The greatest reason for the existence of Eatholic schools today is the same reason that moved the bishops of America, in the Third Council of Baltimore toward the end of the 19th century, to require every parish to have a Catholic school.

It is because the Catholic school furnishes the best means of the parent's fulfilling his solemn obligation before God of providing for the intellectual and religious education of his children. This is why Catholics throughout America have never hesitated to make great sacrifices to provide the best education for their children.

Only in a Catholic school does a child receive a complete education: a knowledge of the arts and sciences, to equip him for physical and social life in this world, and a knowledge of spiritual truths to equip him for his eternal destiny. Of the two, the latter is far more important.

This life is soon over, but the soul must be prepared for eternity.

There are those, however, who misunderstand the nature of the Catholic school, and feel that it is a divisive influence in our American democra Nothing could be farther from the truth. Catholic schools are much more than institutions for the co ing of catechism. They are thorough going schools. every bit as advanced as other schools in America.

The very existence of our democracy depends on a well-educated citizenry. Throughout our history, American schools have enabled Americans to fulfill this responsibility of education by providing a combination of the finest educational systems to be found anywhere in the world. But there is more to education for democracy than a knowledge of American history; democracy must be lived

Our great fear as Americans is that insidious, immoral forces will gradually subvert the ideals of our children and eventually result in the loss of our precious American heritage. Communism is a philosophy dedicated to the worship of materialism; and materialism flourishes when God is unknown or neglected. Therefore, our Catholic philosophy of educations holds it as a sacred responsibility to equip the child with proper moral values as an essential condition to life in a free society. Without the knowledge of God, and the will to serve Him, man cannot long remain free. He manufactures his own clay-footed gods out of the luxuries and pleasures with which he

surrounds himself. He becomes a materialistic idolater.

In the Catholic school, the flag is found in every classroom; and each day begins with the Pledge of Allegiance. Activities of interest to the entire community are continually promoted. Far from being divisive, the Catholic school gives the child the proper knowledge of true values, both temporal and eternal, without which he cannot live a productive life on earth, nor realize his eternal destiny in heaven.

As youngsters all over America shoulder their textbooks for the opening of another school semester, Catholic educators are eager to welcome a new crop of budding Americans. They will be taught to love and serve God, to revere their country, and, by learning to appreciate the spiritual destiny of America, to fight the crass materialism which could turn our beloved land into a nation of idolaters.

Bishop Kearney's **Appointments**

- 8 Sunday Uniondale, Long Island Dedication of Seminary — 3:00 p.m.
- 4 Monday to Friday San Alfonso Retreat House, Westend, N.J. - Annual Retreat
- 11 Monday St. Mary's Hospital School of Nursing Holy Ghost Mass - 8:30 a.m.
- 12 Tuesday Our Lady of Mercy High School Holy
- 13 Wednesday St. Joseph's Church Annual Lawyers' Red Mass — 9:00 a.m. St. John Fisher College - Faculty Dinner - 6:00 p.m.
- 14 Thursday St. Agnes High School Holy Ghost Mass
- Our Lady of Mercy High School Alumnae Banquet -
- 15 Friday Sacred Heart Academy Holy Ghost Mass -
- 16 Saturday Powers Hotel Crocifisso Societa Dinner -6:30 p.m.
- 17 Sunday St. Bernard's Seminary Diaconate 6:30
- St. John the Evangelist Church Blessing of New 8ehool - 3:00 p.m.
- 18 Monday Nazareth College Freshmen Holy Ghost Mass - 11:00 a.m.
- 19 Tuesday McQuaid Jesuit High School Holy Ghost Rochester War Memorial - Teachers' Conference -
- 26 Wednesday Notre Dame High School, Elmira Holy
- 21 Thursday Nazareth College Holy Ghost Mass -10:30 a.m.
- 22 Friday St. Mary's Church Low Mass and sermon - Catholie Nurses' Convention - 8:00 a.m.
- 23 Saturday Immaculate Heart of Mary Seminary, Geneva - Subdiaconate - 9:00 a.m. Manger Hotel - Catholic Nurses' Convention Banquet
- -- 7:30 p.m.
- 24 Sunday St. Mary's Church Sermon Catholic Nurses' Mass - 8:00 a.m.
- Our Lady of Mercy Motherhouse Solemn Pontifical
- Bishop Kearney High School Cornerstone Dedication - 4:00 p.m.

Mass — Patronal Feast — 10:00 a.m.

- 25 Monday Mt. Carmel High School, Auburn Holy Ghost Mass — 9:00 a.m.
- Auburn, Prison Confirmation 11:00 a.m.
- 26 Tuesday DeSales High School, Geneva Holy Ghost Mass - 9:00 a.m.
- 28 Thursday Columbus Civic Center Opening, C.Y.O. Campaign — 6:30 p.m.
- 29 Friday St. John Fisher College Holy Ghost Mass
- 30 Saturday Nazareth College Alumnae Mass & Breakfast - 10:00 a.m.

Appointments

SEPTEMBER

Wednesday - Sacred Heart Cathedral - Mass of the

10 Sunday - Cardinal Mooney High School - Cornerstone

11 Monday - Sacred Heart Cathedral - Blessing of Ex-

12 Tuesday - Nazareth Academy - Mass of the Holy Spir-

14 Thursday - St. Bernard's Seminary - Tonsure, Minor

15 Friday - St. Bernard's Seminary - Minor Orders, Sub-

17 Sunday - Holy Sepulchre Cemetery - Blessing of the

20 Wednesday - Brockport State Teachers' College - Low

24 Sunday - St. Catherine's Addison - Confirmation -

St. Vincent's, Corning - Confirmation - 3:00 p.m.

Monday - Sacred Heart Hall - Closing, Rosary Guild-

Men's Club Membership Drive - 8:00 p.m.

Mary's, Scottsville, Closing, Forty Hours'

27 Wednesday — St. Ann's, Palmyra — Blessing of New School — 8:00 p.m.

St. Mary's, Bath - Confirmation - 5:00 p.m.

- Sacred Heart Hall - Men's Club - 6:30 p.m.

Wednesday - Aquinas Institute - Mass of the Holy

Holy Spirit — 9:00 a.m.

Dedication - 4:00 p.m.

it - 9:00 a.m.

Spirit - 9:00 a.m.

Orders - 9:00 a.m.

Graves — 3:30 p.m.

Mass, Sermon — 5:30 p.m.

Devotion — 7:45 p.m.

Nurses Convention - 8:00 a.m.

pectant Mothers - 7:45 p.m.

(Following is the fourth and final in a series of articles on the debate over Federal aid to education for parochial and other private schools. The author, whose background includes some 15 books in the fields of philesophy, religion and education, is research professor of

By REV. JOHN A. O'BRIEN (N.C.W.C. News Service)

Notre Dame.)

theology at the University of

What does Prof. Arthur E. Sutherland say about the constitutionality of public aid in the form of long-term loans to public and to nonprofit private schools for school

purposes generally?

An eminent authority on constitutional law, Prof. Sutherland of Harvard was asked by Rep. John W. McCormack for his judgment on this matter. After studying the matter with great care, Prof. Sutherland reaches the conclusion that there is no clear constitutional prohibition against such aid.

"Assuming," he concludes, "that the existing Federal aid to education is constitutional - which seems to me a reasonable assumption the distinction between these existing programs and the proposal which I discuss is not sufficiently evident to persuade me that a measure providing for long-term loans of the character which I have described, to aid education in basic lay subjects, would conflict with the provisions of the First Amendment."

What does Dr. Robert M. Hutchins say on this point?

The president of the Center for the Study of Democratic Institutions and the former chancellor of the University of Chicago and dean of the Yale University Law School pointed out that tax exemption is given private picious, and even unfriendly." schools because they are performing a public service. "If they are," he said, "and if this is a service that would otherwise have to be performed by the public, then there is no reason why private organizations should not receive appropriate assistance from the government

Objections raised against Including such schools in the Federal program of aid to "incompetent, irrelevant and immaterial." He cited the G.I. Bill that gave thousands of service men Federal funds to attend the college of their choice, public or private.

Have other noted author-Ities expressed similar opin-

Yes, hundreds have, Example. Twenty-one prominent jurists, including former At- AUBURN OFFICE - 76 Capitol St. AL 1 - 68.7 Granery, were requested to prepare an opinion on this subject. After painstaking Single copy 18c; I year subscription study, they reached the unani-

mous conclusion that there is nothing in the Constitution which prevents public funds from being used to pay for the public service rendered by nonprofit schools in teaching pupils all the secular subjects taught in the public

"Once Congress decides that Federal aid is necessary," they say, "there should be full equality of treatment with respect to all children whether they be enrolled in public, private, or church - related schools. This is a matter of high principle. The parochial schools of this country are discharging a public service They provide an educational program which fully satisfies present governmental standards for competence.

"The state and all the citizens thereof benefit from this educational effort. If massive Federal expenditures are to be made from the tax collections of all the people, this aid should not go only to a select segment, however large, of the population. To the extent that parochial schools provide a recognized and accredited secular education they are entitled to equal treatment."

Did not the First Amendment erect a wall of separation, high and impenetrable, belween Church and State?

Yes, but not in all respects.

Douglas said: "The First dental or secondary effect not say that in every and all respects there shall be a separation of Church and State. Rather, it studiously defines the manner, the specific ways, " in which there shall be no herni'd patients, or military concert or union or dependency one on the other. That is the common sense of the matter. Otherwise the state and religion would be allons to each other - hostile, sus-

Courier Journal OFFICIAL NEWSPAPER OF THE ROCHESTER DIOCESE

Friday, September 1, 1961

Vol. 72 No. 48 MUST REV

JAMES E. REARNEY, D.D., President. Member of the Audit



Bureau of tirculations and the Catholic Press News Service, Religious News Service, Published every Friday by the Rochester Catholie Press Association.

MAIN OFFICE-35 Scio-Baker 3-4210, Rochester 4, N. Y. ELMIRA OFFICE - 317 Robinson R'dg. Lake St. RE. 2-5688 of RE.

Entered as second class matter in the Post Office at Rochester, N. Y. as required under the Act of Congress of Maich 3, 1879

It tends to achieve indireally what is forbidden by the Constitution: compelling attendance at public schools. By combining its taxing power with its spending power, government can gradually force public education willynilly down the throats of all citizens just as surely as by a specific ordinance.

"The real threat," points out the commission of 21 Washington lawers, "lies in the unconstitutional threat posed by and inherent in any large-scale spending program solely for the benefit of pub-

thorities say on this matter?

Constitutional Issues In School Aid Debate

Wilbur G. Katz, former dean of the University of Chicago Law School and an expert on constitutional law, points out: "The basic American principle of Church-State relations is not separation but religious liberty . . . Separation ordinarily promotes religious freedom; it is defensible so long as it does, and only so long.

In his well-reasoned dissent in the McCollum case, Justice Reed suggests that the Court should return to the language of the Amendment and interpret it rather than Jefferson's phrase, "wall of separation." It is a wise suggestion, for the meaning of the metaphor has become so confused that many can't distinguish the figure of speech from the principles involved.

What does the First Amendment really mean?

Simply that, in ordinary circumstances, the government may not directly and actively maintain or support any religion. Hence, it prohibits any legislation designed to favor directly a particular religion. The key words are "in ordinary circumstances" plus "directly" and

The amendment doesn't forbid nonreligious legisla- o public transportation of In the Zorach case Justice tion which has only an inci-Amendment, however, does upon religious activity or which accords religious people the same benefits afforddoes not forbid chaplains for the inmates of penitentiaries, personnel.

Thus Prof. Edward S. Corwin of Princeton, one of our foremost authorities on constitutional law, says: "The historical record shows bevond peradventure that the core idea of an 'establishment of religion' comprises the idea of preference; and that any act of public authority favorable to religion in general can not, without manifest falsification of history, be brought under the ban of that phrase,"

What is the danger in the proposed Federal aid to education exclusively through de-

velopment of public schools

What important distinction

tify a demand that publicly collected monies be distributed to all those who participate in the task of education, not just those in secular schools. Otherwise government is on the side of the secularists.'

Who are to be the beneficiaries of the proposed legislation?

The school children of America. The government subsidies are to be provided so that there will be achieved "the maximum development of every young American's capacity." Hence all pupils, regardless of the school attended, should share in these benefits.

Otherwise the right of parents to determine the education of their children by sending them to schools of their choice will virtually be nullified. To count nonpublic, nonprofit school children "in" for purposes of taxation and "out" for distribution of taxes, as the proposed bill does, is unfair. unjust, and un-American to

What is the bearing of the U.S. Supreme Court decision in the Everson case upon the proposed Federal aid bill?

The New Jersey law reimbursed parents for the cost their children to and from school, regardless of the school attended. Its constitutionality was challenged on the ground that religious institutionality was challenged on the ground that religious institutions were thereby benefited. Upholding the legislation, the U.S. Supreme Court ruled that the purpose of the legislation was nonreligious, and that the religious effects did not in-

What is the import of the de ion in the Cochran

A Louistana law provided

that secular textbooks be furnished to all the children, whether they attended public or nonprofit private schools, including church-related institutions. Sustaining the legislation, the Supreme Court ruled that the books were primarily for the edu cation of children, not for the benefit of the schools. "It may be significant," points out Prof. Sutherland, "that in those cases (Everson and ('ochran) the aim of the legislation was not religious indoctrination, but the safety and the lay educational advancement of the school child - the aim which I assume the Congress would have if it were to provide for such loans" — i.e., to nonprofit private schools, church-related and nondenominational.

is brought out in both these

The distinction between the nonreligious character of the legislation and the religious effects of the legislation. There is nothing in the Constitution prohibiting the use of public funds for the education of children in secular subjects, for transporting them to schools where those branches of learning are taught, or for providing them with textbooks for the same.

What legislative enactments are based upon the principle of equal treatment of students under the law?

The G.I. Bill, the Federal Scholarship Plan, the College Housing Act of 1950, the War Orphans' Educational Assistance Act of 1956 and parts of the National Defense Education Act of 1958. Under these laws, students receive Federal assistance to defray their tuition at colleges, public or church-related. As the extension of Federal aid to students on the secondary and elementary level would involve only the same principle, it would be equally con-

What then are some ways in which Federal aid may legally be extended to students in private nonprofit elementary and secondary schools, both church-related and nondenominational?

1. By providing such pupils with nonreligious textbooks and supplies, and by making available to them certain no eligious educational ser-

2. By some form of limited grant or benefit to the parents of all school children, including the parents of those attending private nonprofit schools. Examples: Parents might be reimbursed in part for tuition payments or Congress might provide them an income tax benefit in the form of a limited deduction, exemption, or credit.

3. By a program of matching grants or long-term, lowinterest loans for nonreligious Yacilities and equipment, in which both public and private nonprofit schools, including church-related institutions, would participate.

Does formal religious instruction in church-related schools occupy much of the teaching time?

No. only a small fraction - about 212 out of 25 hours a week. Most of all the effort, time, and funds are devoted to the teaching of secular subjects taught in the public school. In many of the facilities of the church-related schools, such as the gymnasiums, cafeterias, laboratories and medical and déntal offices, no religious instruction is involved.

Are Catholics the only ones seeking to have their children share in the proposed Federal aid to education?

No. Members of other faiths are equally concerned. Speaking at the House hearing on this bill, Rabbi Morris Sherer, executive vice-president of Agudath Israel of America, said: "Our organization of Orthodox Jews has chapters in every part of the United States and includes thousands of rabbis and communal leaders, amongst them the foremost Jewish scholars and religious authorities.

"We strongly favor Federal aid to parochial schools . . . The Jewish parent who sends his child to a parochial school should not be unduly penalized for exercising the right of free choice, implicit in the American way of life, to educate his children in accordance with his religious conscience . . .

"The memorandum distributed yesterday to Congress by the Administration's attorney against Federal aid to parochial schools, conversely tends to prove that there is no clear-cut 'black and white' thinking on this issue of constitutionality. The brief is so full of loopholes, and draws so many hazy distinctions between legal and illegal aid, that it actually serves to add weight to our contention that die-hard opposition to Federal aid to the secular programs of parochial schools is filled with inconsistencies.

What is the stand of Citizens for Educational Freedom?

This is a national organization of citizens of all faiths. At a congressional hearing, its president, David L. La-Driere, reported that his organization favors tuition grants for children in both public and church related schools. "Fair treatment of children in nonprofit schools," he said, "involves complete equality with those in public schools, so far as Federal aid is concerned."

What does Dr. Arthur S. Fleming, former Secretary of Health. Education and Welfare, advocate?

A prominent - Methodist and former president of Ohio Wesleyan University, Dr. Fleming urges Congress to approve a program of loans for nonprofit private and church - related elementary and secondary schools. He suggests that Congress put aside the controversial feature of the present bill giving government aid for public teachers' salaries and concentrate on a program of school construction.

What does Life magazine

'In an editorial on this subject in its March 17, 1961. issue, Life said: "Certainly education needs all the going concerns it can get; the greater variety the better and the more religious schools the better too . . . Democracy depends on education; but does that mean it can depend

(Continued on Page 5) THE LITTLE AND THE PROPERTY OF THE PROPERTY OF

Reapings at Random

Should Negroes Wait Another 100 Years?

By GERARD E. SHERRY Editor, Central California Register

One of the great slogans of those who wish to thwart a speedy end to segregation in edication is called "gradualism." Its proponents suggest a go-slow policy letting an informed public gradually get used to the idea. The hollowness of this approach can be

hundred years since the emancipation of the Negro slaves a vast proportion of the Colored in our society are still denied the most elementary rights of citizenship. To my mind "gradualism" is simply an excuse to delay the inevitable. Certainly, on the 22 Saturday St. Mary's Church - Low Mass, Catholic

> rights involved. The Supreme Court ruling outlawing racial segregation in schools was pronounced in 1954. Yet, figures recently released show the

seven years later only about seven per cen

With the imminent opening of a new school year some interesting figures have been published in U.S. News and World Report. It shows in the 17 States and the District of Columbia which were affected by the high Court ruling. 93 per cent of all Negroes re- and border states - and by the very people the guts to stand up and be counted. One still main segregated in all-Neg schools. The collowing figures are interesting.

3.1 million Negroes will be attending our public schools this autumn. Only 215,000 of these will attend schools with white students. 2.9 million Negroes will still attend segregated schools, Interestingly enough, of the 215,000 Negroes attending integrated schools, clearly seen in the fact that after nearly a 210,000 will be from District of Columbia and six border states.

> Despite the injustice and lack of legal standing 11 Southern states will, in the autumn, have permitted only 5,000 Negro students into formerly all white schools. And of that 5,000; more than 3,000 will be accounted for in Tex-

One interesting statistic which has gone unnoticed concerns Little Rock, Arkansas. Oficially connived racial disorders there seveal years ago brought in Federal troops who were supposed to have restored order and esp en orce the Supreme Court ruling. Yet, of the State's 105,000 Negro pupils, only 150 are going to previously all-white schools.

One of the most shocking angles to this whole business is that the Law of the Land is being ignored by state officals in the South

sworn to uphold the law. It seems as if justice is reserved for socially or politically "clean". Surprisingly enough, it has not moved too many citizens in other parts of

Whenever we talk about Democracy, either to ourselves or to these from other lands, it must be really embarrassing for those of us with a conscience. Let's face, it. When you cut away all the emotional dribble about the evils of the Colored people, the only thing wrong with them in the eyes of many of their fellow citizens is the fact that they were not bern white. So seven years after the Law of the Land has established Negro rights to attend so-called all-white schools, only seven per cent are permitted to do so.

Those Catholics who still remain apathetic and lethargic about the problem should remember that it is three years since the Ame ... can Bishops issued their annual statement condemning segregation as immoral.

It must be admitted that Catholics have not done enough to implement the teachings of their Bishops in their own lives. Only isolated people in Molated communities have had fully and with justice.

marvels at the way the Catholic Press glows when a priest or layman joins a sit-in or some other movement for racial equality.

The same can be said, I suppose, about many of our Catholic interracial councils. Too few white Catholics join them and work in them. And lastly those of us who do assist in interracial work often are apologetic or paternal. We have the attitude that we would like "to help those poor Colored who are having a rough time." If the Negro is having a rough time it is on all our consciences, not just the conscience of a few.

Some people complain that our Negro follow citizens are pushing too hard for their rights. What will we have them do? Wait another hundred years to be recognized as

Integration of our schools is but one step. There are so many more steps that we will have to take if we can truly express a Catholic conscience in the matter rather than simply viewing the whole scene from the sidelines. We ought to get out and work so that integration in every field is accomplished peace-

question of desegregation of our nation's schools there can be no question of the legal as.

have achieved integration.

Americans?

Sunday - Camp Beechwood - Girl Scout Mass - 9:00

Bishop Casey's