystone" of its proposals. It had a working choice between a "positive" conscience clause and the "negative" or Irish proselytising conscience clause. It chose the latter. (1) The "positive" conscience clause admits to Government "religious instruction" and "general religious teaching" only those children whose parents, in some "positive" way (oral or written) request it. (a) This "positive" conscience clause is not part of the "Australian" system demanded by the League. (b) There is not a hint of it in the League's official literature, or (c) in the hundreds of League officials' pronouncements in my possession. We therefore dismiss it.

2. The only other practical alternative is the "negative" conscience clause. It requires all children to attend Government "religious instruction" and "general religious teaching" unless specially exempt; and it allows "exemption" or "withdrawal" therefrom only to children who come armed with objections or protests by their parents against it. This (with an aggravation mentioned hereunder) is the "Australian" and League conscience clause. As often shown by me, it was devised and used by astute Irish proselytisers for proselytising purposes.

1. (a) In its membership card the League officially demands the conscience clause under "the system of religious instruction in State schools prevailing in Australia." That is the "negative" or Irish proselytising conscience clause. (b) This clause, and this alone, is referred to over twenty times in the League's official pamphlet, *Opinions of Experts on the Working of the Australian System*, (b) twenty times in seven other official publications of the League, and (d) in hundreds of pronouncements by the League organiser and other League officials. I am prepared to give detailed quotations on demand.

2. Two League publications state that the conscience clause under the "Australian" system gives to parents "liberty" and "complete control" in the matter of religious instruction in the public schools. This is mere illusory inference.

(a) Let us take the Government "religious instruction," as it is styled in law and is in fact. Under the League's "Australian" system the Government (not the parent) determines the type of Government "religious instruction" and Government "general religious teaching," by Government officials, as part of the Government programme, in Government schools, at the public expense. (b) As shown in a previous letter, this State "religious instruction" was devised to suit Bible-in-Schools parents only. No provision is made for Government "religious instruction" at public cost, suited to Jewish, Unitarian, Catholic, Adventist, Lutheran, Baptist, and other conscientiously objecting parents. They have, herein, no "liberty," no "control," much less "complete control." They must either accept the League's Endowed State Religion, or go without any "religious instruction," or give it themselves at their own cost. They have likewise no "liberty" or "control" in regard to paying for Government "religious instruction," which they cannot in conscience accept. They must pay for it. (c) With only one saving clause (mentioned hereunder) the Government requires all children to attend the Government "religious instruction." (d) The only "liberty" the Government allows dissenting parents is the liberty to "withdraw" their children—after protest. But the exercise of even this paltry "liberty" is hampered by two shameful and humiliating conditions: the objection or protest is valueless unless the dissenting parent goes to the trouble of formally setting it down in writing, and seeing that it reaches the right official quarter. Otherwise, his children are, by law, proselytised into at least external conformity with the Sectarian Established State School

Religion. Heartless as the Irish proselytisers were, they did not demand from dissenters written protests against such legalised proselytism. Even in the midst of a smallpox scare, our Government does not thus treat objectors to vaccination.

3. Worse still: Under the "Australian" system demanded by the League the children of parents who fail to object in writing are required to attend Government "religious instruction" and "general religious teaching" under the following shameful circumstances: (a) In no case does the Government ask the sanction of parents. (b) Yet loyal, instructed Catholics necessarily object to such Government "religious instruction" on oft-specified grounds of religious faith and ecclesiastical discipline; numerous Protestants and others also object thereto on grounds of conscience; and failing cogent, positive evidence to the contrary, parents must be presumed not to desire for their children "religious teaching" at variance with the doctrine and discipline of their own faiths. (c) The Government, nevertheless, acts upon the following flagrantly untrue assumption: That parents, by failing to protest in writing against Government "religious instruction," THEREBY DEMAND that "religious instruction" for their children (cf. *The Year Book for Australia*, 1903, p. 508). (d) In flagrant violation of rights of conscience Government thus forces dissenting families either to set up domestic vigilance committees or to surrender the souls of their children to legalised proselytism to the State Religion.

4. But, as shown in my Dunedin lecture, (a) parental protests are no real safeguard for objectors' children; (b) the terms of the League's conscience clause are clearly meant to "capture for sectarian purposes" six oft-specified classes of dissident children; (c) official, League, and other Protestant, testimony was quoted to show that it has been used in Ireland, Otago, and Australia to proselytise dissident children from loyalty to the faith of their Baptism into at least outward conformity with the Established State School Religion; and (d) I can abundantly show that this, substantially, is a standing League argument for extending that system to New Zealand. He who demands the means of this State proselytism effectively demands State proselytism also. The presumption against the League hereon can be set aside only by it frankly abandoning its "negative" or Irish proselytising conscience clause.

Let the League now morally justify—if it can—(1) Government "religious teaching"; (2) its tricky conscience clause, with its statutory untruth; (3) its proposed forcing of teachers to violate their conscience and, thereby, the moral law; and (4) the deciding of questions of religion and conscience, as Pontius Pilate did, by a count of heads, not by God's moral law. The worthy Dean assumes that the League executive would not, consciously or unconsciously, advocate proposals at variance with the moral law—and that, therefore, the League's proposals are morally right. Topsy-turvy logic! As a demonstrated fact, the League does make several oft-stated proposals; and, according to Anglican, Presbyterian, and general Christian principles specifically quoted by me, these proposals are contrary to the moral law. The League denominations are condemned out of their own mouths. Even so gifted a League leader as Dean Fitchett dares not face these practical moral issues.—I am, etc.,

* HENRY W. CLEARY, D.D.,
Bishop of Auckland.

'July 18.'

A Melbourne message states that Sir J. G. Ward, when interviewed, said a more sympathetic feeling was growing up between the Old Country and the oversea dominions. The visits to England of men of high official position had helped largely to effect this. There was great objection in Scotland over the rapid depopulation of the country, which was now worse in this respect than Ireland was some years ago. A movement was afoot in England and Scotland to better the lot of the agricultural workers, with the idea of inducing them to remain where they were.



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