

PRINCIPLES UNDERLYING TRADITIONAL CHURCH-STATE DOCTRINE

During the past few years several articles have been published in *The American Ecclesiastical Review* and elsewhere in support of what the authors of these articles and many other Catholics consider to be the traditional Catholic teaching on the proper relations between the Catholic Church and civil societies. The doctrine set forth and defended in these papers is that summed up in the letter *Longinqua oceani*, written by Pope Leo XIII¹ to the Archbishops and Bishops of the United States, and dated Jan. 6, 1805.

For the Church amongst you, unopposed by the Constitution and government of your nation, fettered by no hostile legislation, protected against violence by the common laws and the impartiality of the tribunals, is free to live and act without hindrance. Yet, though all this is true, it would be very erroneous to draw the conclusion that in America is to be sought the type of the most desirable status of the Church, or that it would be universally lawful or expedient for State and Church to be, as in America, dissevered and divorced.¹

In the *Longinqua oceani* Pope Leo XIII described our American system of relations between the civil society and religion as one in which the “rei civilis reique sacrae . . . rationes” are “separated and dissociated.” This condition is said to be 1) not objectively the best status for the Church, 2) illicit in some countries and under some circumstances, and 3) sometimes and in some countries inexpedient. By clear implication the *Longinqua oceani* reminds us that this condition is both licit and expedient as it stands in the United States.

¹ The original Latin text reads as follows. “Hoc enim Ecclesiae apud vos concessum est, non repugnante temperatione civitatis, ut nullis legum prae-pedita vinculis, contra vim defensa iure communi iustitiaeque indiciorum, tutam obtineat vivendi agendique sine offensione facultatem. Sed quamquam haec vera sunt, tamen error tolendus, ne quis hinc sequi existimet, petendum ab America exemplum optimi Ecclesiae status: aut universe licere vel expedire, rei civilis reique sacrae distractas dissociatasque, more americano, rationes.” This text is found in *Codicis iuris canonici fontes*, edited by Cardinal Gasparri (Polyglot Vatican Press, 1933), III, 461 f. The translation is found in *The Great Encyclical Letters of Pope Leo XIII* (New York: Benziger Brothers, 1903), p. 323.

The men who have written in support of this position have always maintained that, since this is the authoritative teaching of a Roman Pontiff, it is something which all Catholics should accept with a true and sincere internal assent. They are likewise convinced that there is ample and manifest theological evidence in support of this position. Unfortunately, however, there are certain portions of that evidence which they have not had the opportunity to explain at any length during the course of their discussions on this subject.

The reason why some sections of the theological background of their own position have not been brought out at any length during the course of the contemporary discussions on Church and state by the theologians who have defended the traditional theses is to be found in the predominantly polemic function of their writings. They were almost always engaged in trying to show that certain propositions presented, on the one hand by enemies of the Catholic Church, and on the other by theologians whose views on this subject differed from their own, were not acceptable. Hence their writings have, in great measure, been geared to positions other than that which they themselves accepted and defended. As a result, in the minds of some at least among their readers, their position has appeared to be more negative than positive, more a rejection of teachings which they have deemed unwarranted than a presentation of a definite and positive teaching consonant with and made imperative by some of the fundamental truths in the body of Catholic doctrine.

So it was that, in 1946, the article entitled "*Time* and Pope Leo"² centered around a protest against the news magazine *Time's* contention that Pope Leo XIII had condemned "the U.S. principle of separation of Church and State," and its assertion that, "Though Leo's views are still repeated by a few academic theologians, they are largely ignored by the U.S. hierarchy." In this case the inaccuracy of the first claim could be shown by an appeal to the words of Pope Leo, and the second assertion is manifestly self-contradictory. The "academic theologians" who, according to *Time* itself, upheld the great Pontiff's teachings are the very men who teach as the Bishops' representatives in the Bishops' schools.

² *AER*, 114, 5 (May, 1946), 369-75.

Later that same year *AER* carried still another controversial article on Church and state. It was entitled "The (atholic Church and Freedom of Religion,"³) and it commented upon the inaccurate and misleading use made of Dr. Connell's brochure, *Freedom of Worship*, by the bitterly anti-Catholic *Christian Herald* and by the religious editors of *Time*. A paper, "The Theology of the Church and of the State," read to the second annual meeting of the Catholic Theological Society of America in Boston, and published in the 1946 volume of that Society's *Proceedings*, commented on the pertinent pontifical teachings during the reigns of Gregory XVI, Pius IX, and Leo XII.⁴

All of the more recent *AER* articles which have upheld the literal accuracy and the authoritative character of the Leonine teachings on Church and state must be classified as parts of a debate which has been carried on within the ranks of the American theologians themselves. Within this group we must list Dr. Connell's brilliant paper on "Christ the King of Civil rulers,"⁵ and his two direct replies to Fr. Murray,⁶ as well as the two well-known articles by Dr. Shea,⁷ and my own attempt to summarize and to evaluate the first part of the discussion between Dr. Shea and Fr. Murray. Dr. Martin's explanation of the nature of the state, and of the various erroneous theories which have been offered on this subject belongs similarly to this same field of discussion.⁸

Directly pertinent to this same controversy have been the various papers published in *AER* on the doctrinal authority of papal encyclicals and on the nature and the authoritative force of

³ *AER*, 115, 4 (Oct. 1946), 286-301. Dr. Connell's pamphlet was published in 1944 by the Paulist Press in New York. It was the reprint of an article in *Columbia*, 23, 3 (Dec. 1943), 6 ff. The offending articles appeared in the *Christian Herald*, 69, 8 (Aug. 1946), 51, and in *Time*, 48, 5 (July 29, 1916), 56.

⁴ *Proceedings of The Catholic Theological Society of America*, 2 (1946), 15-46.

⁵ *AER*, 119, 4 (Oct. 1948), 244-53.

⁶ "The Theory of the 'Lay State,'" *AER*, 125, 1 (July, 1951), 7-18, and "Reply to Father Murray," *AER*, 126, 1 (Jan. 1952), 49-59.

⁷ "Catholic Doctrine and 'The Religion of the State,'" *AER*, 123, 3 (Sept. 1950), 161-74, and "Catholic Orientations on Church and State," *AER*, 125, 6 (Dec. 1951), 405-16.

⁸ "The State: Its Elements," *AER*, 125, 3 (Sept. 1951), 177-95. :

the Holy Father's ordinary *magisterium*.⁹ Dr. Benard's critique of certain aspects of the "Springfield plan," with its magnificent explanation of the Catholic principles of tolerance, was not written with direct reference to this or to any controversy among Catholic theologians.¹⁰ It has, nevertheless, been of immense value in the course of this discussion.

Neither in the individual nor in the aggregate have these papers attempted to offer even a sketch of the basic theological principles upon which the traditional position on the interrelations between the Catholic Church and civil societies is founded. Yet these are principles which must be known and understood if this traditional teaching is to be appreciated for what it is, and recognized as a genuine and positive theological doctrine, rather than as a mere point from which attacks on other theories can originate.

The first of these principles is an expression of the nature of religion itself. It is a statement of the fact that objectively religion is nothing more or less than the payment of the debt of acknowledgement which all rational creatures owe to God.

Thus, by its very nature, the work of religion is something which every rational creature must perform if that creature is objectively to be morally good. It is a moral evil to withhold from a fellow creature the good which is really due to him. It is a much more serious moral evil to fail to pay to God the debt of acknowledgement actually due to Him because of His supreme goodness and because of our absolute and entire dependence upon Him.

The next principle has to do with the extent of the obligation of religion or worship. Since man is totally dependent upon God,

⁹ "The Doctrinal Authority of Papal Encyclicals," *AER*, 121, 2, 3 (Aug., Sept. 1949), 136-50; 210-20; "The Religious Assent Due to the Teachings of Papal Encyclicals," *AER*, 123, 1 (July, 1950), 59-67; "The Lesson of the *Humani Generis*," *AER*, 123, 5 (Nov. 1950), 359-78; "The *Humani Generis* and Its Predecessors," *AER*, 123, 6 (Dec. 1950), 452-58; "The *Humani Generis* and the Holy Father's Ordinary Magisterium," *AER*, 125, 1 (July, 1951), 53-62; "Christ the Teacher and the Stability of Catholic Dogma," *AER*, 125, 3 (Sept. 1951), 208-19. Also pertinent to the discussion were "The Relation of the Christian State to the Catholic Church according to the *Pontificale Romanum*," *AER*, 123, 3 (Sept. 1950), 214-18, and "The Status of a Controversy," *AER*, 124, 6 (June, 1951), 451-58.

¹⁰ *ER*, 114, 1 (Jan. 1946), 1-12.

there is no realm or section of human life which can be exempted from this obligation of acknowledging God's supreme goodness. Thus, not only individual men, but also all societies or groups of men are bound to pay that debt of acknowledgement. If they fail to make that acknowledgement, their conduct is objectively lacking a good which it should include.

One factor which can and does obscure this principle in the minds of some men is a confused and imperfect notion of religion itself. When they fail to see the virtue of religion for what it really is, a potential part of justice, they are inclined to look upon the field of its exercise as in some way circumscribed. They do not come to realize that the work of religion is, in the last analysis, the payment of the real debt or obligation of acknowledgement on the part of the creature of his complete dependence upon God, and of God's sovereign excellence. Thus, if they come to imagine that religion has no more meaning than that contained in the basic concept of this reality ordinarily set forth in manuals of comparative religion or history of religion, they will never be able to appreciate the genuine obligation incumbent upon all individuals and upon all groups of men to worship God.

Now it is perfectly obvious that under certain circumstances, some groups, states, families, and other societies, are not in a position to perform corporate or social acts of worship. Such a case occurs, of course, when the membership of the group is sharply divided in religious belief. Where different members of a family have different religions, the family as such cannot have its own act of worship. Likewise, where the various citizens of a state have different religious persuasions, it is evident that the state itself is not in a position to exercise its own act of religion, and to pay its own debt of acknowledgement to God.

In such cases the non-performance of the religious act by the group or community may well be morally excusable. After all, the obligation of the society to pay its debt of acknowledgement or worship is definitely consequent upon the obligations of the individual human beings that compose the group. But, even under such circumstances, it is utterly incorrect to say that the condition of the community or group which does not offer social worship to God is, in the strictest sense of the term, a good thing. A state or any other community may not be in a position to pay

this debt of acknowledgement or religion to God, but that failure to worship, despite its practical necessity, remains something - objectively deplorable.

Hence, even on these grounds, the failure or the inability of a civil society to concern itself with the acts of religion must not be considered as a good or desirable thing. The condition of such a state, even though it be the only one possible under a given set of circumstances, cannot be thought of as ultimately and completely fitting or proper for any group or organization of men. It is never *simpliciter* a good thing to have any individual or any group of individuals withhold the payment of the debt of acknowledgement and gratitude due to the living God.

Still another principle which must be kept in mind for a proper grasp of the theology of Church and state is the truth that God wills that the debt of religion should be payed to Him in a definite and supernatural way. It is His right to prescribe the method according to which He is to be worshipped, and He has seen fit to exercise that right. His message, the divine public and supernatural revelation which comes to us in the Catholic Church, carries with it manifest signs of its own authenticity.

According to that message, the one acceptable and authorized C social worship of God is to be found summed up in the Eucharistic sacrifice of the Catholic Church. It is God's will that men should pay the debt of acknowledgement and gratitude they owe to Him in the worship and according to the rite of His own Church.

Hence it follows that religion and the Church are not in the best or the most desirable position in a land where, even for perfectly valid and acceptable reasons, the civil society itself does not worship God according to the rites of the Church. This holds true even where the Church shows a freedom and vitality greater than those it manifests in some of the countries where the civil society has offered the true and Catholic worship to God.

This is precisely the point which Pope Léo XIII brought out so forcefully in his letter to the hierarchy of the United States. The great Pontiff never lost sight of the fact that the Catholic Church is actually the Mystical Body of Jesus Christ Our Lord. It is His instrument for the sanctification and the enlightenment of the people for whom He died on the Cross. It judges the world and its affairs in the light of His standards, not in the light of the

norms used by the world itself. Hence it cannot and will not describe some condition as fully desirable in which the benefits that accrue to it and to its members come precisely from the inability' of the civil society to worship God in the Church's Eucharistic sacrifice. Despite the undoubted fact that the material and even the spiritual prosperity of the Church were greater here than in lands where the Catholic religion was recognized and accepted by the civil society, Pope Leo was bound to insist that the non-recognition of the Church and the non-acceptance of its worship by the state could not enter as factors into the best and most desirable condition of the Catholic Church.

Zeal for God as well as charity for our neighbor and for our own country stand behind this teaching of Pope Leo's. It would seem difficult in the extreme for a person who really loves God and who wills and works to have His name glorified to consider as ultimately and absolutely satisfactory a situation in which the civil society does not pay its debt of religion to Him. The intention that God's name be glorified, the intention which we beg God to fulfill every time we repeat the first petition of the Lord's Prayer, involves a desire that the acknowledgement due to God should actually be given to Him. Obviously the man who would consider the situation of the Church as ultimately and absolutely satisfactory in a nation or country which as such does not worship God according to the rite of the Catholic Church does not consider this worship by a civil society or nation as completely desirable.

Furthermore, the affection which, by God's command, we owe to our own fellow-citizens and to our own country itself must militate against the acceptance of a separation of Church from state or of religion from the state as ultimately satisfactory. The love we owe our neighbors is a love of charity, a love of benevolence, through which we will, seriously and sincerely, that these people may have the benefits of which they stand in need. The one absolutely necessary goal which God has set for all men is the supernatural possession of Himself in the Beatific Vision, a possession which God wills that they should enjoy in the unity of the Church triumphant in heaven. As the Holy Father has brought out forcefully and sharply in his encyclical *Humani generis*, this eternal salvation is a goal which men can not attain apart from

the Catholic Church itself." When we consider as ultimately and absolutely satisfactory a situation in which the state, by reason of the diversity of religious tenets among its own citizens, does not actually worship God according to the rites of the Catholic Church, we are thereby branding as ultimately satisfactory a situation in which great numbers of our own neighbors remain apart from that Church which is truly requisite for eternal salvation. Such an attitude is clearly incompatible with the true charity or love of benevolence according to which we sincerely will and intend to bring these neighbors of ours, to the extent of our ability, the good things which are helpful and necessary to them.

The affection of charity demands that we should rejoice in and be grateful for the good things which the beneficiaries of our charity possess. Thus we must thank God for the freedom and the intellectual and material prosperity of our own nation. That same affection of charity, however, forbids us to be complacent about the wants and the ills of those about us. We have no right, as the members of the household of the faith, to remain satisfied that many of our own fellow-citizens stay deprived of the fruits of both the temporal and the internal missions of the Holy Ghost. That these individuals are not joined to Our Lord by either the inward or the outward bonds of unity with Him is their misfortune.

Our own beloved nation is not in a position to offer its official and corporate worship to God according to the rite of the true and Catholic Church only because of the fact that many of our fellow-citizens have and profess either a false religion or no religion at all. Obviously, if we are to think and to speak according to the dictates of true faith and charity, we cannot, in any way whatsoever, believe that this situation is absolutely the best and ultimately satisfactory for our fellow-Americans, for our country itself, or for the Church.

Under the definite circumstances in which we live, with the various religious beliefs and the lack of belief existent among Americans, it is obviously best that all religions should be treated

|| "Aliqui necessitatem pertinendi ad veram Ecclesiam, ut sempiterna attingatur salus, ad vanam formulam reducunt" (*L'Osservatore Romano*, Aug. 21-22, 1950).

alike according to our American law. After all, we constitute a nation. The law and the government of a nation are definitely meant to aid us in our essential civil task of living together peacefully and of bringing about our own corporate and individual temporal welfare. Our laws and government, as they stand, contribute admirably towards the accomplishment of this essential civil task. They protect the freedom we need and cherish.

The anti-Catholic agitators of our time are obviously plotting against the very essence of our peaceful life as a nation. Their reckless and vulgar diatribes against Catholic Americans and (the Catholic Church as well as their spurious philosophy of freedom are aimed to incite the non-Catholics of the United States to dislike and distrust, and if possible, to persecute, their Catholic fellow-Americans. It is distinctly to the credit of the majority of American non-Catholics that they instinctively recognize the seditious nature of this anti-Catholic ranting. They see that, if the agitators were successful, there would be internal discord and strife within our nation, and the very purpose of our civil society would be frustrated.

It would seem that the most serious and damaging effect produced by these agitators has been within the realm of our American Catholic literature. The anti-Catholic agitators are continually charging that Catholics are striving to do away with freedom of religion in the United States. In answering these men, some of our less skillful apologists become so confused that they actually give the impression that Catholics are completely and absolutely satisfied with the situation here in America today, that we believe it to be best that many of our fellow-citizens should remain as they are, apart from Our Lord, from His Church, and from His true religion. Unmindful of the constant and devoutly sincere prayer of the Church that all of those who wander apart from ecclesiastical union and fellowship with Christ should be brought by God's grace into that fellowship, these writers describe as ultimately good and satisfactory a situation in which the nation itself takes no more cognizance of the true religion than it does of false systems of worship.

It is the divinely infused virtue of charity that dictates the prayers of the Church that all men may be brought into union with Christ within the ecclesiastical fellowship. According to the

order of that charity, our prayers in this direction should be most intense in favor of those who are closest to us, our own fellow-citizens. We would be denying the force of that missionary charity within the Church, or misjudging the nature of the Church itself, were we in any way to give the impression that we do not care whether our fellow-Americans enter the true Church or not. The true religion is the great good which we desire for our fellow-citizens and for our country. The true Church, outside of which there is no salvation, is likewise a great and necessary good we seek for the men and the nation we love, in the affection of charity.

There is one more principle which must be taken into consideration for any proper understanding of the traditional Catholic position on Church-state relations. In the passage from the *Longinqua oceani*, quoted on the first page of this article, Pope Leo XIII taught that "it would be very erroneous to draw the conclusion . . . that it would be universally lawful or expedient for State and Church to be, as in America, dissevered and divorced." The clear inference of this passage is that this situation is allowable and expedient in America, as the only means by which the civil society can operate properly in the situation in which Americans profess many different religions or none at all. There is, however, likewise the clear inference that in some cases the non-profession of the Catholic religion by the civil society was a definite moral wrong.

The significance of that statement becomes apparent from a study of the Catholic dogma set forth in the Vatican Council's first dogmatic constitution, the *Dei Filius*. This document declares that "If anyone should say that the faithful and those who have never arrived at the only true faith are in a like situation, so that Catholics can have a legitimate reason for withholding their assent from and doubting, until they shall have completed the scientific proof of the credibility and the truth of their own faith, that faith which they have already received under the Church's *magisterium*, let him be anathema."¹² The text of the third chapter of this constitution declares that "those who have received the faith under the Church's *magisterium* can never

¹² *DB*, 1815.

have any legitimate cause for changing that faith or doubting

The *active* separation of the Church from the state in countries which previously were Catholic and which had previously, as civil societies, paid their real debt of religion to God according to the true worship of the Catholic Church was manifestly the work of individuals who had ceased to profess the Catholic faith. It was a part of the mechanics of that changing or rejection of the true faith which the Church has always recognized as inherently an evil thing. In such countries, the condition could be called neither legitimate nor expedient.

The thesis that the state or the civil society is objectively obligated to worship God according to the rite of the Catholic religion thus stems basically from a realization of the fact that the debt of religion is a real obligation incumbent upon every human being and every social unit, and from a recognition of the truth that there is only one objectively acceptable religious worship, that which is paid to God within the framework of Our Lord's Mystical Body. This thesis is likewise in line with the fundamental principle of Catholic missiology, the truth that God wills that all men should enter His one true Church. Thus it refuses to see as genuinely and ultimately desirable and good a situation in which some men, even though through no fault of their own, are not citizens of God's supernatural kingdom on earth.

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Hi

Answers to Questions

AN ASSISTANT PRIEST AT A GOLDEN JUBILEE

Question: Is it permitted to have an assistant priest at the golden jubilee mass of the priest? Recently I have seen the assistant priest wearing a stole which I feel is incorrect. What is the correct dress for an assistant priest?

Answer: The Code of Canon Law is very clear on the question of an assistant priest. It clearly states that Bishops and other Prelates entitled to the use of the Pontificals (crosier and miter) may have an assistant priest when celebrating Holy Mass. The Congregation of Rites permits an assistant priest for the first Solemn Mass of a newly ordained priest. (S.R.C. No. 3564,2). The occasion of a silver or golden jubilee does not warrant the presence of an assistant priest, for the Code says it is not lawful "to have an assistant priest merely for the sake of honour or solemnity."

Should the presence of an assistant priest be justified the proper dress for him is the surplice over which he wears the amice and cope which will correspond in color to the vestments of the day. Wearing the stole is entirely incorrect.

PATRONAL FEAST DAY

Question: A nun has asked me when she should celebrate her feast day, St. Bernadette, Feb. 18 or April 16. May we be enlightened?

Answer: Our good nun can make her own selection for her patron unless one or the other was specifically designated when she received the name of Bernadette.

VOTIVE MASSES

Question: Where does one find the votive Masses for the Nativity of Our Lord and for the Mystery of the Resurrection?

Answer: The Masses of the greater feasts of Our Lord like Christmas and Easter may never be said as votive Masses. As