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CONDEMNED FOR TEACHING CHILDREN RELIGION IN CHURCH

THE ACCUSED:

REV. JUOZAS ZDEBSKIS,
Pastor of Prienai Parish
Prienai, Lithuania

THE ACCUSATION:

Instructing the parish children
in preparation for the
reception of
First Holy Communion

THE VERDICT:

Guilty

THE SENTENCE:

One year in prison

The following is the defense speech of the accused, Rev. Juozas Zdebskis, given at the conclusion of his trial, which was held in Kaunas, Lithuania, on November 11, 1971.

I was arrested on September 16, 1971 and a criminal case was made against me, for the sole reason that, during the summer months of this year, I taught children the doctrines of Faith in the Church at Prienai. One of the proffered charges is worded as follows: "Approximately 70 children and 50 parents were found in Church." The charges, as leveled, are held to be in violation of the Criminal Code of the Soviet Socialist Republic of Lithuania, Article 143, section 1d., which Article deals with the separation of Church and State. I was informed of the charges while being arrested.

(What motivates my actions?)

There remains for me but to repeat the same response regarding motivation as was made in the Church when a group of atheists entered and asked if I was aware that the teaching of children was forbidden. I responded by employing the very same words which the first disciples of Christ used when brought before the Jewish High Court: "We must hearken to God more than to men."

1) Therefore, the reason why I teach children the truths of Faith is because this is Christ's command: "Go and teach... upholding all I have made known to you." This command encompasses all peoples and makes no distinction between old and young. The teaching is not to be of one's own theories, not just any philosophical way of life, but that which Christ commands, stressing, above all, His greatest requirement: "Hold no man your enemy." Of all who have offered their services as instructors in the art of living, not one has ever dared to require this. Not even the Communist Party.

2) This Command of Christ is repeated by the Roman Catholic Church, as a juridical entity, in three articles of her Canon Law. (Canons 1329, 1330, 1331.)

3) The requirement to teach children the truths of Faith, according to Christ's command, is extended to include parents, who have a natural, intrinsic right over their children. So if parents desire their children to study music, they invite a teacher of music; if mathematics, a teacher of mathematics, and so on. Yet in the light of this, we priests find ourselves hard-pressed by two sets of laws.

It would seem that government, in establishing laws, would have as its purpose the good of its citizens, which good cannot be comprehended without freedom of conscience, without the right of parents over their children. The Constitution of the Union of Soviet Socialist Republics recognizes the right of freedom of conscience as well the right of parents over their

children. The Declaration of Human Rights has been signed and ratified. As regards this latter point, a sufficiency of matter has already been presented in a scholarly brief about a year ago by Father Šeškevičius in a case similar to this. And since this case at hand is not a judgment of one individual, but rather of the Catholic Church, as a juridical entity, the matter remains in the same geographical area, and its repetition here appears unnecessary. Of worth, presently, would be to recall the last official instructions regarding this question as was expressed by General Secretary Brezhnev in the XXIV Convention of the Central Committee of the Communist Party of the Soviet Socialist Republics. (Pravda Editorial, August 29, 1971).

Authorized by the Department of Religious Worship of the Soviet Republic of Lithuania, Mr. Rugienis, in an official interview with Mr. Jokubka, editor of an overseas Lithuanian newspaper, especially stressed the fact that Lithuania enjoys full religious freedom as well as freedom of conscience. And no one has the right to inquire of the religious convictions of any citizen. Mr. Jokubka presented the status of religion in this light in his book "The Land of Our Fathers" (Tėvų Žemė) published this year in Chicago. In like vein, a recent book, written in the Italian and English languages, appeared in Lithuania upholding this same thesis. Not only in the past, but also in recent times, the official interpretation of this matter is constantly similar — Lithuania enjoys full religious liberty.

Freedom for the Catholic Church, as a juridical entity, must be evident in her being permitted to function. If one is permitted to live, then, in that fact also, one is permitted to eat, to breathe, etc. If priests are permitted officially to exist as priests, then, in that, permission is contained for priests to operate in their basic functions, i.e., to offer the Holy Sacrifice, to forgive sins in God's name (to judge) and to teach. It follows, then, that I am being judged for having fulfilled my rightful duties. Having examined the documents pertinent to the case, I note that the character reports of atheists from my various places of assignment accuse me of the same, identical motive — that of fulfilling my duties. Sad to say, I did not find a character report from the Bishop's Chancery Office. I wonder if the Chancery also would have accused me of fulfilling my duties?

(I charge: Atheists violate the faithful freedom of conscience)

It is necessary to show the court also the psychological circumstances, which, without doubt, have had an influence upon my conduct, for which conduct I am being tried. Regarding this freedom of conscience, the atheists themselves, on instanced occasions, show that they do not uphold and abide by the same law, the violation of which I am accused.

The word "atheist" is used herein as the most fitting for the purpose, since an atheist, be he a member of the secret service, an administrator or an educator, is one and the same — God's adversary. The laws of the Union of the Soviet Socialist Republics, in matters of freedom of conscience, separate the Church from the State. However, sad to say, and with a dubious thanks to the machinations of some atheists, the Church experiences no separation from the State, but contrarily, is bent to the atheists interests, the better to serve their purpose. And this sham is frequently employed in deceitful ways. For their very reasons, the faithful find themselves in a perplexing dilemma and unequal before the law. These facts which are generally known to the public, cannot be unknown to the District Attorney. Why is he silent?

For example, we can bring to the fore one salient factor which has a close connection with my case at hand. The faithful feel their inequality before the law in that atheists publish their own newspapers and have their own schools, while this to the faithful is forbidden. Again, if priests are prosecuted for preparing children for their First Confession, then there rises the desire to ask: Is there even one case made against the atheists for a violation of the interests of the faithful, especially as regards the implementation of Article 143 of the Penal Code, which was promulgated in 1966? Certainly, such cases do exist.

a) For example — a high school teacher was relieved of her duties last year because of her Faith and by this fact she became a "persona non grata" not only in the pedagogical field, but also in every other field of endeavor. Is this not a violation of freedom of conscience? And this is not a one instance fact.

b) Likewise, it is the practice of atheists to discourage the people, especially the young, the students, the workers, from participating in the Holy Sacrifice of the Mass. They somehow believe that God becomes instinctively knowledgeable to one steeped in prayer. That, which we call the action of grace, they feel, is instinctively the strengthening factor of Faith and is necessarily tied in with the Mass. This means: freedom of conscience exists, but the inner spirit of the people, especially that of the young, is forbidden to be nourished. Many more instances can be cited, but one more will make the point. Consider the teacher who forbids her charges to participate in a Funeral Mass, and, if they are already in the Church, she removes them from the premises. Is this not an offense against the freedom of conscience?

These, and similar facts, which are known to the general public, certainly must be known to the District Attorney. Why is he silent? Is it any wonder the faithful feel unequal before the law? The faithful especially cannot comprehend why the heads of State make no reply, not even to one of these disclosures regarding inequity before the law. Even the press made the point that a request for a clarification must be honored within a month's time. For example, the faithful might even ask for a clarification of the following case. This summer when a group of atheists entered the Church during a period of religious instruction for the children and proceeded secretly to photograph the children and to ask for their names, the mothers rose to defend and protect their children. A disturbance broke out in Church. In truth, not much psychology is required of the public for a recurrence of the same incident as happened in Kražiai during the oppressive times of the Czar. Immediately after this incident, 69 parents of the children present sent a letter of complaint to the Central Committee of the Communist

Party of the Soviet Republic of Lithuania. The complaint received no official answer, even though return addresses were attached.

These, and like facts, when introspectively considered, raise the query: Are not the faithful defensible by law? Does this create a regard for the Constitution? Would we be astonished if within the minds of the faithful there should rise thoughts that freedom of conscience in the Constitution and our ratification of the Declaration of Human Rights is nothing but propaganda? Article 143 of the Penal Code, which levies penalties on those violating the freedom of the faithful, would that not be but mere propaganda, as also Mr. Rugienis' interview with Mr. Jokubka, and the books "Land of Our Fathers", "Religion in Lithuania", etc., and any talk about freedom of conscience? Why does the District Attorney, seeing all this, remain silent? Could there be some secret laws opposed to the promulgated law and unknown to the public? Let us look further. A long list of facts, gleaned from the conduct of the atheists, gives off a malodorous air of cunning and deceit in this matter of freedom of conscience.

(I ask: Why does officialdom remain silent?)

Why is all this not brought to justice? Quite frequently, the practice of the atheists against the faithful public can be likened to Shakespeare's Duke of Gloucester, who, in aspiring to the throne of England in the 15th century, secretly murdered all who opposed him, and yet, before the people, he managed an air of respectability, even to the point of appearing in their midst with a prayer book in hand.

1) Is it not a deceitful violation of freedom of conscience for atheists to study in Rome and thereby be in a position to have selected candidates fill vacant episcopal posts? What other reason can there be for this if not the cunning intent to undermine the Church from within, particularly in those countries where the Constitution guarantees freedom of conscience. The Bishops are in their sees, decrees are issued from the Bishop's Chancery, and, in the meantime, priests' assignments and all other edicts are dictated by the atheists. All this, in order to level the Catholic Church to the same condition in which the Orthodox Church finds itself.

2) Is there not an air of deceit in their efforts to compromise priests and even Bishops, not only in the eyes of the faithful, but also in the eyes of the Vatican as well. For example, is it the doings of the faithful that an energetic and healthy Bishop, His Excellency Bishop Slatkevičius, has been listed as "sedi datus" in the Vatican Report of World Bishops?

3) Does not deceit cover the fact that while a Seminary for Priestly Training exists and admission is permitted, yet only four or five priests are ordained, while each year 20-30 priests die in Lithuania? Also, at the same time, every effort is made to discourage capable, spiritual-minded students and professors from enrolling.

4) The same can be said as regards teaching children. It is not deceitful to permit the reception of First Holy Communion, but require each child to be examined separately? And what does this regulation stipulating separate examinations really mean? (Juridically speaking, there is no such law.) How, possibly, could children be prepared one at a time, especially in parishes where, during the summer, there might be several hundred children? Parents look to us priests to assist them in this matter. And what can we do? Permit the children to receive First Holy Communion unprepared? No one can love that which he does not understand. Is this not a surreptitious device to divert the children from their parents? Then the atheists can say: "Look, we enjoy freedom of conscience. The people themselves disown their Faith." Thus religious freedom can be equated with permission to live, but not to be born.

Honorable Judge, I would imagine that even you, as so many of the younger generation, obtain your knowledge of God from current books, like "Bible Joys" for instance, yet you do not know Him who died for us on the Cross. I wonder now, having a graduate diploma in your specialty, would you be able to pass the same kind of examination in religion which the children take before their First Confession? I bring this up only in passing, since, in the words of Rachmananov, you are the progeny of a "new people's factory" and we must forgive you for this trial and pray to God to forgive you. As I mentioned earlier, that day on which a disturbance broke out in Church, I later asked the children: "Children, should we detest these people?" Their answer: "No!" "And what is Christ's most important command?" "Hold no man your enemy," they responded.

These facts, and many like them, are known to the general public and, therefore, cannot be unknown to the District Attorney. Why then is all this tolerated? If I, being judged, am charged with a violation of the regulations governing freedom of conscience, how can I, or any other citizen, be punished according to these regulations, which, as we have seen, in many instances, are not even upheld by various State institutions. And by the very self-same fact of prosecuting a case of this nature against a priest, is not this a violation of freedom of conscience? Attempting to divert children from the custody of their parents, is this not a violation? It could be that a case might be made against me regarding the violation of freedom of conscience, if I had acted without the parents' knowledge. But could it be that the government forgets its own constitutional regulation and tolerates this?

Having considered these facts of life, we turn now to consider the very same Article by which I am being judged, which Article does not seem to have a clear contextual meaning. For example: I call to mind the very same type of case which occurred in 1964, in which I was judged guilty and sentenced to one year in prison for the very same reason of teaching children. Later, after a few months, the government issued a decree to remove the judgment and to release me. The

reason given: "It has been discovered no force was exerted on the children." This the court knew, and yet, in sentencing me to prison, nary a word was mentioned about forcing the children. And Article 143 of the Penal Code, as applicable to the case, was interpreted as follows: "It is forbidden to organize and teach religious truths in schools." (Not in Churches!) Regardless of the fact that by this reversal of judgment I was considered innocent of the charges, yet nevertheless, the court did find me guilty. How can this be understood? And if I was considered innocent at that particular time, why am I again judged by the very same regulation and under the same circumstances? That the children were being instructed in the Church and not in the school with parental consent is verified by the parents themselves, who submitted the matter to the Supreme Council of the Soviet Socialist Republics.

Certainly, the law cannot be interpreted one way once and another way a different time in identical circumstances. Also, there was no clarification made of the point concerning the promulgation of the phrase "provisionary regulations anent the law." Neither the Supreme Court at Vilnius nor the Investigator responded to the question.

(What conclusions can we draw from all this?)

Even though, humanly speaking, in a short-sighted sort of way, we would be inclined to repeat the words of Christ: "Father, if it be your will, let this chalice pass," yet, nevertheless, we, as priests, must thank you for this and similar judgments. Your decision forces our consciences to speak out, does not permit us to become lethargic, makes us think. You present us with two possibilities: the first — to be a priest in accordance with the mind of Christ, to perform our duties faithfully as Christ requires and as the Church's Canon Law regulates, and, at the same time, to accept all that Divine Providence holds in store.

The second possibility — to choose the path of peaceful collaboration with the atheists and try to serve two masters; to waver and fluctuate; to fulfill one's priestly duties, and yet, be of no danger to the atheists; to exclude the young from participating in the Mass; even to relieve them of the obligation of attending Mass, since this is forbidden them; to prepare the children for First Holy Communion, being satisfied they know their prayers and not worrying whether they have an understanding of the mystery of the Mass, which is central to Christian life; not bothering to think what will be the condition of the country in 10-20 years. In other words: don't be anxious about fulfilling your rightful priestly duties; enter into conflict with your conscience; just worry about what you'll have for lunch; forget about the fact that children will be told about god, but of that type of god that doesn't exist. Even I myself have no faith in the gods depicted for us by the press and the radio.

You showed me 1,000 youngsters behind bars. Not one of them has the knowledge of the God who loves us and is to be loved. No one speaks to them of this God. No one teaches them to find happiness in service to others, even to their enemies. Well do I know that if we priests do not speak to them of this, they will call us "stones". God will require of us their fate.

This is what is meant by peaceful collaboration with atheism. This is what the faithful of other countries cannot comprehend.

Is it for this reason that the atheists are held guiltless?

No matter. We choose windows with bars, and as the Investigator reminded us: "You declined to partake of roast duckling, so now, in prison, you'll eat bread."

And, if we priests are not judged by the courts today, we will be judged by the nation in the future. And finally, there will come the Lord's hour of justice. May the good Lord make us priests more fearful of this, than of your judgment.

Again there comes to my mind the 1,000 youngsters behind bars. In their childhood they failed to obey their parents... My land along the shores of the Nemunas is very dear to me. Well do I know she'll not be there if her children continue to fail to obey their parents.

I have spoken of this to them. I told them this is God's will. If this, according to your conscience, is a violation, then call me a fanatic and judge me, but, by the same token, also judge yourself.

I ask the court to consider the psychological circumstances, to remember the decision of the court that it may not cause the faithful to think that some Articles of the Constitution are mere propaganda. Can there ever be a regard for a law that causes one to enter into conflict with his conscience? Can there ever be a regard for a law, if it punishes one for the performance of his duties? "We must hearken to God, more than to men."

Translated from Lithuanian into English by Rev. Francis A. Ruggles, Pastor of Annunciation R. C. Church, 259 North 5th Street, Brooklyn, New York 11211. The subtitles in parentheses are additions of the translator.