

CHAPTER IX

RELATIONS BETWEEN CHURCH AND STATE

40. The Principle: The Distinction between Church and Civil Society, and the Subordination of the Purpose of the State to the Purpose of the Church.

The human person, destined by God to a supernatural end, needs both the Church and civil society in order to reach full perfection. The role of civil society, to which man belongs in virtue of his social nature, is to attend to earthly goods and to provide those conditions in which citizens can achieve a perfection worthy of man and can lead here on earth "a quiet and tranquil life" (see 1 Tm 2:2). The Church, to which man must belong in virtue of his supernatural vocation, was founded by God so that, by spreading itself farther and farther, it might by its doctrine, sacraments, prayers, and laws lead the faithful to their supernatural goal.¹ Each society is provided with all it needs in order properly to carry out its own mission. Each of them is perfect, that is, supreme in its own order and therefore not subject to the other, possessing as it does legislative, judicial, and executive power.² This distinction between the two cities, as a constant tradition teaches, is hinted at in the words of the Lord, "Render unto Caesar the things that are Caesar's, and unto God the things that are God's" (Mt 22:21).

The two societies exercise their power over the same persons and often with regard to the same matters; while they remain quite distinct, therefore, they still cannot neglect one another; indeed they most certainly must work together in harmony if they themselves and their common members are to prosper.³

Desiring to teach what relationships, arising from the nature of each, should obtain between the two powers, the Sacred Synod establishes in the first place that it must be firmly held that both the Church and the civil society were established for the benefit of man.⁴ The temporal happiness that the civil power concerns itself with, however, is of no value to man if he loses his own soul (see Mt 16:26; Mk 8:36; Lk 9:25). That is why the goal of the civil society must never be sought to the exclusion or detriment of man's final goal, eternal salvation.⁵

41. The Power of the Church and its Limits; the Church's Duties towards the Civil Power.

The Church's power extends over everything by which eternal salvation may be reached by human beings, but matters pertaining to temporal happiness fall as such under the civil authority. The Church, therefore, is not concerned with temporal matters except insofar as they bear upon the supernatural goal. In matters bearing on the goal of both Church and society, for example, marriage, the education of children, and other things of the sort, the rights of the civil power are to be exercised in such a way that, in the Church's judgement, no harm is done to the superior goods of the supernatural order. In other temporal affairs which, as long as the divine law is kept, can be obtained or done in various ways, the Church does not in any way involve itself. Guardian of its own rights and scrupulously observant of the rights of the other, the Church does not believe that it is its role to determine what form of society is to be preferred or by what arrangements the civil affairs of Christian peoples are to be carried out. As long as religion and morality are preserved, the Church does not disapprove of any of the various types of state.⁶ As it does not renounce its own freedom, so the Church does not prevent the civil power from freely

exercising its rights and laws.⁷

Civil rulers cannot be ignorant how many benefits the Church brings to civil society as it carries out its mission.⁸ The Church herself labors to form citizens good in their Christian virtue and piety, who, if they are what Christian teaching commands them to be, will without a doubt, as Augustine says, be a great blessing to the state.⁹ The Church also imposes on citizens the duty of obeying legitimate ordinances, "not only because of wrath, but also for conscience's sake" (Rm 13:5).¹⁰ It admonishes those responsible for governing a state to carry out their role, not out of lust for power, but for the good of their citizens, as having one day to give an account to God (see Hb 13:17) for the power God has given them.¹¹ Finally, the Church insists upon the observance of the laws, both natural and supernatural, by which the whole civic order, both among citizens and among nations, is in accord with the norms of justice and peace.¹²

42. The Religious Duties of the Civil Power.

The good of the State itself requires that the civil power not consider itself indifferent towards religion. It was established by God to help men acquire a truly human perfection; it must, therefore, not only provide its members the opportunity to procure temporal goods, both material and cultural, but must also assist them so that the spiritual goods for leading a religious life can more easily abound. Among those goods none is to be more highly regarded than to know and acknowledge God and to fulfil the duties owed to God, for these are the foundations of all private virtue, and indeed of all public virtue as well.¹³

These duties toward God are not to be fulfilled only by individual citizens, but also by the civil power, which in its public acts represents the civil society. For God is the author of civil society and the source of all the goods which through it flow down to every member. Although, in the order willed by Christ, liturgical worship belongs only to God's Church, still the civil society must also worship God in some social way.¹⁴ In the light of its nature, it will especially do this if by procuring the common good it faithfully observes the laws of God established by the divine Majesty for this economy of salvation. This demands above all that full freedom be granted to the Church and that whatever the Church judges to hinder the attainment of the eternal goal is excluded from legislation, governing, and public activity. The goal indeed should be to make it easier to live a life on Christian principles, one conducive to eternal life.¹⁵

43. A General Principle of Application.

No individual can worship God in the manner prescribed by Christ unless he is convinced that God has spoken through Jesus Christ,¹⁶ indeed unless he knows the saving mission of the Church. So also the civil community is not obliged to such worship unless the fact of revelation has first been accepted by its citizens and by the civil power insofar as it represents the people. The Church has always acknowledged that different relationships, beneficial to both, will obtain between the two powers in accordance with whether the civil power, representing the people, acknowledges Christ and the Church he founded. For the good of the community itself, citizens should be granted full freedom to decide that their civil life be shaped according to Catholic principles and thus that, as St. Gregory the Great said, "the road to heaven be broadened."¹⁷

44. Conclusion.

The holy Synod acknowledges that the principles about the mutual relationship between the ecclesiastical and civil powers are to be applied only with the moderation explained above; but it cannot allow them to be obscured, under the pretext of the common good, by some false laicism. For these principles are based on the absolutely firm rights of God, on the unchangeable constitution and mission of the Church, and on the social nature of man which remains the same in all times and determines the essential purpose of the civil society itself, despite differences in political government and other alternations of circumstance.¹⁸

NOTES

¹ Leo XIII, Encyclical. *Immortale Dei*, 1 nov. 1885, *ASS* 18 (1885), 166 (Dz 1866); Pius IX, Encyclical *Etsi multa luctuosa*, 21 nov. 1873, *ASS* 7 (1872), 471 (Dz 1841).

² Benedict XIV, Letter *Ad assiduas*, 4 March 1755 (*Benedicti XIV Bullarium*, IV [Rome, 1758], 163); Pius VI, Const. *Auctorem fidei*, 28 August 1794 (Dz 1505); Pius IX, Enc. *Quanta cura*, 8 Dec. 1864, *ASS* 3 (1867), 164-65 (Dz 1697-98); Syllabus, 8 Dec. 1864, props. 19, 20, 54 (Dz 1719, 1720, 1754); Leo XIII, Enc. *Immortale Dei*, l.c., p. 174 (Dz 1869); Code of Canon Law, the many canons which presuppose the character of the Church as a perfect society, e.g., 109, 120-21, 265, 1160, 1322:2, 1495:1, 1496, 2214:1, 2390; Pius XI, Enc. *Ubi arcano*, 23 Dec. 1922, *AAS* 14 (1922) 697ff; Enc. *Quas primas*, 11 Dec. 1925, *AAS* 17 (1925), 604ff (Dz 2197); Enc. *Divini illius Magistri*, 31 Dec. 1929, *AAS* 22 (1930), 52-53 (Dz 2203); Pius XII, Address to Sacred Roman Rota, 2 Oct. 1944, *AAS* 36 (1944), 289; Address to Sacred Roman Rota, 29 Oct. 1947, *AAS* 39 (1947), 495; Address to Participants in Tenth International Congress of Historians, 7 Sept. 1955, *AAS* 47 (1945), 677.

³ On the need for harmony between the two societies: Gregory XVI, Enc. *Mirari vos*, 15 Aug. 1832, *ASS* 4 (1868), 344 (Dz 1615); Pius IX, *Quanta cura*, l.c., p. 161 (Dz 1688); Syllabus, prop. 55 (Dz 1755); Leo XIII, *Immortale Dei*, l.c. pp. 166, 173 (Dz 1866-67); Enc. *Libertas praestantissimum*, 20 June 1888, *ASS* 20 (1887), pp. 603 and 611; St. Pius X, Enc. *Vehementer Nos*, 11 Feb. 1906, *ASS* 39 (1906), 12-13 (Dz 1995); Enc. *Pascendi*, 8 Sept. 1907, 614-15 (Dz 2092); Pius XI, Enc. *Divini illius Magistri*, l.c., pp. 55-56 (Dz 2205); Pius XII, Address to the Roman People, 20 Feb. 1949, *AAS* 41 (1949), 75-76; Address to First Universal Congress on the Catholic Apostolate of the Laity, 14 Oct. 1951, *AAS* 43 (1951), 785; Address to Society of Reporters for Foreign Newspapers residing in Rome, 12 May 1953, *AAS* 45 (1953), 399f; Address to Tenth International Congress of Historians, l.c., p. 679. In this Address Pius XII explicitly refers to the doctrine of Leo XIII and cites the Encyclicals *Diuturnum illud*, *Immortale Dei*, and *Sapientiae Christianae*.

When legates of foreign nations presented their credentials, Pius XII used quite often to recall the need for this harmony. See, for example, his remarks to legates of the following countries: Italy, 7 Dec. 1939, *AAS* 31 (1939), 705; Rumania, 15 Nov. 1940, *AAS* 32 (1940), 501; Argentina, 22 Nov. 1941, *AAS* 33 (1941), 503; France, 10 May 1945, *AAS* 37 (1945), 147; Chile, 20 Jan. 1952, *AAS* 44 (1952), 185.

⁴ Leo XIII, Enc. *Sapientiae christianae*, 10 Jan. 1890, *ASS* 22 (1889-90), 385; Pius XI, Enc. *Divini Redemptoris*, 19 March 1937, *AAS* 29 (1937), 79; Pius XII, Enc. *Summi Pontificatus*, 20 Oct. 1939, *AAS* 31 (1939), 433; Radio Message, 24 Dec. 1941, *AAS* 34 (1941), 12, 14; Address to newly created Cardinals, 20 Feb. 1946, *AAS* 38 (1946), 145ff; Address to Participants in First International Congress on the Histopathology of the Nervous System, 13 Sept. 1952, *AAS* 44 (1952), 786.

This doctrine on the Church was explicitly presented by Pius XI to the Lenten preachers, *Civiltà Cattolica*, 78/1 (1927), 554-55; Pius XII, Enc. *Mystici Corporis*, 29 June 1943, *AAS* 35 (1943), 222f.

⁵ Leo XIII, *Immortale Dei*, l.c., p. 164: "Since civil society arises for the common good, if it is to defend the prosperity of the society it must so provide for its citizens that not only does it not place any obstacles but does whatever it can to provide opportunities for them to obtain and achieve their supreme and unchangeable goal;" *Libertas praestantissimum*, l.c., p. 595; St. Pius X, *Vehementer nos*, l.c., p. 5: He is speaking of the French Law of Separation: "...it measures the action of the State solely by the prosperity of this mortal life, the proximate reason for civil society; it quite neglects the ultimate purpose of its citizens, the eternal happiness presented to men after this brief life, as if it were alien to the State. On the contrary, not only must the State not hinder, it must favor the attainment of that supreme and absolute goal for which this whole order of fleeting things is arranged;" Pius XII, *Summi Pontificatus*, l.c., p. 433, places among the purposes of the State "that it help citizens achieve the heavenly goal to which they are destined;" John XXIII, Enc. *Grata recordatio*, 26 Sept. 1959, AAS 51 (1959), 676.

⁶ Leo XIII, Enc. *Sapientiae christianae*, l.c., p. 396.

⁷ The first Article of the Gallican Clergy, declared null by Alexander VIII, 4 August 1690 (Dz 1322); again condemned among the errors of the pseudo-Synod of Pistoia by Pius VI in the Constitution, *Auctorem fidei*, 28 August 1794 (Dz 1598-99); Pius IX, Condemnation of the proposition of John Nep. Nuytz, *Ad Apostolicae*, 22 August 1851 (*Pii IX P.M. Acta*, I/I, p. 287), which is also found in the Syllabus, prop. 24, *ASS* 3 (1867), 171 (Dz 1724); Leo XIII, *Immortale Dei*, l.c., pp. 166-67 (Dz 1866): "Whatever, therefore, is sacred in human affairs, whatever concerns the salvation of souls and the worship of God, whether it does so of its nature or because of some particular reason, all this falls under the authority and the judgement of the Church," a sentence referred to by Pius XII, in his Address to Participants in the First International Congress of Historians, l.c., p. 677-78.

From this derives the right of the Church to pass judgement on civil laws under their religious aspect: Leo XIII, *Sapientiae christianae*, l.c., p.97. In a letter written by Cardinal Merry del Val to Cardinal Sevin, the Archbishop of Lyon, on the occasion of the Congress of Catholic Lawyers held in 1913, the works of Tarquini, Cavagnis, and Billot are recommended: *AAS* 5 (1913), 559. Pius XI, *Ubi arcano*, l.c., p. 698; Pius XII, Address to Cardinals and Bishops, 2 Nov. 1954, *AAS*, 46 (1954), 671-73; Address to Members of Society of Foreign Journalists, 12 May 1953, l.c., p. 400.

⁸ Ever since the French Revolution, the Supreme Pontiffs have taught the dangers to the State that follow from the neglect of Christ's religion and law. For example: Pius VI, Consistorial Address, 29 March 1790, which cites St. Augustine, *Letter to Marcellinus*, 138, 15 (PL 33, 532) and *Against Faustus*, 21, 14 (PL 42, 398); Letter to Louis XVI, 17 August 1790; Gregory XVI, *Mirari vos*, l.c., p. 343, citing St. Augustine, *On the Psalms*, 124, 7 (PL 37, 1654); Pius IX, *Quanta cura*, l.c., pp. 166-67; the Draft prepared for the Vatican Council: by virtue and piety it makes citizens good; the duty of civil obedience is grounded in divine authority; it teaches rulers to direct their governance not to their own comfort but to the common good (Mansi, 51, 545ff).

Leo XIII, Enc. *Diuturnum illud*, 29 June 1881, *ASS* 14 (1881), 3-14, citing on p. 13 St. Augustine, *On the Morals of the Church*, I, 30 (PL 32, 1336); Enc. *Cum multa sint*, 8 Dec. 1882, *ASS* 15 (1882), 242: "For where religion is taken away, those principles will surely be shaken on which the health of society chiefly rests and which derive most of their force from religion, the most important of them being to govern justly and moderately, to submit to the judgement of conscience, to restrain desires by virtue, to give to each what is his, not to touch what belongs to another;" Enc. *Nobilissima Gallorum gens*, 8 Feb. 1884, *ASS* 16 (1883), 242-43; Enc., *Humanum genus*, *Ibid.*, pp. 417-33; Enc. *Au milieu des sollicitudes*, 16 Feb. 1892, *ASS* 24 (1891-92), 520; Enc. *Caritatis*, 19 March 1894, *ASS* 26 (1893-94), 525; Apostolic Letter, *Praeclara gratulationis*, 20 June 1894, *Ibid.*, p. 715; Letter *Longinqua oceani*, 6 Jan. 1895, *ASS* 27 (1894-95), 389; Enc. *Tametsi futura*, 1 Nov. 1900, *ASS* 33 (1900-01), 283-85.

St. Pius X, Enc. *Iucunda sane*, 12 March 1904, *ASS* 36 (1903-04), 520; Benedict XV, Enc. *Ad*

Beatissimi, 1 Nov. 1914, *AAS* b (1914), 567-68, 571; Letter, *Anno iam exeunte*, to Rev. Joseph Hiss, 7 March 1917, *AAS* 9 (1917), 172; *Ubi arcano*, l.c., pp. 683 and 687; *Quas primas*, l.c., pp. 604-05; Pius XII, *Summi Pontificatus*, l.c., pp. 423-24; Address to Girls in Catholic Action in Italian Dioceses, 6 Oct. 1940, *AAS* 32 (1940), 411; Address to Teens in Catholic Action in Italian Dioceses, 10 Nov. 1940, *Ibid.*, pp. 495-96; John XXIII, Enc. *Ad Petri cathedram*, 29 June 1959, *AAS* 51 (1959), 528-29: "We think this particularly certain: when the sacred rights of God and of religion are neglected or trampled on, the very bases of human society collapse and are ruined, as our very wise Predecessor, Leo XIII, remarked: 'The result is...that the force of laws is broken and all authority is weakened when the supreme and eternal reason of God's commands and prohibitions is repudiated' [Letter *Exeunte iam anno*, 25 Dec. 1888, *ASS* 21 (1888), 327]. Cicero's statement agrees with this judgement: "You, Pontiffs..., fortify the city better by religion than by the walls themselves" (*De nat. deor.*, III, 40).

⁹ St. Augustine, *Letter to Marcellinus*, 138, 15 (PL 33, 532): "Let those who say that the teaching of Christ is opposed to the state provide the sort of army that the Christian doctrine commands soldiers to be, provide the kind of provincial governors, husbands, spouses, parents, children, masters, servants, kings, judges, tax-collectors and tax-payers that Christian doctrine commands, and then they may dare to say that it is opposed to the state; but let them not hesitate to confess that, if it is followed, it is of great benefit to the state."

¹⁰ See also Tit 3:1; 1 Pt 2:13-15.

¹¹ See also Wis 6:4-6; Rom 13:1.

¹² Pius XII, Radio Message, 24 dec. 1942, *AAS* 35 (1943), 10.

¹³ Leo XIII, *Libertas praestantissimum*, l.c., p. 603: "Nature herself proclaims the necessity of the State providing means and opportunities whereby the community may be enabled to live properly, that is to say, according to the laws of God. For, since God is the source of all goodness and justice, it is absolutely ridiculous that the State should pay no attention to those laws or render them abortive by contrary enactments. Besides, those who are in authority owe it to the commonwealth not only to provide for its external well-being and the conveniences of life, but still more to consult the welfare of men's souls in the wisdom of their legislation;" *Sapientiae christianae*, l.c., p. 385; *Au milieu des sollicitudes*, l.c., p. 520.

¹⁴ Leo XIII, *Humanum genus*, l.c., p. 427: "Human society, for which we are by nature born, was established by God, the author of nature; and from it as from the principle and source flow all the force and endurance of the innumerable goods with which society abounds. Thus as we as individuals are warned by nature's voice to render pious and holy worship to God because we have received from God life and the goods that accompany life, so must peoples and States for the same reason; *Immortale Dei*, l.c., p. 163; *Libertas praestantissimum*, l.c., p. 604: "Civil society, therefore, because it is a society, must acknowledge God to be its originator and author and revere and worship his power and rule;" *Au milieu des sollicitudes*, l.c., p. 520; St. Pius X, *Vehementer nos*, l.c., p. 5: "[God] is the creator and conserver of human society no less than of individuals and thus must be worshiped not only privately but publicly also;" Consistorial Address, 21 Feb. 1906, *ASS*, 39 (1906), 30-31: "But God is the Lord and ruler not only of individuals but also of nations and states, and thus should be acknowledged, revered, and worshiped by nations and their governors;" Pius XI, *Quas primas*, l.c., p. 609; Pius XII, Enc. *Mediator Dei*, 20 Nov. 1947, *AAS* 39 (1947), 525ff.

¹⁵ See the texts cited in n. 5 above, to which add: Pius VII, Enc. *Diu satis*, 15 May 1800, *Bullarii Rom. Continuatio*, XI, pp. 21ff.; Pius IX, *Quanta cura*, l.c., p. 166; Pius XI, Enc. *Ad salutem*, 20 April 1930, *AAS* 22 (1930) 219-20.

¹⁶ Pius IX, Enc. *Qui pluribus* (Dz 1637).

¹⁷ St. Gregory the Great, *Letter 65 to Mauritius* (PL 77, 663). For the condition here set out on the application of the Catholic teaching, see Taparelli D'Azeglio, *Essai théorique de droit naturel*, 4th ed. (Paris-Leipzig-Tournai, t. I, pp. 388-390).

¹⁸ Many writers have recently taught that the principles presented here are only contingent norms given by the Supreme Pontiffs in relation to circumstances no longer existing.

Pius VI, to the Archbishop of Bordeaux, 10 July 1790: "The king's duties towards God are certainly immutable and may not be neglected for any reason whatever, even if he intends to fulfill them again when these perverse times have ended."

There is no doubt that Leo XIII intended to provide an immutable doctrine in the Encyclical *Immortale Dei*, "On the Christian Constitution of States." For he presents that doctrine as grounded in revelation and in accord with natural reason.

The successors of Leo XIII taught that the doctrine is immutable because grounded in those three principles: the rights of God, the social nature of man from which flows the State's essential purpose, and the immutable nature of the Church.

St. Pius X, Letter *Notre charge apostolique*, 25 aug. 1910 (Condemnation of *Le Sillon*), *AAS* 2 (1910), 612, 625, 627; Benedict XV, Letter *Anno iam exeunte*, l.c., pp. 171-75.

Pius XI, Enc. *Divini illius Magistri*, l.c., pp. 65-66: "Everything we have said so far ... has as its most firm and immutable basis the Catholic doctrine on *the Christian constitution of States*, which was so well presented by our Predecessor, Leo XIII, especially in the Encyclicals *Immortale Dei* and *Sapientiae christianae*." Having cited the Encyclical *Immortale Dei* on the distinction and relations between the two powers and on the Church's indirect power, he adds: "Whoever refuses to accept these principles and to apply them to education must both deny that Christ founded his Church for the sake of men's salvation and affirm that civil society and the State are not subject to God and to his natural and divine law. Which is manifestly impious..."; Letter of the Secretary of State to M. Duthoit, 12 July 1933; Ed. Bonne Presse, X, p. 241; Enc. *Divini Redemptoris*, l.c., p. 81.

Pius XII, Enc. *Summi Pontificatus*, l.c., pp. 432-33: "As our very wise Predecessor, Leo XIII, teaches in the Encyclical *Immortale Dei*, the State's authority was established by the supreme Creator of all things that it might direct the society on the basis of the requirements of that order which consists in *the universal principles and unchangeable norms by which it is ruled*, so that it might help the human person in this present life, with respect to his bodily and mental powers and right living, more easily achieve perfection, and so that it might assist citizens attain the goal to which they are destined;" Address to the Sacred Roman Rota, 6 oct. 1946, *AAS* 38 (1946), 393; Address to the Sacred Roman Rota, 29 oct. 1947, *AAS* 39 (1947), 495; Address to Participants in Tenth International Congress of Historians, l.c., pp. 677-78: "Leo XIII as it were enclosed in a formula the proper nature of these relations, of which he gives a luminous presentation in his Encyclicals *Diuturnum illud* (1881), *Immortale Dei* (1885), and *Sapientiae christianae* (1890)."

On the opposition between contemporary laicism and Christian doctrine, John XXIII teaches in the Enc. *Grata recordatio*, l.c., p. 677: "It should also be noted that types of reasoning and of philosophizing as well as types of behavior have become common today that can in no way accord with Christian doctrine. We will never cease to state this serenely but firmly and certainly. But God made men and nations capable of healing (see Wis 1:14). That is why we hope that the arid postulates and proposals that arose from this way of thinking and behaving and have been crystalized and hardened and imbued, as everyone knows, with the claims of 'laicism' and 'materialism,' will be set aside and that appropriate remedies will be sought and found in that healthy doctrine which experience is confirming more everyday. This doctrine testifies that God is the author of life and of its laws and that he is the vindicator of the rights and of the dignity of the human person. God, therefore, is 'our salvation and our Redemption' (from the Sacred Liturgy)."

