

## To the Mayor of Caylus: Caylus

*Cantayrac, June 14, 1848*

Civil Mayor of Caylus:



On June 3 of this current year, you sent to us the rural guards of San Pedro and of Caylus, notifying us on your behalf that we are prohibited to go out from our property with the customary habit; that in case of defying this order, we will be arrested by the policemen.

We are not in your municipality; for this reason, being the mayor of the municipality of Caylus, you do not have any authority on the civil residents in the other municipalities of Cantón. You know this very well. It does not correspond, therefore, to the rural guards to serve us similar prohibitions. As the mayor of Cantón, it is your duty and within your legal capacity to inform the higher orders to the mayor of Loze, the municipality where we have established our residence. It pertains to him to serve us and oblige us to observe this law, if this is indeed legal.

In the name of liberty that every citizen enjoys to dress as he/she likes (keeping the law) I have the right of demanding you and do demand of you that this prohibition be served to me legally, through the established channel, that is, through the mayor of Loze. I am not obliged to conform to this until this prohibition will be made legally. By the time I will receive it, I will examine it with the civil code in my hand, and if it is just, I will conform; but in case it is on the contrary, I will have the right to refute it.

If you cannot prove to me any infringement to a law and yet have arrested me, then in the name of liberty and of equality of rights, I will pass to you the penalty of the law for harassing unjustly a citizen. If you transgress the limits of the law, you have to suffer the penalty, just as myself.

Miss Teresa Christiá<sup>1</sup> sent me the letter you addressed to her dated June 6 regarding the same matter; in what concerns me I must respond. You said in that letter that the Prefect of Tarn and Garonne prohibited me last year, 1847, to wear the religious habit. This is false; show me this prohibition. It was a voluntary commitment to which I do not like to submit myself since my arrival to this Republic. Herewith is the enclosed copy of the letter regarding this matter that I sent to the Commissioner of Tarn and Garonne, and by whose orders you have to abide regarding this matter.

In the letter that you addressed to Miss Christiá, you adduced the law of 1792 in support of the prohibition of religious habit. Do you claim to revive Robespierre and the

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<sup>1</sup> Marie Therese Josephine Frances Christia was born in Perpignan on March 8, 1802 and joined the Sisters of St. Claire in 1835. She made her profession in 1837 and left the convent in 1842. She went to Mondesir in 1844 searching light regarding her vocation. After two years in the castle as a guest, she established herself in a house built in a property she had bought.

barbaric laws of inhumanity, cruelty and terror that abolished the public act of worship of our religion, closed down the churches and brought priests and citizens to the gallows? Do you wish to reiterate the awful memory of the disastrous and dreadful catastrophes of that time? The citizens of this Republic of 1848 must follow the laws that are enforced at present; those other laws have been abolished, modified or reformed by Napoleon, Luis XVIII, Carlos X, Luis Felipe and the Republic of February. In the code of laws of this Republic I did not find in any of the laws by which my religious habit may be forbidden; on the contrary, the following principle has been established: freedom to dress as one pleases (following the law). Is my habit forbidden because it belongs to the mendicant order? But in this case, am I the one who begs for alms, or my habit? Is it forbidden because I am a religious? Up to the present no one has communicated to us of any law forbidding these habits. I will conform to this law when it will be enforced. In such case it will be precise that the law has to specify which parts of the habit are allowed and which are forbidden. If the law limits to certain habits adopted by only one Order or by several such as the Order of Carmelite or Discalced or the Trappists, etc. we shall not wear those forbidden by the law and would be free to wear either one or the other. Is it forbidden because it is ridiculous? There is no law that forbids ridiculousness in the society. Is it because it is poor, thick and austere? In a country where there is freedom of worship, the clothes of penance cannot be banned unless the Gospel and Christ who preached it be banned too.

If regarding my habit there is no law of prohibition, you ought not to believe that neither the Prefect of the Government, of Luis Felipe, nor the Commissioner of the Republic would dare to pass it to me without the support of a law enforced. If you attempt to do so, according to the principles of freedom and equality of rights, I would charge you as well as them before the law and according to the law, for outside the ambit of power granted to you by the laws, all of us are equal.

You ought to confine yourself to the orders and to the instructions of the Government of the Republic of February 1848 and not to the Government of Luis Felipe. I am sure that the Commissioner of Tarn and Garonne will not issue an order that is not just and lawful. Finally, I repeat, notify me legally of this prohibition and I would submit to it, if it is just. Neither I nor any person who is with me would give up the freedom of dressing as we please, clear the law, decency and modesty, except in virtue of a law that is enforced. It has been for eight years now that I am breaking this law that you alone want to announce to me. You can announce this infringement of mine to the higher authority and to punish me. Whenever you wish, I would present myself in court wearing this very same habit that you have proscribed in order to listen to the law of prohibition, to the end of conforming myself to it.

Good luck and fraternity. I have the pleasure to be your fellow citizen.

Francisco Palau, Priest

PD Excuse me of deferring copy of my letter to the Commissioner of Tarn and Garonne. I have sent it to the newspapers. You will read a protest against all tyranny and against all

decisions that could jeopardize my interests and rights of persons, of property and residence.

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#### WHAT WAS GOING ON?

Liberty  
Equality  
Fraternity

The French Revolution in 1789 aimed to give people freedom from the tyranny of the Kings and dynasties. Its leaders dreamt of a society governed by people moved by the principals of equality, liberty and fraternity. Unfortunately, means chosen for this purpose disregarded systematically freedom of the persons, specially those associated with the Church (which was considered main supporter of the old regime of tyranny). The Churches were closed, if not burned. Religious and clergy was secularized, if not forced to migrate or killed. Faith was regarded as useless in the age of science and progress. Religion was banded for public life.

Father Palau was a victim of this movement. Even though he was born years after this “first wave” of religious persecutions, we still suffered its consequences in his life. His convent was burnt, he was exiled. And even now, living in France, he was allowed to enjoy fully the fruits of equality, liberty and fraternity. The authority claimed that the Laws of that 1<sup>st</sup> Republic (50 years ago!) were still valid and that’s why he was no allowed to wear his religious habit; not only he, but also all his companions, men and women.

#### THEMES OF THE LETTER

Father Palau defends himself and his companions from unlawful actuation of authorities. He claims that the actual law is the one reigning in the country, not some law from 50 years ago. From the situation lived by him in that moment, we can withdraw some interesting points to ponder:

1. Necessity to adjust our laws to the current situation: 50 years for laws, in a society changing so fast, is definitely too much. The law has evolved, the first rigors and radicalism of French Republic were moderated by more clement laws that would express better the ideals of equality, liberty and fraternity.
2. Austerity and poverty are molesting: especially when chosen voluntarily, they can be uncomfortable for some people. There is whole movement called “minimalism” where people with good salaries, houses, cars etc. decide to say “no” to uncontrolled consumism and live only with what they really need. Fr. Palau defends his austere form of life as a testimony to the values of Gospel that he professed to live out. And it cannot be prohibited, even when it won’t be understood by many.

## IN REALITY...

Freedom has its consequences. Some research was made in countries that lived for prolonged periods of time under dictatorship or military regime. People were asked in what system they would prefer to live: in regime or in democracy. Surprisingly, there was a considerable percentage of those, who liked it during dictatorship: no need to decide on one own, everything clear what was allowed and what was prohibited, all in its place. And it's because freedom is not easy. We live in the world of freedom, but we are enslaved in so many things: political, materials, ideological... During pandemic of COVID-19 our freedom of movement, work, communication was restricted. Now, that we are allowed again to be free, what are we doing with this freedom? Now that we are the one to decide if we stay at home for the safety of all, what will we do? Will we continue with consuming goods and services without control (only because we can), or will we choose more minimalistic style of life, living with what we really need? Our freedom is now in our hands.

